

2011 Suggested Application Changes (Policy)

Items in quotes are comments from partners

GENERAL/MISC

- “The AEPP program does not have a clear mission and should have one. People think that the old mission was to “protect viable blocks of farmland” and now it is not doing that.”

STEP 3C

- “Why does the entire farm need to be included? Why can’t you apply what portion of the farm you want to the application? (A change would affect the Guidelines and Policies document).”
- “Should we continue to mandate that all contiguous acreage be placed in the easement if under the same ownership? Ex: Landowners could choose to not submit land if it is 1.) a separate parcel, 2.) is no more than 10 acres, AND 3.) contains residential or commercial structure(s). This would allow landowners more flexibility, which is critical to farm viability. (a) Easement land can be more difficult to obtain mortgages on than unencumbered land. (b) Generational transfers often involve only bare ground, while the parents remain in their home. This can be a component of the landowner’s estate planning (c) Commercial facilities can include agricultural support facilities owned by family farms which are inappropriate for protection through this program. This would allow those farms to participate (d) These areas (residential & commercial) may not be eligible to participate in the agricultural district program, which conflicts with other requirements (e) Why pay for “developed areas” if the landowner would prefer to exclude them?”

STEP 9

- Per OAC proposed rule changes, this step is being eliminated.

STEP 12

- “Currently, only 10 points are awarded for proximity as described in 901-2-05. An additional 5 points is awarded for large farm size, or proximity to other AEPP applicants. However, in order to meet the intent of the program and create large blocks of protected land, it seems that the proximity consideration outlined in 901-2-05(2) should be given at least 15 points, and then farm size and proximity to other AEPP applications awarded points over and above the 15 for straight proximity.”

STEP 12C

- “The distance used to be within three miles in the past. Why is it two now?”

HISTORICAL DATA: 2002 to 2003– 3 MILES, 2004 to 2010– 2 MILES

STEP 12D

- “Ask about farm size as it relates to the average farm size within their county? Stats are within the Annual ODA report.”

STEP 13

- “We support the language and intent of the development pressure section, but believe the current AEPP application could be revised to better reflect this section. It states “emphasis for matching grants is placed on farmland faced with potential development pressure,” but the application questions in this section favor farms that have little to no development pressure. Farms are currently penalized for being near water and sewer lines and residential properties, which indicate development pressure.”

STEP 13A

- “We are constantly running into problems with this and 13B in some counties, as rural access to sewer and water expands.”

STEP 13B

- “OFP has allowed local sponsors to not report rural water lines. Currently question reads ‘public water line.’”

STEP 13C

- “This question is inconsistent with OAC section 901-2-01 (DD). ODA defines these as “closest roadway intersection depicted on State Highway Map.” Interchanges, as stated in the OAC, refer to roadway intersections that feature a change in grade as opposed to common intersections, which do not feature a change in grade. The point system has been designed for the current implementation, so either the scoring methodology or the OAC need to be revised.”
- “This section lists “freeway interchanges” as a factor to determine development pressure. This should remain the same and the AEPP application should be changed to reflect this language. Currently in the application, farms are penalized for being near state route intersections, which are not the same as “freeway interchanges.” Being near state route intersections does not indicate development pressure, and it can actually be beneficial to farms to be near such transportation networks. “Freeway interchanges” is a more appropriate measure of development pressure.”

RECOMMENDATION: Change question to read “Interchange” and not “Intersection.”

STEP 13E

- “A distinction should be made between farm and nonfarm homes.”

HISTORICAL DATA:

2002 – HOW MANY NONFARM HOMES WITHIN ONE MILE?

< 8 homes	= 0
8-15	= 1
16-23	= 2
24-31	= 3
32-39	= 4
40-47	= 3
48-55	= 2
56-63	= 1
>63	= 0

2003 – HOW MANY NON FARM HOMES EXIST WITHIN A ONE MILE RADIUS OF ANY POINT ON THE APPLICANT FARM?

Scoring the same as 2002

2004 – HOW MANY HOMES (NO DISTINCTION) WITHIN ½ MILE?

12 homes or less	= 4
Between 13 and 24	= 3
Between 25 and 36	= 2
Between 37 and 48	= 1
More than 48 homes	= 0

2005 – HOW MANY HOMES (NO DISTINCTION) WITH ½ MILE?

Maximum points = 2 (breakdown not available)

HOW MANY NON-FARM HOMES CURRENTLY EXIST OR ARE CURRENTLY UNDER CONSTRUCTION WITHIN A ONE-MILE RADIUS OF THE FARM BOUNDARY?

No points awarded

2006-2007 – HOW MANY TOTAL WITHIN ½ MILE?

12 homes or less	= 2
13-24	= 1.5
25-36	= 1
37-48	= 0.5
>48	= 0

HOW MANY NON-FARM HOMES CURRENTLY EXIST OR ARE CURRENTLY UNDER CONSTRUCTION WITHIN A ONE-MILE RADIUS OF THE FARM BOUNDARY?

No points awarded

2008-2010 – HOW MANY HOMES WITHIN ½ MILE?

12 homes or less	= 2
13-24	= 1.5
25-36	= 1
37-48	= 0.5
>48	= 0

STEP 14

- What can we do to incorporate the Balanced Growth Initiative and Best Local Land Use Practices (ex: they say the comprehensive plan should be updated every 5 years) AND are we part of the incentive package for those who have gone through the BG program (ex: application question on whether the applicant property is located in a PCA or PAA (if they choose to use that within their plan?))
- Provide incentive points for producing title search and/or clear title?

STEP 14D

- “Some applications donate 60% but they are already maxing out in their \$2000 donation – is that fair? Should this be valued on the property vs. the percentage of the match somehow? A farm in high-land value may donate 60% but never recoup that donation.” One local sponsor requests that additional points should be allocated to farms that are donating at scales above the minimum \$2,000 per acre purchase price.

STEP 14F

- “This question penalizes farm families in cases where subsequent generations built their homes on the farm.”
- “Only penalized for 3 years. Is this too long to make someone wait?”
- “Applicants should not be penalized if they sell land and/or structures within the family and that land and/or structures remain in agriculture. Often older generations will begin selling/gifting land to the next generation while they are still alive. This can be an important component of estate planning, as it can help alleviate the burden of death taxes. This program is designed to give preference to applicants that have gone through estate planning, so the penalty seems inconsistent.”
- “If the landowner has sold land for development purposes they ought to be heavily penalized or automatically ineligible (at least back 10 years).”
- “If sold to family member or another farmer, should this count?”
- “This question used to distinguish between Ag and Non Ag use.”

HISTORICAL DATA:

2002 – 2004 Applications had no questions pertaining to recent land conversion.

2005 asked, “Since January 2002, has landowner sold or conveyed in fee simple any portion of the applicant farm wherein the resulting non-agricultural use of that portion is no longer conducive to agriculture?”

2006-2008 asked, "Since January 2002, has landowner sold or conveyed in fee simple any portion of the applicant farm wherein the resulting land use is non-agricultural?"

2009 asked, "Has the landowner sold or conveyed and land contiguous to the applicant farm since January 2006?"

2010 asked, "Has the landowner sold or conveyed and land contiguous to the applicant farm since January 2007?"

STEP 14G

- "Problem with points. Why penalize counties that do well?"
- "This isn't fair to counties that have more productive lands than others."
- "Our county had no proximity, and this question helped us. Now, we don't get these points, but we get proximity points. Counties that have participated a long time still do well. Newer counties may still not receive funding just because of these points."
- "This question helps "check-off" counties from the state map, but it does not help local communities to begin building viable farmland preservation sites. For example, Wood County had a 41-acre farm accepted in 2008. Though this farm is not large enough to provide proximity points for neighboring landowners, the county is no longer eligible to receive bonus points. Single protected farms (especially those of small acreage), pose the threat of becoming "agricultural islands" which could cause easement extinguishment."
- Proposed new scoring for this question (From Local Sponsor):
 - 0 farms funded = 3 points
 - 1-3 farms funded = 2 points
 - 4-5 farms funded = 1 point

STEP 15A

- "Can it be worded to say written or revised? Revised should count."
- "In lieu of a proper county land use plan, can applicants receive points if their local sponsor has completed strategic farmland preservation planning? Perhaps the applicant could receive 5 points if they are within an identified priority area of an acceptable strategic plan and a full 8 points if the strategic plan is endorsed by the county and/or township."

RECOMMENDATION: Add "or revised/updated" to Question 15A.

STEP 15D

- "Points in Step 15 seem to hurt certain areas that are not financially secure" (Southeast Ohio was brought up as an example).

STEP 16D

- "Could check boxes be added to make any of these easier?" Is it repetitious of question 15D?

2011 Changes to Online Application (IT)

OVERALL/GENERAL/MISC

- Change font to Lucida for the LSID, SWID, Farm ID because it is hard to decipher between l and 1 and O and 0.
- Change the fax number to 614-752-2282: Replace on main page of application, it shows up at the top every time you click on a new section (i.e. login, calculation worksheet, Tier One Estimator, etc.); FAQ page needs the fax number replaced as well.
- On Main Page of Application (Under AEPP Information), MSA links need updated (map link goes to ODOD Main page (no map) and MSA Listing link goes to "Page Not Found."
- Add a unique identifier somewhere on the first page indicating the funding round year, in addition to updating the "2010 Clean Ohio Agricultural Easement Purchase Program Application."
- Add to intro of application, "Data needs to be accurate as of the day of application submission, to the best of your ability. If changes occur, contact ODA." (To be added to Guidelines and Policies under Complete Application)
- Add "Comprehensive" to any place that references "Land Use Plan" so that it now reads "Comprehensive Land Use Plan". Also underline in application and link to OAC definition.
- Add to Clean Ohio General Information: a copy of "winning" responses from the 2010 narratives. Compile 2-3 responses of the highest-scoring responses & post online for anyone to download. (Add top Tier 2 scoring essay from each quadrant).
- Some of the fields as they are set up now throughout the application do not sometimes allow a person to see the entire entry for copying/pasting purposes (Discuss with IT, one option would be setting character limits, especially with essays).
- Add a link at the top of each Step that links to FAQs for that particular Step.

STEP 1

- Can some of the fields be put next to one another on the same line instead of every field getting its own line (to save space)?
- Add a field for "Alternate Phone" and put a drop box next to both "Telephone" and "Alternate Phone" that allows you to distinguish home, cell, work, etc. Keep "Telephone" required, but make "Alternate Phone" an optional field.
- Can the additional fields for telephone numbers be "+" boxes (add only as many as you need)?

STEP 2

- Could Step 1 and Step 2 be put on the same page if space allows for it?
- Or could Step 2 and Step 3 be put on the same page if space allows for it?

STEP 3F

- Delete last 6 words, "that could adversely impact the soils."
- Delete "industrial." Question would now read: "Is applicant engaged in any non-agricultural commercial activities?"
- Add Step 4 to this page (see Step 4 changes).

STEP 4

- Shrink this step to a scroll-box so that the step can be moved the same page as Step 3 and not take an entire page.
- Provide link under Step title to a printable full-page version of the Agreement so that it can be printed by those local sponsors that wish to print copies for each application.

STEP 5C

- As we are proposing in Step 1, can these fields be placed next to one another (last name, first name) to take up less space?
- Change “Last Name” to “Landowner’s Last Name”, keep “First Name,” and add “Acreage.”
- Delete address, county, and township fields.
- Can we have a “+” box to add more lines if needed (perhaps reduce the amount that are already there, as well).

STEP 6

- Can the Last Name, First Name, and Middle Initial fields be linked to the signature page in Step 20, so that the names entered in this step are already printed on the signature page?
- Can Step 7 information (application farm address) also be moved to this page?

STEP 7

- Place this step on same page as Step 6 if space allows.

STEP 8

- Do NOT have the values copied from year to year.
- Assessed vs. Appraised value – use Appraised for values and tell people that the numbers used here need to be reflected in the attachment. Verbiage needs to be changed/added for this section and in other documents (i.e. Handbook).

STEP 9

- Per OAC revisions, this step is being eliminated, but the Step Title will remain with a note underneath indicating that it is not a required Step for 2011.

STEP 10

- Can we have a “+” box to add more lines if needed (perhaps reduce the amount that are already there, as well)?

STEP 11

- Add hyperlink in this section to ODA’s Farmstead Policy. Link to Guidelines and policies...Farmstead/Homestead Policy.

STEP 12A

- Needs to be “greater than or equal to” to help further explain the answer options.
- Can we have a “+” box to add more lines if needed (perhaps reduce the amount that are already there, as well)?

STEP 12B

- Needs to be “greater than or equal to” to help further explain the answer options.
- Can we have a “+” box to add more lines if needed (perhaps reduce the amount that are already there, as well)?
- Underline “protected wetlands” and link to FAQ question that explains that protected wetlands are “certified” wetlands for clarification purposes?

STEP 12C

- Needs to be “greater than or equal to” to help further explain the answer options.

- Can we have a “+” box to add more lines if needed (perhaps reduce the amount that are already there, as well)?

STEP 14A

- Update MSA Listing and MSA Map links.

STEP 14B

- Add (attachment required) to question.

STEP 14C

- Add (attachment required) to question.
- Delete “or State” in question description (highlighted below), and in first selection
- Replace second reference to the word “listed” in question description with the word “documented”

STEP 14E

- Question should now read, “Has the landowner submitted this farm in any previous AEPP funding round without declining a full offer in the 2010 funding round?” If Yes, (1 point). If No, (0 points).

STEP 14F

- Change 2007 to 2008.

STEP 14G

- Reword question.

STEP 17

- Change wording in instructions to “To be approved by SWCD or NRCS representative only” after OAC revisions.

STEP 17B

- Auto-populate the first and last name entered in this Step into Step 20, for “Conservation Certification.”
- Remove Address, City, State, Zip, and County fields. Leave only Last, First, Title, Organization, Telephone, and Email fields.

STEP 17C

- Per OAC revisions, this step is being eliminated.

STEP 18

- If auto-populate is possible, then a question will be added to this section that asks, “Is the person approving Step 18 the same individual that is approving Step 17?” If the answer is yes, then the first and last name auto-populated to Step 20 from Step 17B can be auto-populated into Step 20 for “Soils Certification.” If the answer is No, then the individual’s information must be added into fields that will be added to Step 18 that mirror the same fields from 17B. This first and last name will then be auto-populated into Step 20 “Soils Certification.”
- There is a discrepancy on what homestead is. Link to Homestead/Farmstead Policy.
- Take out “Homesteads and/or recreational ponds must list a productivity index of zero.”
- Since SWCD/NRCS soils information only needs to be “approved” by them, allow easier access for local sponsors to go in and enter in the information. Change verbiage in Step instructions to explain that we can allow local sponsor to enter this information with permission.
- Look at a change with using/not using decimals (OSU link).
- Add an “auto-check” mechanism that doesn’t allow applicant to be more or less than 2-3% of total acreage entered in Step 8 (County Auditor Records).

STEP 20

- On the top of the signature sheet put something like, “this is an important document. All parties are responsible for the information included within this application.” Make note in RED: “All parties are responsible for the information included within this application.”)

- Auto-populate names from other sections.
- Add landowner responsibility document requiring signature (separate from other signatures).

ATTACHMENTS

#B

- Change wording for instructions for attachment per OAC revisions.
- Add that the homestead needs to be delineated (whether currently present or if one is being reserved for the future)

#D

- Change wording for instructions for attachment per OAC revisions.

#E

- Change wording for instructions for attachment per OAC revisions.

#H

- Make sure this section matches new OAC revisions.

#J

- OAC revision eliminating this attachment.

#K

- OAC revision eliminating this attachment.

#L

- OAC revision eliminating this attachment.

#M

- OAC revision eliminating this attachment.