Arizona State Parks

GROWING SMARTER
STATE TRUST LAND
ACQUISITION GRANT PROGRAM
FY 2007
PURPOSE

To fund grants from monies in the Land Conservation Fund, “to conserve open spaces in or near urban areas and other areas experiencing high growth pressures.”
The program is designed to encourage the conservation of Arizona's open spaces and the preservation of select parcels of State Trust Land in or near urban areas for open space.
This is accomplished by awarding grants for purchase or lease of State Trust land that has been classified as suitable for conservation purposes by Arizona State Land Department (ASLD).
Sonoran Preserve, Phase 4
Go John Canyon
Phoenix - Sonoran Preserve, Phase II
Arizona State Parks is the state agency responsible for administering the Growing Smarter State Trust Land Acquisition Grant Program.
The Governor appoints a Conservation Acquisition Board (CAB) as an advisory group to the Parks Board.

They make grant recommendations from the Land Conservation Fund to the Parks Board.
Grant Cycle

**Expected Growing Smarter State Trust Land Acquisition Grant Cycle:**

- **MAY 31, 2007**
  - Application must be received at State Parks by 5:00 p.m.

- **JULY 9, 2007**
  - Final appraisal, review, AND certification of source and amount of matching funds due by 5:00 p.m. to State Parks.

- **MAY**
  - On-site inspections of proposed projects by State Parks staff.

- **JUNE**
  - Project requests presented to the Conservation Acquisition Board (CAB).

- **JULY 31, 2007**
  - Applicant Resolution Due to State Parks by 5:00 p.m.

- **AUGUST**
  - Staff funding recommendations submitted to CAB for consideration.

- **JULY**
  - Applications rated by staff review team

- **SEPTEMBER**
  - Recommendations submitted to the Arizona State Parks Board for final action.

- **FOLLOWING BOARD ACTION**
  - Participant agreements executed for approved projects and notice to proceed given.
Where does the $ come from?

- In 1998 the voters passed Proposition 303, which established an annual $20 million appropriation by the Arizona State Legislature from the General Fund to the Land Conservation Fund.
$ Annual Apportionment $

- Began - FY 2001
- Continues thru - FY 2011
$2 million of that annual apportionment is transferred to the Livestock and Crop Conservation Fund administered by the Arizona Department of Agriculture.
$18 Million

- Annually available for the Growing Smarter State Trust Land Acquisition Grant Program.
$95 Million

- Total Currently Available for Growing Smarter State Trust Land Acquisition Grants
Eligible Applicants

- State Agencies
- Political Subdivisions of the State
  - Including:
    - Counties
    - Incorporated Cites or Towns
    - School Districts
    - Special Districts
- Eligible non-profit organizations (have Section 501c status, and their purpose is to preserve open space.)
How Many Projects?

- An entity may submit more than one application, but applications must be for completely different projects.
- Parcels sold at separate auctions constitute different projects.
What is Eligible?

1) Purchase or lease of State Trust lands that are classified as suitable for conservation purposes.

2) Purchase of development rights of State Trust Lands.

3) Some costs associated with acquisition may be eligible (see page 6 in manual).
Select Parcels of State Trust Land

- Only those State Trust lands located within a specific distance or urban areas may be considered for classification as trust lands suitable for conservation purposes.

- (refer to page 5 of the manual for the list of boundaries)
Land Reclassification Process

Lillian Moodey
Arizona State Land Department
Applicants should contact representatives of the Arizona State Land Department (ASLD) for specific information regarding which parcels of State Trust Land are eligible for reclassification as suitable for conservation purposes as well as for information regarding the public auction process.
First.......Who?

- can petition the State Land Commissioner to have specific Trust lands nominated and reclassified for conservation purposes?
- A state agency
- A local government
- A business
- A conservation-based nonprofit corporation or trust
- State land lessees
- Or a group of ten or more citizens
Then what?

After all the appropriate notifications, public hearings, and consideration of physical and economic impacts to current lessees and the Trust, the State Land Commissioner may reclassify the subject land as suitable for conservation purposes.
The reclassification of State Trust land for conservation purposes is intended to be a temporary action pending the purchase or lease of the property from the ASLD for the ultimate management and conservation of the property for open space.
Leases and sales, following application, evaluation, appraisals, review and advertising, must occur at a public auction.
Eligible Costs
The grant monies can provide up to

50% of the appraised value of any purchase or lease of reclassified State Trust Land.
This grant must be matched by at least an equal expenditure from the applicant.
Additional Requirements

- Term sales are normally not considered as an eligible use of State Trust land acquisition grant monies or the applicant’s match.

- However, an applicant may purchase at auction a larger area under terms from the ASLD and re-apply each year to State Parks for a specified sum of money to be used to acquire a patent on a specified portion of the larger area.

- All acquisitions must be made in the form of cash paid up front.
The approved grant award will not change if the final selling or leasing price at the public auction exceeds the appraised value.

It is the applicant’s responsibility to fund any difference between the appraised value and the sale price at auction.
As part of the grant award, matching funds for costs associated with acquisition may be eligible, but may not exceed 10% of the grant award.
Associated Costs may include:

- Cultural resources survey
- Land appraisal commissioned by the applicant....but only if commissioned before the application to purchase is submitted to the Land Department.
- Land surveys
- ASLD administrative fees or brokerage-associated commission.
- ASLD advertising costs, application fees, auction costs, escrow fees and recording fees
Conservation Protection

- Grant recipients will be required to convey a conservation easement to State Parks in exchange for Growing Smarter monies.

- This contract will be included with the title to the land, granting such access and providing for reversion to this state of any interest in the property acquired with grant funds under this program if the grant recipient or subsequent owners fail to comply with the terms of the easement.
The goal of any such easement is to ensure the conservation of the land as open space in perpetuity.
Open Space and

Allowable Uses for Lands
Conserved with Grant Monies
Open Space

- **Open Space** is defined as land that is generally free of uses that would jeopardize the conservation values of the land or development that would obstruct the scenic beauty of the land.

- Conserved land remains open space if the stewards of the parcel maintain protection of both the natural and cultural assets for the long-term benefit of the land and the public and the unique resources that the area contains, such as:
Scenic beauty
Protected plants
Wildlife
Archaeology
Passive recreation values
And the absence of extensive development
Restriction on Development

- No more than 10% of the acquired land, up to a limit of 20 acres total, may be eligible for alteration or development.
- All such proposed work must be clearly explained in the application.
- No changes may be made to the parcel that would seriously or negatively affect its conservation and open space values.
Title Insurance

- Based on the title report supplied by the applicant, title insurance may be required by ASP.
- Provide proof of title insurance covering the full purchase price
- Insuring the recipient’s fee simple title in the property, and subject to exceptions acceptable to State Parks.
- The policy must hold State Parks harmless and insure State Park’s right and remedies as grantee under the terms of the conservation easement.

- The policy shall be issued to State Parks.

- The policy terms and conditions are subject to the approval of State Parks.
Self Certification

- On-going maintenance and monitoring for damage to the parcel shall rest first and foremost with the grant recipient.

- As part of this monitoring, the recipient is required annually to complete “Self-Certification” forms, provided by ASP.
Permitting Requirements

- ASP does not determine which, if any, permits or clearances are required nor does it review them for accuracy or appropriateness.

- The applicant is responsible for conducting environmental assessments and obtaining all applicable permits and clearances.
Application Requirements

- Reclassification
- Sale/Lease Application
- Agreed upon Conditions of Acquisition
- Legal Description
- Land Survey
- Appraisal and Appraisal Review
- Title Inquiry
- Proposed Uses
- Coordination Plan
- Applicant Certification Form
- Information Sheet for SHPO Review
- Arizona Historic Property Inventory Form
- SHPO Review
- ASLD Cultural Resources Survey Letter
- Phase I Environmental Site Assessment
- Applicant Resolution
- Letter Certifying Source and Amount of Matching Funds
- ASLD - Prepared Map of Parcel and Surrounding Area
- Project Narrative - original and Four Copies
- Non-Profit Applicant Requirements
Rating Criteria

- Written responses to each question
  - Provide supporting documentation
  - Photographs….must be in color and captioned with the date, location and the direction viewed.
    - One photo must be an 8” x 10” which best captures the values of the property
    - All other photos requested must be 4” x 6”
Rating Criteria Sections

- I. Ecological Values
- II. Conservation Values
- III. Planning and Public Support
- IV. Acquisition Type
Ecological Values  17 Points

- A. Riparian area 8 pts
- B. Wildlife
  - 1. Threatened & Endangered 3 pts
  - 2. Sensitive Species 3 pts
  - 3. Critical Pathway or Migratory 3 pts
Conservation Values  17 Points

- A. Scenic and/or Geological Features  3 pts
- B. Parcel Size  8 pts
- C. Archaeological or Historic Site  3 pts
- D. Urgency  3 pts
Planning and Public Support
14 Points

A. Planning
- 1. Local and Regional Plans 3 pts
- 2. Benefit to Local Community 3 pts

B. Public and Community Support
- 1. Community Support 5 pts
- 2. Partnerships 3 pts
Acquisition Type  2 Points
TOTAL POSSIBLE POINTS

50
QUESTIONS?