

Changes for the 2010 Application

Non-Policy

- 1) Adding a cover sheet helps with identification/clarification of attachments, even if no attachment is needed; **May cause excess of pages to be printed; no changes at this time.**
- 2) Step 1 It is difficult to distinguish from O and 0, I and 1. **Will check with IT to see if possible.**
- 3) The Main Contact shows up on the local sponsor list instead of the landowner. Landowner names should be listed first or base the local sponsor list on a different step. **Will check with IT to see if possible.**
- 4) Step 10B Current mortgage information is requested along with civil judgment and environmental findings. There is a need for consistence between the question and fill-in blanks.
(SEPARATE QUESTIONS: "IS THERE A CURRENT MORTGAGE OR LIEN ON THE PROPERTY?....
AND IS THERE A COURT JUDGMENT BY THE STATE, OR ANY AGENCY THEREOF, AGAINST ANY PARTY WITH AN OWNERSHIP INTEREST IN THE AEPP APPLICATION?..."
--ASK FOR EXPLANATIONS FOLLOWING EACH QUESTION...)
We will separate these questions for the application.

	<input type="text"/>
	<input type="text"/>
** Please indicate any tax liens, civil judgment, or environmental findings	
<i>If you answer "Yes" to Question 10B, provide the following lender information:</i>	
Lien Holder 1 Name:	<input type="text"/>
Contact Person:	<input type="text"/>
Mailing Address:	<input type="text"/>
City:	<input type="text"/>
State:	-- <input type="text"/>
Zip:	<input type="text"/>
Telephone:	<input type="text"/>
Parcel Number(s) with Lien:	<input type="text"/>
	<input type="text"/>
	<input type="text"/>

5) Step 11A The way the utility easement is sandwiched between other easements that are permanent, confuses could confuse people on acreage deduction.
 (SEPARATE THE SURFACE MINING, UTIL EASEMENT, AND O/G LEASE FROM THE 2 QUESTIONS NEEDING ACREAGE. FOR THE OIL/GAS QUESTIONS:
 Separate these questions for the application.

11A: Are there any restrictive covenants, leases, or easements on the applicant property to include: Yes No
 (Maximum Points = 0.0)

Does the applicant property have a Surface Mining Lease?
 If yes, the landowner will be asked to remove the surface mining lease prior to the closing of the agriculture easement. Yes No

Is the applicant property participating in the permanent easement program of the Wetland Reserve Program? Yes No

If "Yes", how many acres are included in the Wetland Reserve Program?

Does the applicant property have a Utility Easement? Yes No

Does the applicant property have a permanent Conservation Easement? Yes No

If "Yes", how many acres are included in the Conservation Easement?

Does the applicant property have an Oil or Gas Lease? Yes No

If the applicant property has an Oil and Gas Lease, is it in production? Yes No

11B: Does the landowner have existing housing (i.e, homestead, personal residence, or tenant house) on the application farm? Yes No
 (Maximum Points = 0.0)

NOTE: Please see ODA's farmstead policy regarding housing.

If "Yes", how many?

6) Step 12 Can the options be listed in a key for reference ease? If so, will this mislead the landowner due to weighted calculations? Would the handbook be a more appropriate location for the list of options?
 If possible, we will provide drop-down menus, with options shown. Place in handbook, also.

12A: 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="button" value="v"/>

7) Steps 13C,D Landowner may be losing points when using a map with county and township roads outlined. Use the preferred ODOT map instead. (BOLD 'ODOT MAP' & GIVE WEBSITE INFO)

[Link directly to correct "statewide" mapping system; change name of map, bold & add link.](#)

13C: Select the one item which indicates the applicant property's proximity to any roadway intersection listed on the most current available form of the Ohio Department of Transportation's official highway map -- to be measured by public roadway distance from the nearest road frontage boundary of the farm property. (Maximum Points = 2.0)

Roadway intersection access is:



Within 1,500 feet or More than 22,001 feet (0 points)



Between 1,501 and 3,000 feet or Between 20,001 and 22,000 feet (0.5 points)



Between 3,001 and 5,000 feet or Between 18,001 and 20,000 feet (1 points)



Between 5,001 and 7,000 feet or Between 16,001 and 18,000 feet (1.5 points)



Between 7,001 and 16,000 feet (2 points)

8) Step 15D Does the time invested by SWCDs count? Yes, if there is local government dollars provided to SWCDs toward farmland preservation, this would count. This also applies for Regional Planning farmland preservation efforts.

[Add: "Note: you may count time invested by the local swcd or regional planning if the work time was approved and paid for by local government and were provided specifically for farmland preservation purposes."](#)

15D: How much funding did the local government expend in 2008 for farmland preservation, including administration, planning, education, and/or purchase of agricultural easements? (Maximum Points = 4.0)



At least \$100,000 spent in 2008 (4 points)



Between \$50,000 and \$99,999 was spent in 2008 (3 points)



Between \$20,001 and \$49,999 was spent in 2008 (2 points)



Up to \$20,000 was spent in 2008 (1 point)



No funds were spent for farmland preservation in 2008 (0 points)

If any of the above were answered, "Yes," then describe the expenditures and how the funds were spent: (Maximum 1300 characters)

9) Step 16 At times, the local sponsor will assist the landowner in completing 16D. It is necessary many times for the local sponsor to provide insight/guidance. (ADD TO INSTRUCTION ON STEP 16: "DO NOT USE NAMES OF INDIVIDUALS IN THE NARRATIVES.")

[Link to online scoring guide for information. Also add "do not use names..."](#)

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)*



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)*



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)*



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)*



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, and, (4)wildlife habitat enhancement. *(Maximum Points = 10.0)*

10) Step 17 Can the local sponsor view this section?

[The Local Sponsor can view section after completion by NRCS/SWCD.](#)

Step 17: Conservation Plan - Tier One Scoring (Maximum Points = 5)

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. Representative must sign "Conservation Certification"

TO BE COMPLETED BY SWCD/NRCS REPRESENTATIVE ONLY

- 11) Step 17C If these numbers are not verified by certain documents, this should be noted in an attachment letter.

To be less confusing/cumbersome, this question will be removed. Award recipients will be requested to fill out additional paperwork for FRPP program quickly once selected.

17C: Insert acreages below for the following types of land, Nonforested Wetlands Acres, Prime Soils Acres, Forested Wetland Acres, Nonwetland Forests Acres. If there are no acres, enter "0".

Nonforested Wetlands Acres:	<input type="text"/>
Prime Soils Acres:	<input type="text"/>
Forested Wetland Acres:	<input type="text"/>
Nonwetland Forests Acres:	<input type="text"/>

- 12) After Step 18 is completed the system kicks out the SWCD/NRCS representative of the entire system. Instead could they be redirected to the farm list?

Work with IT to develop redirection to the farm list, if possible.

- 13) Step 19 Could we put a donation calculation adjustment tool in this section? Cost/benefit analysis shows this will not be a beneficial change. The ability to adjust is currently available in the application.

- 14) Can the farm name be added to each page, along with LSID, Farm ID, and acres?

The LANDOWNER LAST NAME, FARM ID & ACRES INFORMATION will appear ON EACH PAGE, if possible.)

- 15) Is Attachment D just 1 map? Yes. Staff will get an example of a good map online. Aerials, GIS maps also work.

Yes, this is 1 map. We will post examples online.

- 16) Other Can a partial step be saved during the online application process? Staff will try to get this operational, but it has proved problematic in the past.

We will look into this, to see if possible, due to issues with step completion.

- 17) Other On the farm list page, staff will attempt to get farms organized by year (first), then by landowner name or application ID.

We will work with IT to see if possible.

18) Information that was needed for the 2009 FRPP Easement Application Ranking:

- 1) Is the farm certified organic?
- 2) Farm has a business plan for alternative agricultural operations (John explained that items such as aquaculture, etc. would qualify for this. I took this to mean an item such as a winery.)
- 3) Is the farm located in a watershed with an Endorsed Watershed Action Plan? (for information on Endorsed Watershed Action Plan, visit <http://web.epa.ohio.gov/dsw/nps/NPSMP/WAP/WAPendorse.html>)

The Advisory Board has requested that we work to make the application less confusing. Questions outside statute requirements can be added. The above questions are outside the statute, but will not be added in this case.

Policy and/or Board Questions

- 1) Add a new eligibility question about if the farm is a “rural commercial enterprise” because according to our deed we cannot have those types of commercial businesses on our preserved farmland.

Add this as a question in the eligibility section. Links will be available for the applicant to check what is acceptable in our deed.

From our deed:

5.5 Right to use the Protected Property for Customary Rural Enterprises

- Grantor retains the right to use the Protected Property for otherwise lawful and customary rural enterprises, such as, but not limited to, processing, packaging and marketing of farm products primarily produced on the Protected Property; farm machinery repair; roadside market stands; and riding stables so long as these uses do not adversely affect the soils or agricultural values of the Protected Property.

- 2) Step 3F We are looking into the issue of reporting contiguous land based in 2 or more counties.

Note: if farm is located in more than 1 county, all lands should be applied in one application. If accepted for funding, there will be one deed of easement for each county. More details will be provided in Policies and Guidelines.

- 3) Step 8 The Ohio Revised Code (ORC) states that the land must be in CAUV. An internal rule states that all contiguous land owned by the same legal entity must be enrolled. A conflict arose this year when an applicant with a contiguous 9-acre parcel reported that these acres were never in CAUV.

All acres must be enrolled in CAUV at time of application.

4) Step 12B Should/Can non-easement protected lands score higher?

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)*

No changes will be made.

5) Step 13B Should this be removed, because some water goes to farms, some to subdivisions? How does it affect development pressure? It is one more tool for development. Another topic to be taken into consideration.

No changes will be made.

Select the one item which indicates the applicant property's proximity to nearest publicly available water line from the nearest public frontage boundary of the property using public roadway distance. *(Maximum Points = 3.0)*

Water access is:

- Within 500 feet or More than 24,000 feet *(0 points)*
- Between 501 and 1,000 feet or Between 22,001 and 24,000 feet *(1 points)*
- Between 1,001 and 3,000 feet or Between 20,001 and 22,000 feet *(1.5 points)*
- Between 3,001 and 5,000 feet or Between 18,001 and 20,000 feet *(2 points)*
- Between 5,001 and 7,000 feet or Between 16,001 and 18,000 feet *(2.5 points)*
- Between 7,001 and 16,000 feet *(3 points)*

6) Step 13E Radius method (from center of farm) may be more appropriate when determining number of homes in proximity. There is a history of methods used to determine the number of existing homes; none have proven acceptable over time.

No changes will be made.

13E: How many homes exist within a one-half mile perimeter of the farm boundary? *(Maximum Points = 2.0)*

- 12 homes or less *(2 points)*
- 13 to 24 homes *(1.5 points)*
- 25 to 36 homes *(1 points)*
- 37 to 48 homes *(0.5 points)*
- More than 48 homes *(0 points)*

7) Step 13 Would like to see frontage on Lake Erie or scenic rivers as points. There is a different type of development pressure associated with these situations. What is the difference between a scenic river and a high-quality stream? Although farming can sometimes take place close to a scenic river, CREP can help protect tributaries.

No changes will be made

- 8) Step 14E Should the wording be changed to: “Has the farm been submitted...” versus “Has the landowner submitted...”, in order to accommodate ownership changes within the same family.

[No changes will be made](#)

- 9) Step 14F Should wording be re-added (removed in 2009): “wherein land use is non-agricultural?” This change took place due to Advisory Board input.

[No changes to be made](#)

Recent Land Use Conversion (Maximum Points = 3.0)

Has the landowner sold or conveyed any land contiguous to the applicant farm since January 2006?



Yes (0 points)



No (3 points)

- 10) Step 14G Is this question opposed to the mission of the program? It didn't play a factor in some quads, although it was felt that some regional protection is needed. This question may help point out the need to look at easement donations first. Are economic impacts of a farm more important as previous year's questions within this section asked?

[No changes to be made](#)

14G: Has any farm in the applicant property's county received funding for farmland preservation through the Clean Ohio Agricultural Easement Purchase Program in any of the prior funding rounds?



Yes (0 points)



No (3 points)

- 11) Step 18 Should local sponsors (non SWCD/NRCS staff) have capability to complete the soils information? Some local sponsors would like access to this; some felt that NRCS/SWCD staff should complete if possible, but other competent staff should have access for completion. This may become more of an issue if SWCD/NRCS staff are unavailable for help. Consultation with Chief David Hanselmann of ODNR was suggested.

[Local Sponsor can log in and work on this section, but this must be approved \(with signature\) by the SWCD/NRCS.](#)

- 12) Step 18 Points were lost due to listing of pond with zero point score. Staff is attempting to come up with procedure for ponds in the soils section.

[Enter pond and homestead acres as '0'.](#)

13) Step 20 A large number of signatures are sometimes needed. When signature pages need to go to different counties, can multiple pages be used?
[Multiple pages may be used.](#)

14) 15C- How does voluntary ag zoning figure into supportive ag zoning?
[No changes at this time, but voluntary zoning does apply to this question](#)

15C: The applicant property's zoning type allows for no more than one house per: (*Maximum Points = 4.0*)

- Less than 10 acres, No zoning (*0 points*)
- 10 to 20 acres (*1 points*)
- 21 to 30 acres (*2 points*)
- 31 to 40 acres (*3 points*)
- 41 acres and over (*4 points*)

Additional changes for the 2010 application:

Attachment B Example Map (and have this link to the pdf example Attachment B map that we will provide)

For Attachment C: Tax Records, change the wording to:

Attachment C: County Auditor Records

Provide County Auditor tax records of the applicant farm's land values used in responding to Step 7 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
- 2.) CAUV enrollment
- 3.) Ag District enrollment

Change the wording for “D” to the following”

ATTACHMENT D: Aerial Map of the Applicant Farm

An 8 1/2 by 11 inch map, sketch or aerial photo which showing a one mile radius of the application property. Include all information claimed in Steps 12 and 13. 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, sewer and water lines, and accessible public roadway intersection(s).

Attachment D Example Map (and have this link to the pdf example Attachment D map that we will provide)

Change ATTACHMENT E: Soils Map to read:

Include an 8 1/2 by 11 inch soils map and soils legend with the farm's outer boundary outlined. The color-coded soils map must contain a list of soil mapping unit names,

symbols and land capability classes on the application property. The soils map shall color code soil types as follows:

- (a) Class 1 = green
- (b) Class 2 = yellow
- (c) Class 3 = red
- (d) Class 4 = blue
- (e) Class 5-7 = uncolored
- (f) Wetlands = cross-hatch, or shown on a separate map

Add “(if applicable)” after Attachment F: Historical Designation.

Change Attachment H to read:

Attachment H: Charitable Organizations (if applicable)

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 show this, provide:

- 1.) A copy of the organization’s IRS tax exemption
- 2.) A statement of the organization’s stewardship endowment policy.

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 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.

Change Attachment J to:

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.

Add Attachment K: Property Description Certification

A letter or other form of documentation by the county or municipal engineer is needed that certifies the existing property description is accurate. If not, a property survey may be required.

Then create an **Attachment L: Any Other Relevant Information, such as (optional) Large Farm Exception Letter**