



Clean Ohio Fund
Green Space Conservation
CUYAHOGA COUNTY
Natural Resources Assistance Council

Clean Ohio Green Space Conservation Program

District One Natural Resources Assistance Council (NRAC)
Program Year 2021(Round 15) Policy Manual

ABOUT THE POLICY MANUAL

This document provides the Ohio Public Works Commission (OPWC) and the District One NRAC policies. Clean Ohio Green Space Conservation Program Funding Applications will be evaluated in accordance with the requirements, terms, and conditions set down by the OPWC and the NRAC.

OPWC POLICIES

The OPWC policies and guidelines should be reviewed before the application materials are submitted to ensure project eligibility and prevent delays in evaluation or selection due to non-compliance with program requirements.

View the OPWC policies and guidelines and read the Advisories on the OPWC website at <http://www.pwc.state.oh.us/GSCAdvisories.html>

DISTRICT ONE NRAC POLICIES

In accordance with OPWC policies, the District One NRAC has established the following policies for the evaluation and scoring of project applications.

Agricultural Easements

Agricultural easements are not eligible because they are provided for by the Clean Ohio Easement Purchase Program managed by the Ohio Department of Agriculture.

Appraisals

An Appraisal Report is required and must be conducted by a certified general real estate appraiser holding a current certificate as issued by the Ohio Department of Commerce and is also an Ohio Department of Transportation (ODOT) Prequalified Appraiser credentialed in Appraisal. The selected appraiser must certify that he/she has received and read OPWC's Standards and must provide written documentation of this action in the appraisal's Letter of Transmittal. The OPWC will not approve the Request to Proceed without this information.

In accordance with OPWC Policy, applications for open space acquisition that do not include an Appraisal Report by an ODOT prequalified appraiser will not be considered by the District One NRAC. The list of ODOT appraisers and the OPWC appraisal standards are available at [ODOT Prequalified Appraisers](#). Additional requirements include:

- Applications with Restricted Appraisal Reports will not be evaluated by the NRAC.
- Projects that propose leveraging the difference between the appraised value and purchase contract are required to have an appraisal review performed by an ODOT Prequalified Appraisal Reviewer to ensure that the purchase price history, comparables, adjustments, and disclaimers are accurate.
- The purchase of a property at a cost higher than the appraised value is eligible, however justification must be provided to the NRAC for any acquisition contemplated

above the appraised value but cannot exceed 5%. Any difference greater than 5% must be paid for with other funding outside the project. The NRAC must validate the value of properties that are using the difference between the Purchase Contract and appraised value as scored.

- Appraisal expenses are considered an eligible expense under planning and implementation and an Applicant will be reimbursed based on the project's participation ratio.

To view the Standards & Procedures for Appraisal Reporting, visit:

<https://pwc.ohio.gov/Portals/0/Documents/Appraisal%20Standards%200120.pdf?ver=2020-01-27-090500-190>

Land Acquisition

Projects not scheduled for acquisition within twelve (12) months from the date of the Project Agreement will be rejected by OPWC and are not eligible. The District One NRAC requires documentation of impending land transactions. This information must be included in the application, in one of the following forms:

- A Fully executed contract with the owner (signed purchase agreement)
- A Contract or Purchase Agreement that does not have all the signatures, a Letter of Agreement, or Memorandum of Understanding
- An application that utilizes Confidentiality Agreements in lieu of Purchase Agreements will not be evaluated.

Local Match

Applicants are required to attach a statement signed by their Chief Financial Officer stating that the local revenues pledged as match for the project will be available on or before the earliest date listed in the project schedule.

The applicant also needs to provide award letters for funds coming from other funding sources. **Applications that do not include this documentation will not be evaluated by the NRAC.**

Mineral Rights / Oil & Gas Leasing

In accordance with OPWC policy, existing oil and gas leases, at the time the District One NRAC approves a project, will be treated as pre-existing easements over which the applicant has

little or no control. Project proposals that acquire and maintain available mineral, oil, gas and/or extraction rights, on properties with no active gas and oil wells, will be awarded the full 10 points.

Requests to engage in new oil and gas leasing on Clean Ohio Properties that have been acquired along with the mineral rights will be denied.

Minimum Score Requirement

District One NRAC requires a minimum score of 156 points, or 60% of total points available, for projects recommended for funding.

Permanent Protection

Requests for open space acquisition must include acquisition by land securement. Examples of types of land securements are listed below and defined in the Glossary.

- Fee Simple
- Easement
- Donations or Donated Land and Easements

Applications for open space acquisition that do not include land securement documentation will not be considered by the District One NRAC.

Open Space Improvement projects can include construction, restoration or enhancement of site or facilities that are necessary to make the acquired open space area accessible and useable by the public.

For properties acquired through past rounds of Clean Ohio funding, the application for Open Space Improvement projects should include one of the following forms of documentation from the original Clean Ohio Award:

- The executed settlement statement
- The recorded deed and deed restrictions
- Any conservation easements.

Riparian Corridor projects (ORC Sec. 164.22B) must protect or enhance riparian corridors or watersheds including the protection and enhancement of streams, rivers, and other waters of the state.

Applications for Riparian Corridor or Open Space Improvement projects that do not include land acquisition must include OPWC deed restrictions (see <https://www.pwc.ohio.gov/Project-Administration/Clean-Ohio> for Deed Restriction

Language) and the recorded deed or conservation easement in order to be recommended for funding.

Post-Acquisition/In-Kind Activity

All post acquisition activities must be concluded within a two-year period from the date of acquisition unless a formal extension has been approved by the OPWC.

Resolutions of Support

In accordance with ORC Sections 164.23(B) and 164.23(C), District One NRAC requires that applicants must include a resolution(s) of support, if required, with the project application.

Ohio Statute, ORC 164.23(B) and 164.23(C), requires that certain project applications include Resolutions of Support. If the applicant is a county, township or municipality and the project is located wholly within the applicant's boundaries, then no resolutions are needed from any other local government. Park districts, regardless of the location of the property, are not required to obtain any resolutions but must consult with each county, township, and municipality in which the project is located. All other applicants must obtain a county resolution for each county in which the project is located and from the impacted township or municipality. If the project is in two to four townships or municipalities, then resolutions are needed from at least one-half. If the project is in five or more communities, then resolutions are needed from at least three-fifths.

Resolutions of Support do not apply to Improvements Only projects since the requirement was met for the property's acquisition.

Restoration

It is critical to the District One NRAC that the open space selected for funding initiates or hastens the recovery of the ecosystem present on the land. To be eligible for points, restoration work must comprise a portion of the project scope, budget, or local match and supporting documentation must be included. Restoration projects should be designed to provide the following benefits:

- Preserve or rehabilitate an open space to meet an appropriate ecological state or what it would have become without societal interference.
- Ensure that the integrity and sustainability of the species (flora and fauna) introduced are both native and resilient (can resist disturbance).
- Integrate a community's cultural heritage.

- Provide opportunities for the public to appreciate and understand cultural and ecological relationships.
- Promote a common vision for greenspace for Cuyahoga County.

Scope Change

Requests for changing a project's scope will be considered by the NRAC. Awardees should submit a change request summarizing the original scope and budget and the proposed changes.

Site Improvements

District One NRAC projects using Clean Ohio funds for restoration or site improvements must include with the application the itemized estimate of probable costs for all improvements. This cost estimate must be provided by an architect, landscape architect, or other qualified professional.

Structures

If there are existing structures on the property being acquired, the Applicant must provide the appraised value of the structure, the percentage value of the structure in relation to the overall property value, and the intended actions for the structures (e.g. demolition, re-use).