

Ohio Public Works Commission

Clean Ohio Fund Green Space Conservation Program

Instructions for Financial Assistance

May 2018



Ohio Public Works Commission
65 East State Street, Suite 312
Columbus, Ohio 43215
614.466.0880
<http://www.pwc.state.oh.us>

**Ohio Public Works Commission
Ohio Counties / District Integrating Committee Map**



NRAC Specific Requirements

Applicants must apply to the Natural Resource Assistance Council with geographical jurisdiction over the proposed project area. Please contact the appropriate NRAC or visit OPWC’s website to determine if there are any NRAC specific requirements or supplements to this Application. Some NRACs also have a pre-application process. Submit applications according to the specific NRAC’s schedule. The application is only available as an Adobe form. It should be completed electronically, printed, and submitted as a hard copy to the NRAC. The application can be saved if the user has Acrobat Standard or Acrobat Pro, or downloads Acrobat or Foxit Reader from the OPWC web site.

For information on the current NRAC Chair, NRAC Liaison or OPWC’s Program Representative for your project location call OPWC at 614.466.0880 or visit us at <http://clean.ohio.gov/GreenSpaceConservation/Default.htm>

ELIGIBLE PROJECTS

The Clean Ohio Green Space Conservation Program provides grants for up to 75 percent of the estimated costs for projects that do either of the following:

Open Space – Open space acquisition and/or related development of those open spaces, including the acquisition of easements. This includes acquisition of land or rights in land for parks, forests, wetlands, natural areas that protect an endangered plant or animal population, other natural areas, and connecting corridors for natural areas. Related development projects include projects for the construction or enhancement of facilities that are necessary to make the acquired open space area accessible and useable by the general public. An application can be made for acquisition only, acquisition and related improvements, or for improvements only on properties previously acquired through Clean Ohio. Eligible improvements include trails, pedestrian bridges, observation decks, kiosks/signs, benches, trash receptacles, invasive species removal (one time), parking lots, restoration, and fencing.

Riparian Corridor – Protection and enhancement of riparian corridors or watersheds, including the protection of streams, rivers, lakes, and other bodies of water. Projects may include reforestation of land or planting of vegetation for filtration, and fee simple acquisition or acquisition of easements for providing access, or for protection and enhancement.

APPLICATION INSTRUCTIONS

Read instructions carefully and fill out the form in its entirety. Clip or staple application; *do not bind unless required by your NRAC.*

Applicant Section

Applicant: Indicate the name of the applicant type applying for the funds. Eligible applicants are limited to local political subdivisions and nonprofit organizations (501(c)(3)). Projects involving multiple entities must select only one to serve as the lead. A cooperation agreement must be executed and attached.

District Number: Enter the number of the NRAC in which your project is located. If unknown, refer to the map in this packet or call OPWC.

Subdivision Code: Enter the Applicant's [Ohio Public Works Commission subdivision code](#). If unknown, call OPWC at 614.466.0880 or visit OPWC's website. If you are a 501(c)(3) and have not previously done business with us, please contact us on the process for obtaining a subdivision code.

Date: Enter the date you are completing the application.

Contact: Enter the name of the contact person who can best answer or coordinate a response to questions regarding the application. *This person must be available during regular business hours.*

Phone, Email, Fax: Provide the daytime telephone number, e-mail address, and fax number for the "Contact".

Project Section

Project Name: Provide the name of the project being applied for. Please be descriptive and specific, e.g. Oak Hills Park Land Acquisition.

County: Provide the county for where the project is located.

Zip Code: Provide the zip code for where the project is located.

Applicant Type: Check the item that legally describes your organization.

Funding Request: The Total Project Cost and Grant Requested will automatically populate from page 2 of the application. You will not be able to enter or edit this information from page 1.

Project Emphasis: The primary and secondary emphasis for the project will automatically populate from Attachment A. You will not be able to enter or edit this information from page 1.

1.0 Project Financial Information. Cost fields are preformatted so that only whole dollars can be entered. Totals and percentages will calculate automatically, and can only be edited via the individual cost line items.

1.1 Project Estimated Costs. Costs should be for eligible items only. Please refer to the section entitled "Eligibility" on page 7.

Acquisition Expenses: Enter the amount for the Fee Simple Purchase and/or Easement Purchase, and any other acquisition expenses if applicable. Costs must be supported by a purchase contract, letter of intent, or other acceptable documentation. Note: Acquisition is the property valuation and, therefore, includes the cash transaction and the land owner donation.

Planning and Implementation: Identified costs are Appraisal, Survey, Title Work, Closing Costs, Environmental Assessments, and Other. Lines are provided in order to define "Other". The Appraisal should be specific to the site described in the Project application.

Site Improvements: Cost to be paid to contractors, or value of work completed by force account (governmental entity's employees) or as in-kind. Costs must be supported by a formal estimate provided by an architect, landscape architect, or other professional. Costs may also be supported by quotes. If application is for improvements only on a previously funded Clean Ohio acquisition, these improvements can only be new improvements not previously funded with the acquisition project, nor can the previous funded acquisition project be used for match on this application.

Permits, Advertising, Legal: Direct expenses for permit fees, bid advertising and legal fees.

Construction Contingencies: This line only applies if there is a cost entered for the "Site Improvements" line item. Enter no more than 10% of estimated construction costs for unforeseen construction expenses. The cost of construction as a percentage of the total project cost will automatically calculate.

Total Estimated Costs: This will automatically calculate and populate the appropriate field on page 1.

1.2 Project Financial Resources. Provide a breakdown of all project funding sources.

Local Resources: All local resources will total automatically and the percentage of Total Financial Resources will calculate. The local match must be at least 25% of the estimated cost of the project. The match cannot consist of monies resulting from legal obligations (i.e. fines, penalties, litigation expenses, mitigation or reclamation).

Local In-Kind or Force Account: Indicate the total dollar value of In-Kind or Force Account that will be contributed by the applicant toward the project. In-kind refers to goods or services supplied by the applicant, or other individuals or entities for which there is not a cash payment in turn. Force Account is the direct performance of construction work by the applicant for use of labor, equipment, materials, and supplies furnished by the applicant and used under its direct control. If using this line item attach a description of the in-kind or force account services being provided.

Applicant Contributions: Indicate the dollar amount of local support provided in cash.

Other Public Revenues: Indicate other non-local sources and their dollar amounts – Land Water Conservation Fund, Nature Works, Ohio Environmental Protection Agency, Ohio Department of Natural Resources, or other sources for which a line is provided.

Private Contributions: Include private land donation and cash. Private land donations must be supported by an appraisal, property tax summary or other appropriate documentation.

Clean Ohio Conservation Fund: Indicate the amount of grant being requested. This will automatically populate the appropriate field on page 1. Also indicate the amount of a request being made for funds from another NRAC.

1.3 Availability of Local Funds. Attach a statement signed by the Chief Fiscal Officer listed in section 4.2 certifying that all local revenues for the project will be available on or before the earliest date listed in the project schedule (section 2.0). Failure to provide this certification may result in termination of the project. The applicant also needs to provide award letters for funds coming from other funding sources. The OPWC Agreement will not be released until all local resources are verified.

1.4 Partnerships. Describe any partnerships, if applicable. This includes if the project is part of a larger project or plan.

2.0 Project Schedule. Indicate the estimated beginning and ending dates for 2.1) planning and implementation, 2.2) land acquisition and easements, and 2.3) site improvements. *The project schedule should be planned according to the release of the project agreement. Check with your NRAC to see when the project applications will be submitted to OPWC. Plan at least 45 days for an agreement to be mailed.*

3.0 Project Description. The fields in this section are limited to a specific number of characters. You are required to provide a brief summary in each of the sections of 3.0. If you need to provide additional information necessary for scoring then please do so in an attachment.

A. Specific Location: Provide a written location description that includes project boundaries. Include road names when possible. Include the parcel number(s), and number of deeds. Specify if a parcel is to be split. Provide a map but do not refer to a

map as substitution for a written location description. This field is limited to 1,000 characters. Due to this limit an attachment may be provided if necessary.

- B. **Project Components:** Describe the kind of work and its components. For example, describe if an acquisition or easement, the number of acres, and what type of improvements will be made, if any. This field is limited to 2,000 characters. Due to this limit an attachment may be provided if necessary.
- C. **Terms of Easement:** If applicable, describe the terms of the easement. This field is limited to 500 characters.
- D. **Access:** Describe if the property will be open to the public (location of access, hours of availability, any limitations). Also describe opportunities for public participation in the project planning process. This field is limited to 500 characters.
- E. **Ownership/Management/Operation:** Indicate who will own, maintain, and operate the improvement. Ohio law requires long-term ownership, or long-term control through a lease or purchase of an easement. This field is limited to 500 characters.

4.0 Project Officials

4.1 Chief Executive Officer (CEO). Identify the person who will have the legal authority to sign a project agreement as indicated in the resolution (required attachment). Examples of a CEO are the chair / president of the board of county commissioners or township trustees, or the mayor or manager of a city or village. Include title, mailing address, phone number, fax machine number, and e-mail address. *Project agreements will be mailed directly to the CEO for execution.*

4.2 Chief Financial Officer (CFO). Identify the person who will have legal responsibility for both local and state funds. The CFO reviews and certifies the validity and accuracy of accounts, reviews invoices associated with the project, and assists in requesting the disbursement of funds from OPWC. Examples of a CFO are the county or city auditor, clerk / treasurer, budget officer, or finance director. Include title, mailing address, phone number, fax machine number, and e-mail address. The CFO cannot also serve as the CEO.

4.3 Project Manager (PM). Identify the person who will administer the project. The person could be a county or city engineer, an employee of the applicant, or a contracted consulting engineer. Include title, mailing address, phone number, fax machine number, and e-mail address. The PM may serve as the CEO if there is a shortage of designees provided the PM is not a contracted consulting engineer.

5.0 Attachments / Completeness Review. Review the application to ensure that all required attachments are provided. Formats for select attachments are located at the end of this document.

6.0 Applicant Certification. The application must be signed by the individual authorized to do so in the required authorizing legislation. This person does not have to be the CEO but the legislation must clearly authorize the individual who can enter into an agreement with OPWC as well as the individual who can sign the application if these are two different people.

Attachment A

Up to 3 items for Project Emphasis may be selected by checking the appropriate box(es). The selections for the Primary and Second items will automatically populate the first page of the application.

ATTENTION: Please refer to the Guidance, Advisories and other documentation on OPWC's Clean Ohio website for additional information including Request to Proceed, Appraisal Standards, Post Acquisition/In-Kind Activity, and Oil and Gas Leasing.

Eligibility

The Clean Ohio Greenspace Conservation Program is focused on environmental conservation. This means that projects and project components are for the preservation, protection, or restoration of the natural environment, natural ecosystems, vegetation and wildlife. Therefore, items that do not lend themselves to conservation are generally not allowable under this program. The following list serves as clarification but is not meant to be exhaustive as the very nature of the program makes it difficult to conceive all possible scenarios. If you have an eligibility question, please contact your OPWC program representative.

Structures

- 1) Structures such as benches, trails and bridges which provide for Americans with Disabilities Act (ADA) accessibility are permitted.
- 2) Structures allowing for passive recreation such as shelter houses, restrooms, and similar facilities are permitted but cannot be part of the Clean Ohio funding or match. The property must be predominantly open space to qualify.
- 3) Decorative or aesthetic features such as fountains, statues, monuments, etc. are permitted but cannot be part of the Clean Ohio funding or match.
- 4) Structures that are not conducive to the nature of a conservation site for passive recreation, such as buildings for well fields, RV parks, ball diamonds, and the like are prohibited.
- 5) Existing buildings can be retained for nature centers, maintenance buildings and the like but must be identified in the application and approved by the appropriate district NRAC.
- 6) Improvements to existing buildings or reasonable additions to buildings are allowed for nature centers, maintenance buildings and the like, contingent upon identification and approval by the appropriate district NRAC, but cannot be included as part of the Clean Ohio funding or match. The property must be predominantly open space to qualify.
- 7) The acquisition and/or demolition of buildings as part of a Clean Ohio project is at the discretion of each NRAC.
- 8) Wind turbines are prohibited.

Aesthetic landscaping and decorative items are not permitted to be part of the Clean Ohio funding or match.

Costs which are not permitted for Clean Ohio funding or match include administrative costs, monitoring costs, maintenance items, seller paid items, taxes, etc.

No new oil and gas leases are permitted once the NRAC has approved the application.

Any future modification or breach of the recorded deed restrictions or conservation easement that occur once the Project Agreement has been signed and without the advanced written approval of the OPWC Director shall result in the imposition of liquidated damages on the entity responsible for the breach equal to twice the Clean Ohio Conservation Fund monies disbursed for the project, plus compounded interest at 6% per annum.

Wetland restoration is permitted. Wetland creation including vernal pools and any other forms of hydromodification are prohibited. In addition, Clean Ohio funds cannot be used for a wetland mitigation bank.

No agricultural use except as described in the on-line OPWC Clean Ohio Advisory Document.

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 OPWC.

ADDITIONAL ATTACHMENTS (Required)

Authorization..... Page 8

Chief Financial Officer Certification..... Page 9

Cooperative Agreement..... Page 10
(Only required if project involves more than one group)

Resolution of Support as Appropriate (Ref. ORC 164.23(B)(1))..... Page 11
(Not required for Improvements Only applications)

OPWC Deed Restrictions or OPWC Conservation Easement (includes deed restrictions)
See OPWC Conservation Greenspace web site – Project tab / Project Managers Page for
current language.

AUTHORIZATION

Section 1: [Insert Name and / or Title] is hereby authorized to apply to the OPWC for Clean Ohio Conservation Program funds. *{NOTE: This must be the individual who signs the application.}*

Section 2: [Insert Name and/or Title] is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance. *{NOTE: This must be the individual who is named as the CEO in the application.}*

[Insert Date]

[Insert Applicant Information]

CHIEF FINANCIAL OFFICER CERTIFICATION OF APPLICANT REVENUES

[Insert Date]

I, [Insert title] of the [Insert name of applicant], hereby certify that [Insert name of applicant] has the amount of [Insert amount of local funds] in the [Insert name of account / fund] and that this amount will be used to pay the applicant revenues for the [Insert name of project] when it is required.

[Name, Title and Signature of Chief Financial Officer]

COOPERATIVE AGREEMENT

{NOTE: Execute a cooperation agreement if your project is a joint project in which there are two or more active groups. A letter from a subdivision is not a substitute.}

[Insert name of Group A] and [Insert name of Group B] enter into a cooperation agreement to submit an application to the Ohio Public Works Commission for the [insert project name].

[Group A] will provide funds equal to [insert percent] percent of the total project cost. Such funds will come from [insert name of account / fund].

[Group B] will provide funds equal to [insert percent] percent of the total project cost. Such funds will come from [insert name of account / fund].

[Group B] authorizes [Group A] to serve as lead applicant and to sign all necessary documents.

[Group A] agrees to pay its [insert percentage] of the cost as invoices are due / at the end of the project / as otherwise agreed upon.

[Group B] agrees to pay its [insert percentage] of the cost as invoices are due / at the end of the project / as otherwise agreed upon.

Signatures for Group A

Signatures for Group B

**RESOLUTION OF SUPPORT
ORC 164.23(B)**

The grant application must adhere to the following:

(1) Except as otherwise provided in section 2 below, a copy of a resolution supporting the project from each county in which the proposed project is to be conducted and whichever of the following is applicable:

(a) If the proposed project is to be conducted wholly within the geographical boundaries of one township, a copy of a resolution supporting the project from the township;

(b) If the proposed project is to be conducted wholly within the geographical boundaries of one municipal corporation, a copy of a resolution supporting the project from the municipal corporation;

(c) If the proposed project is to be conducted in more than one, but fewer than five townships or municipal corporations, a copy of a resolution supporting the project from at least one-half of the total number of townships and municipal corporations in which the proposed project is to be conducted;

(d) If the proposed project is to be conducted in five or more townships or municipal corporations, a copy of a resolution supporting the project from at least three-fifths of the total number of townships and municipal corporations in which the proposed project is to be conducted.

However, if the applicant is a county and the proposed project is to be located wholly within the geographical boundaries of the county, the applicant shall not be required to include a copy of a resolution from any township or municipal corporation. If the applicant is a municipal corporation and the proposed project is to be located wholly within the geographical boundaries of the municipal corporation, the applicant shall not be required to include a copy of a resolution from the county in which it is located. If the applicant is a township and the proposed project is to be located wholly within the geographical boundaries of the township, the applicant shall not be required to include a copy of a resolution from the county in which it is located.

(2) Prior to submitting an application for a grant for a project under this section, an applicant that is a park district or other similar park authority shall consult with the legislative authority of each county, township, and municipal corporation in which the proposed project will be located.