

Michigan Areas of Concern Land Acquisition Grants

Request for Proposals

November 2012

This is a request for proposals for land acquisition projects from eligible entities for federal funding through the Great Lakes Area of Concern (AOC) Land Acquisition grants program. The National Oceanic and Atmospheric Administration (NOAA), DOC anticipate approximately \$800,000 will be provided for this national funding competition through the Great Lakes Restoration Initiative, contingent upon congressional appropriations for the federal 2013 Fiscal Year. The Office of the Great Lakes (OGL), Department of Environmental Quality (DEQ), will review projects based on the criteria contained in the federal AOC Land Acquisition guidance. It is anticipated that projects funded in the 2013 cycle will have a grant project start date of October 1, 2013.

Eligible Applicants	State, county, township, city, or village governments.
Match Requirement	Match is not required, but applicants are encouraged to provide match, where applicable. Match may be in the form of cash, in-kind contributions, such as the value of donated lands or interests therein, or a combination of the two. Federal funds may not be used as match.
Project Location	Projects must be located within watersheds that are associated with or within with the State of Michigan's Areas of Concern as defined in maps that can be found at http://www.epa.gov/glnpo/aoc/index.html .
Grant Amounts	Eligible projects range between \$100,000 and \$800,000.
Award Period	The standard award period is 18 months, and may be extended an additional 18 months if circumstances warrant, but may not exceed three years.
Application Deadline	Applications must be postmarked no later than December 21, 2012.
Application Procedures	Complete and sign the application and submit it to: Virginia Berry Michigan Coastal Zone Management Program Office of the Great Lakes Department of Environmental Quality P.O. Box 30473 Lansing, Michigan 48909-7973
Questions	For information on Michigan AOCs and the objectives of this funding opportunity, contact: Rick Hobrla Michigan Great Lakes Areas of Concern Program (517) 335-4173 HOBRLAR@michigan.gov

To request a copy of this request for proposals as a Word document, contact Virginia Berry at 517-335-3168 or at berryv@michigan.gov.

All land acquisition projects must:

- Be within a Michigan AOC or associated watershed;
- Be held in public ownership (fee simple or conservation easement) and provide conservation in perpetuity;
- Provide for access to the general public or other public benefit, as appropriate and consistent with resource protection.

Eligible uses for grant funds:

- Land acquisition
- Due diligence costs such as appraisals, title work, and Phase I environmental assessments
- Administrative expenses (not to exceed 5% of the federal share)
- Initial stewardship activities (not to exceed 5% of the federal share)

Background:

The principal objective of the NOAA Great Lakes Area of Concern Land Acquisition Grants is to provide federal financial and technical assistance to land acquisition projects (fee simple interest or conservation easements) projects within the U.S. Great Lakes Areas of Concern and their associated watersheds that meet NOAA's mission to protect and restore coastal habitats and that support the Great Lakes Regional Collaboration Strategy (<http://glrc.us/strategy.html>) and the Great Lakes Restoration Initiative Action Plan. These projects should be 'ready-to-go' and likely to be completed within 18 months from the start date of the award (anticipated October 1, 2013) and be held in perpetuity.

Successful applications will be those that (1) contribute to the delisting of fish and wildlife habitat-related beneficial use impairments (BUIs) in Great Lakes Areas of Concern; (2) yield significant ecological benefits; (3) can be acquired within the award period; and (4) document community benefits such as improved opportunities for recreation, park use, open space, or other tangible community benefits.

Projects must be within a U.S. Great Lakes Area of Concern, or its associated watershed, and contribute to the removal of either project-based delisting targets or numeric delisting targets for fish and wildlife habitat related beneficial use impairments (degradation of fish and wildlife habitat, loss of fish and wildlife habitat, and degradation of benthos) as described in the target AOC's Remedial Action Plan. Additionally, the project must be endorsed by the Remedial Action Plan (RAP) implementation group (defined as the state agency responsible for implementing the AOC program or the local public stakeholder group working with the state agency on implementing the RAP) to achieve delisting of either individual beneficial use impairments or the entire AOC.

Projects should be ready-to-go and likely to be completed within the initial 18 month project period. All properties or interests in properties should be acquired from willing sellers. This grant competition is intended to support the acquisition of ecologically significant coastal habitats, as well as areas in need of habitat restoration activities, within AOC boundaries and their associated watersheds. Please note that this grant competition is not intended to support the acquisition of highly contaminated sites or other properties where uncertain effects or effects involving unique or unknown risks would trigger extensive NEPA review.

This funding competition is modeled on the NOAA Coastal and Estuarine Land Conservation Program (CELCP), described at <http://coastalmanagement.noaa.gov/land/welcome.html>. NOAA's grant review procedures and long term conservation requirements for properties acquired under the AOC Land Acquisition Grant Program are based on the CELCP program. However, applicants familiar with the CELCP program should be aware that the AOC Land Acquisition Grant Program's match requirements differ from those of the CELCP.

Eligible Expenses:

The following are expenses eligible for federal funding under this grant competition:

- Land acquisition;
- Due diligence costs such as appraisals, title work, Phase I Environmental Assessments;
- Administrative expenses (up to 5% of the federal share);
- Initial stewardship activities (up to 5% of the federal share)

Land acquisition and due diligence expenses must be incurred during the award period (or up to 90 days prior to the start of the award). Administration and Stewardship expenses must occur during the award period to be eligible for federal funding.

Please note that this competition is intended primarily to fund land acquisition for conservation purposes and the following expenses are not eligible for funding under this grant competition: Research; outreach and education; habitat restoration; acquisition of lands to comply with mandatory or compensatory mitigation; construction of buildings or other facilities; acquisition of land for active recreation, such as sports facilities or water parks.

Long-Term Property Management:

The property must be held by a public entity (state, local, or regional unit of government) and be managed in perpetuity for conservation purposes. As a condition of the grant award, NOAA will require that language be recorded for each deed or easement advising that the property has been acquired with federal funds from the NOAA or used as match for same. The NOAA will also require the installation of a permanent sign at the site acknowledging NOAA funding.

In general, lands acquired through this grant competition will allow access to the general public. However, access may be limited or controlled in an equitable manner for resource protection, public safety, or for other reasonable cause. User fees should not be charged to access lands acquired through this program. However, if user fees are charged, they should comply with any applicable state standards for user fees. In such cases, all income or other revenues derived from the fees shall be used for the maintenance or management of the property.

For the purposes of this funding competition, the following activities are considered to be consistent with conservation: Habitat restoration and enhancement; low-impact recreational activities, such as hiking, hunting, and fishing; public access for swimming, canoeing, kayaking, or other non-motorized vessels; and research and educational activities. Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public access and recreation, may be allowed depending on the proposed use of the property and the site environment.

The following activities are considered to be inconsistent with the purposes of this grant competition and would not be allowed on properties purchased through this grant competition: Active agriculture, including timber or aquaculture production; shoreline armoring or other hard erosion control structures in non-urbanized environments; and construction or expansion of

roads, buildings or facilities, including active recreation facilities such as sports facilities, water parks, or playgrounds, except as noted under eligible uses.

Project Readiness:

The OGL expects that proposed projects will be well along in their development. Recognizing that projects can be in various stages of development and that funding from this cycle will not be available until October, 2013, project proposals should be as specific as possible. Proposals should at least be for specific tracts of land, and landowners should have been contacted about their willingness to sell.

Additional Information:

- The eligible applicant will hold title to the respective property acquired through the AOC Land Acquisition Grant Program.
- The eligible applicant and the OGL will hold duplicate documentation as required by the federal CELCP guidance.
- All properties acquired under this program will be maintained in accordance with applicable state laws. Any revenues generated will be used by the applicant to continue the long-term stewardship of the properties in accordance with the established management plan.
- The property boundary of the project must lie entirely within the AOC boundary or associated watershed, as approved by the DEQ.

Application Requirements:

Pages 5 through 14 contain the format for describing a proposed project. The project description should provide information for the parcel(s) to be acquired or for which an easement is being obtained with Great Lakes AOC Land Acquisition funds, as well as for non-federal match, if applicable. If the non-federal match will be provided through in-kind contribution of another parcel, the project description should also provide information about the match parcel(s).

GRANT APPLICATION FORMAT

TITLE OF PROJECT

Project Description/Scope of Work

- *Project Size and Relationship to the Area of Concern* – Include the total acreage and describe the site's location within a Great Lakes Area of Concern or its associated watershed. Also describe length of the total frontage on coastal waters, if applicable.
- *Legal Rights to Be Acquired* – Describe if the property will be held in fee simple ownership or if a conservation easement will be acquired. The description should specify what mineral rights will be included in the acquisition. If any mineral rights are held by a third party, describe how permanent protection of the conservation and ecological values will be achieved, or how the rights will be obtained.
- *Measurable Gain towards Achieving Delisting of AOC* – Describe how the project will contribute to measureable gains in achieving delisting of fish and wildlife habitat-related beneficial use impairments (including loss of fish and wildlife populations, degradation of fish and wildlife habitats, and degradation of benthos) in Areas of Concern.
- *Relevance to AOC Planning Process* - Describe how the project is an AOC priority based on specific restoration planning goals, publicly vetted plans, or other priority setting planning documents (e.g. State Remedial Action Plan documents). Please include appropriate ecological performance metrics and measures, where applicable.
- *Benefits to Coastal Habitat* – Describe the different habitat types that are found on the project site (e.g., upland forest, scrub/shrub, fields), provide information on the habitat quality, including impairments such as invasive/exotic species, and provide estimated acreages for the different habitat types.
- *Local Significance* - Describe the significance of the acquisition in its area of impact, particularly in relation to the Great Lakes coastal ecosystem and the target AOC. For example, discuss the species diversity on the project site, and/or if the site contains habitat of specific importance to the local environment, and/or if protecting the site is an important part of protecting ecological connections in the region. Describe the potential impact of the project on the local community. If applicable, describe how the project supports watershed or coastal planning efforts, or fits into any other relevant conservation plans.
- *Community Benefit* - Describe how the project will provide benefits to the local community such as improved opportunities for recreation, park use, open space, or other tangible community benefits.
- *Manageability of the Project Site*
 - Describe the current use and/or condition of the site.
 - Describe the current or proposed uses of the area surrounding the site (e.g., development plans or uses allowed by zoning).
 - Describe the degree of non-native species found in the different habitats on the project site.
 - Describe whether any restoration is needed and planned, as well as whether funding has been secured for that purpose.

- Describe any environmental remediation that has taken place and/or is needed on the project site.
- *Long-term Use of the Site*
 - Describe the uses that are proposed for the project site.
 - Describe how proposed uses are compatible with the primary purpose of the project.
 - Describe the long-term stewardship strategy for the site, *i.e.*, how the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved, as well as how enforcement against illegal uses will be supported.
- *Threat of Conversion*
 - Describe the current development pressures in the project area.
 - Describe the development potential of the site, including current zoning and developable area.
 - List the current status of the property, such as whether listed for sale and/or whether any subdivision or development plans are pending for the site.
- *Project Readiness* – Briefly describe:
 - Whether parcels or project sites have been identified;
 - The stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement;
 - Whether supporting documentation has been completed; whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and
 - Whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.
- *Ability to Acquire Land* – Briefly describe:
 - The organization’s legal authority, personnel and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization;
 - The organization’s previous success in acquiring lands, or interests in lands, for long-term conservation purposes; and
- *Ability to Manage Land* – Briefly describe:
 - The organization’s capacity, in terms of funding, personnel and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization;
 - The organization’s success in managing other properties for conservation purposes; and
- *Other Pertinent Information* – If available, please include photographs of the project site that document the values described above.

Project Timeline

Grant applications are due to the OGL postmarked by December 21, 2012. In the application please specify a proposed award period for the grant, and include a project timeline with discrete benchmarks for completing the project within the requested award period. The proposed project timeline should assume a start date of October 1, 2013. The standard financial assistance award period for Great Lakes AOC Land Acquisition grant projects is 18

months. NOAA may extend project grants up to an additional 18 months (for a total project period of 3 years maximum) if circumstances warrant; however, initial proposals should not propose a timeline that is longer than 18 months.

Example: Requested Award Period: October 1, 2013 – December 31, 2014

- *Benchmarks* – Describe the steps required to bring your project to closure during the timeframe of the award. Include target dates by which you expect to complete each of these steps and close on the property. Examples of benchmarks include:
 - Identify site(s) for purchase
 - Acquire appraisal, title opinion
 - Complete negotiations with landowner(s)
 - Restoration plan/timeline, if any
 - Submit documentation to NOAA for approval
 - Close on property

Pages 9 and 10 contain the format for providing information about the project's budget. Please keep in mind:

- Match may not have been used previously for any other project.
- If any in-kind match is to be used (including donated land value, staff support, or other services), the budget narrative should specify the amount, the timeframe in which these costs were or will be incurred, and explain the relevance to the project.
- If the budget includes costs other than purchase price, (such as costs for title opinion, appraisal, environmental assessment, etc.), please explain them in the budget narrative.
- The proposed budget should be consistent with the eligibility information described under Eligible Expenses (Page 3).

Budget Narrative

- *Federal Share* – For the parcel(s) to be acquired with Great Lakes AOC Land Acquisition funds, please describe how the project costs were estimated, including:
 - What legal rights will be acquired (fee title or conservation easement);
 - The basis for establishing the land acquisition costs (if based on appraised value, please explain when the appraisal was conducted and what appraisal standards were used; if based on market price or other estimate of fair market value, please explain the basis for this estimate); and
 - Any other costs included within the requested federal share of funding to document that they are reasonable costs and necessary for the successful completion of the project.

If the requested funding from the AOC Land Acquisition competition is only a portion of the total purchase price of the property, please explain whether or how the project would be viable if remaining funds cannot be secured. For example, could the property be acquired in phases? Would the AOC Land Acquisition funds be used to acquire an easement on a portion of the property?

- *Non-Federal Matching Funds*
 - Describe the source of matching funds and whether they are in the form of cash, in-kind contributions, donated land value (from a bargain sale), or value of lands that will be acquired during the award period and substantially relate to the property to be acquired with Great Lakes AOC Land Acquisition funding.

- If cash contribution, please discuss whether the funds are currently available or expected to be available within the performance period. What is the source of funding? Have actions been taken to secure the necessary funds within the proposed award period?
- If in-kind contribution of land or donated land value, please explain:
 - When will the property be acquired (through purchase or donation);
 - What legal rights will be acquired;
 - Who holds title to or will hold title to the property or conservation easement;
 - The distance and physical or strategic connection between the match property and the property(ies) to be acquired with federal AOC Land Acquisition funds; and
- If other in-kind services such as direct staff support, acquisition-related expenses (such as title, appraisal, etc.) or restoration or remediation of the property to be acquired with Great Lakes AOC Land Acquisition funds, please provide details to document that they are reasonable costs and necessary for the successful completion of the project.
- *Other* – Please also describe the following information:
 - Whether the property is currently being leased or rented or if certain rights are held by a third party (such as timber rights that will vest at a future point). If so, please explain the nature of these circumstances and how any revenues will be used in support of the project.
 - Whether the public will be charged a user fee for access to or activities on the proposed property. If so, please explain how revenues will be used in support of the project.
 - Whether the proposed project has been submitted to or is it currently under consideration by other programs for funding. If yes, please list which program(s) and fiscal year(s), and whether the funding requested from other programs duplicates or complements the funding requested under the Great Lakes AOC Land Acquisition Grant Program. If the other programs have match requirements, please indicate how all match requirements/commitments will be met. *[Note: This information will enable the NOAA to coordinate with the relevant program to avoid duplication if a proposed project is selected and approved for funding by another program in an earlier funding cycle.]*

Budget Overview Table – Suggested Format

Please fill out a Budget Overview Table only if the total cost of the project is greater than the requested federal funding (plus any matching funds). Otherwise, please fill out only the AOC Land Acquisition Grant Budget Table.

Using the template below, please identify the costs associated the full project, including funding from other sources.

Category	Amount (Note if cash or in-kind value of land/ services)	Funding Source(s) (Include information from all contributors to the project)	Funds Already Expended? (yes/no) If so, when?
	\$		
TOTAL Cost:			

(Suggested Categories: Land, Appraisals, Title Opinion, etc...)

AOC Land Acquisition Grant Program Budget Table – Suggested Format

Using the template below, please identify the costs associated only with requested federal funding and matching funds.

Category	Federal Share	State/Local Matching Share	Total	Funding Source (for Non-Federal share) (Note whether funding is from cash or in-kind value of land or services)	Funds Already Expended? (yes/no) When?
Land Acquisition	\$	\$	\$		
TOTAL:					

(Suggested Categories: Land, Appraisals, Title Opinion, etc...)

Eligibility of Project

6. Project Eligibility: (Check all that apply)

The proposed project:

- is located in a coastal or estuarine area that has been designated as part of a state's approved coastal and estuarine land conservation (CELC) plan or within a state's coastal watershed boundary;
- matches federal funds with non-federal funds at a ratio of at least 1:1;
- will be held in public ownership and provide conservation in perpetuity (note: in-kind match property may be held by a qualified non-governmental organization whose primary mission is to acquire and manage land for the purposes of conservation);
- will provide for access to the general public, or other public benefit, as appropriate and consistent with resource protection.
- protects important coastal and estuarine areas that have significant conservation, ecological, historical, aesthetic, or recreation values, or that are threatened by conversion from their natural or recreational state to other uses;
- can be effectively managed and protected;
- directly advances the goals, objectives or implementation of state coastal management plan or program or NERR management plan approved under the Coastal Zone Management Act (CZMA), national objectives of the CZMA, or a local, regional or state watershed protection plan involving coastal states with approved coastal management programs
- is consistent with the state's approved coastal management program.

Land Acquisition

7. Location and Site Maps:

Site location maps are attached. Yes No

The applicant should attach a map of the state or coastal county showing the general location of the project, and a map of the project site, which shows the location and extent of the proposed acquisition, as well as relationship to significant natural features (slopes, wetlands, dunes, floodplains, access, *etc.*).

8. Title Opinion and Appraisal:

- a. Documentation of the current owner's intent or willingness to sell at a mutually agreeable price is attached. (This documentation may be in the form of a letter of intent, option letter, contract, or similar form.) Yes No
- b. The applicant has obtained and attached an independent appraisal performed by a state-certified appraiser. Yes No
- c. A title opinion or title insurance report is attached. Yes No

9. Public Benefit:

- a. The acquisition will be publicly held or under publicly-controlled easement and is for public benefit. The project does not improve private property for private or commercial gain. Yes No
- b. The property will be accessible to the general public. Yes No
- c. If the answer to the question above (9.b) is no, check any of the following reasons that apply and explain why access to the property will be limited.
 Public Safety Resource Protection Geographically Isolated/Inaccessible
 School Outings Only Scientific Research Other (please explain): _____
- d. The property will be leased or rented. Yes No If yes, please explain.
- e. The public will be charged a user fee for access to or activities on the proposed property.
 Yes No

If yes, provide a description of the user fee which includes: how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

Compliance with Other Federal Authorities

10. State Historic Preservation Officer's (SHPO's) Clearance and National Historic Preservation Act:

- a. The project will affect properties listed on the National Register of Historic Places (www.cr.nps.gov/nr/), eligible to be listed, or otherwise protected by Section 106 of the National Historic Preservation Act (www2.cr.nps.gov/laws/NHPA1966.htm) or a similar State Preservation Act. Yes No
- b. The Recipient has on file the SHPO's clearance. Yes No (If no, the Recipient certifies, by signing this checklist, that the SHPO clearance is being sought and that work will not begin and land will not be purchased until SHPO clearance is received by the Recipient.)

11. National Flood Insurance Program:

- a. Is the project located in a designated special flood hazard area, floodway or "V" zone on a National Flood Insurance Program Floodway Map (www.fema.gov/maps)? Yes No
(If no, go to 12)
- b. Is the community in which the project is located in special flood hazard areas shown on an FIA map participating in the Flood Insurance Program (www.fema.gov/nfip). Yes No

12. Coastal Barriers Resource Act:

The project is located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act (CBRA) (www.fws.gov/cep/cbrunits.html). Yes No

If the answer is yes, provide a brief statement below or attach to this checklist a brief analysis as to how the proposed project is consistent with the three CBRA purposes: To minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife, and other natural resources.

13. Endangered Species Act:

May the proposed project adversely affect threatened or endangered species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) as defined by the Endangered Species Act? (www.fws.gov/endangered) or (www.nmfs.noaa.gov/pr/species).
 Yes No

If the answer is no, provide a brief statement below explaining the basis for the conclusion. If the answer to 13 is yes, provide a description of the adverse effects (minor and significant effects), the species or habitat affected, and any coordination between the state and the USFWS or NMFS. OCRM will not approve a project that USFWS or NMFS has determined will significantly adversely affect threatened or endangered species or critical habitat.

14. Magnuson-Stevens Fishery Conservation and Management Act:

Does the proposed project include essential fish habitat for federally managed fish?
 Yes No Not yet determined (please explain).

Could the proposed project have significant adverse impacts on essential fish habitat for federally managed fish? Yes No

15. National Environmental Policy Act:

- a. The proposed project may significantly affect the human environment. Yes No
- b. The proposed project involves unresolved conflicts concerning alternative uses of available resources. Yes No
- c. This action would have significant adverse effects on public health and safety. Yes No
- d. This action will have highly controversial environmental effects. Yes No
- e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts. Yes No
- f. The project will have significant adverse impacts on other natural resources not covered elsewhere in this checklist, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources. Yes No
- g. The project will have insignificant effects when performed separately, but will have significant cumulative effects. Yes No

If the answer to any one subpart of 15. is yes, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. For items answered yes, please attach a description of the resource(s) affected and the nature and scope of the effects.

16. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970:

If the proposed project involves the acquisition and/or modernization of real property, will the proposed project cause the displacement of:

- Persons, Yes No
- Businesses, or Yes No
- Farm Operations? Yes No

If yes to any of the above, please explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

17. Handicapped accessibility:

Will the proposed project be handicapped accessible?

Yes No N/A

If no or n/a, provide a brief explanation below (or attach separately) as to why the project is not required to meet ADA handicapped accessibility requirements.

18. Environmental Justice:

Will the project have disproportionately high and adverse human health or environmental effects on minority or low-income populations? Yes No

19. State, Local, and Tribal Laws:

The project is consistent with state, local, and tribal laws to protect the environment. Yes No

20. Contamination/Environmental Hazards (CERCLA/RCRA):

a. Are there any known or suspected contaminants on the project site? Yes No

If yes, please discuss what type of contamination is on the site, or suspected to be on the site, and the status of clean-up activities.

b. Has the site been investigated, identified and/or designated as having hazardous waste contamination issues by a federal, state, or local agency (for example, superfund site)?

Yes No

If yes, please explain the basis for the designation, the status of clean-up activities, and whether there are any legal liens or judgments affecting the property.

21. Public Coordination:

Has the project for which you propose to use grant funds been subject to public scrutiny and coordination through a public notice or other public review process? Yes No

If yes, please describe the results of that process and note when the coordination occurred.

If no, please explain below.