





NOTE:

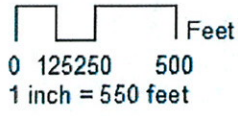
Upload for Prog  
Spec Ques #6  
AND  
Prog Spec Ques #17  
if seeking Bonus Pts



Gateway Farms

Town of  
Columbia County NY  
June 5, 2015

138.5 Acres (Acreage per County Tax Parcel Data)



Agricultural Soils	
	Property
	Prime Farmland
	Statewide Important Farmland
	Prime Farmland (if Drained)

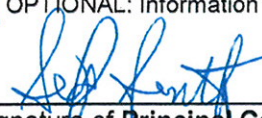


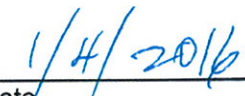
**2015 Hudson Valley Agricultural Enhancement Program**  
**APPLICANT CHECKLIST FOR PROPOSAL COMPLETENESS**

**\* - Required element of proposal.** Proposals not meeting any of these requirements will not be considered for funding under this RFP. Any such instance is deemed a "fatal flaw" of a proposal.

**Proposal Completeness Points.** Each proposal deemed complete and not in need of any further clarification or additional information shall be awarded 50 points for proposal completeness. If any required information is determined to be missing from this proposal or if a clarification of information presented in this proposal is requested, the applicant will be notified by email from the Department's Program Manager and provided five (5) business days to submit the requested information. If the requested information is received by the designated subsequent deadline, the proposal will be considered for funding. However, if the requested information is not submitted by the designated subsequent deadline, the proposal will be deemed incomplete and shall not be considered for funding. All other proposals, except those exhibiting at least one fatal flaw, that were subsequently deemed complete shall be awarded 0 points for proposal completeness.

- Proposal must be **submitted\*** via the **New York State Grants Gateway by 4:30pm local time, January 29, 2016.**
- Proposal submitted by **eligible applicant\*** (refer to section IV A of the RFP). And, if applicant is either a not-for-profit conservation organization **OR** a soil and water conservation district:
  - Letter of project endorsement from the municipality (in which the proposed project is located) is included in the proposal (refer to section IV A of the RFP).
- Letter of project endorsement\*** from County Agricultural & Farmland Protection Board is included in this proposal (refer to section VIII A 1 of the RFP).
- All required **landowner letter(s)\*** have been included in this proposal (refer to section VIII A 1 of the RFP).
- All required attachments, as stipulated in this RFP, have been included in this proposal, including:
  - copy of signed resolution authorizing the submission of this proposal to the State;
  - copy of a signed letter from the Authorized Representative regarding its proposed cash contribution. Furthermore, please ensure that this proposal reflects the following:
    - correct\* version of the Financial Worksheet** for the project you are proposing (refer to Appendix B of the RFP).
    - Your request for State funding does not exceed any of the award "caps" stipulated in section V D of the RFP.
    - Local match contribution equals or exceeds the minimum requirement stipulated in section V D of the RFP.
    - No work or project expense occurred or will occur prior to State approval of a funding agreement awarded through this RFP.
    - No other source of New York State funds shall be used on this project.
    - Indirect and overhead costs are not included as eligible project costs.
- Potential Conflicts of Interest form has been completed and included in this proposal.
- OPTIONAL:** Information for the consideration of bonus points has been included in this proposal.

  
\_\_\_\_\_  
Signature of **Principal Contact** for Applicant  
(or of **Principal Contact** for Lead Applicant, if joint proposal)

  
\_\_\_\_\_  
Date

### Preparation Suggestions:

- Set up a project timeline early on in the project to ensure there is enough time for the preparation of the baseline document without causing delays in closing the transaction. Determine who is responsible for producing the baseline. Establish a target closing date and work back from there to determine when the baseline preparation should begin.
- Preparer of baseline document should sign each page – this provides a record of who took the original photos – OR include a label on each picture that includes the property, location, picture number and photographer. This is a good safeguard in case the picture gets separated somehow.
- Baseline maps should be clear enough so that future monitors will know where they are on the property.
- Clearly describe all photos and document/map all photo points.
- Develop a list when completing the baseline document that documents areas of concern/places to check while on monitoring visits.
- There is potential for partners (qualified organizations or individuals) to assist in the baseline preparation. It is also possible to have a team approach to the baseline preparation. Reach out to partners for assistance as needed.
- Significant natural changes that affect the conservation values of the property need to be documented as they occur
- • Recommend completion of a property baseline update report over time – recommendation of every 10 years or as changing conditions require.
- CE Administrator should help/work closely with local staff, as necessary, to complete on-site baseline review – workload may require extensive assistance from CE Administrator
- Tailor each baseline document to the specific conservation easement.
- Note that the components in the baseline document for a large-scale conservation easement may differ from a small-scale conservation easement
- It may be beneficial to have the baseline reviewed by Legal Services due to it being part of legal record



## CONSERVATION EASEMENT ADMINISTRATION

*Policy Statement: Conservation easement administration includes such items as handling routine requests for information or interpretation of conservation easement language, formal requests for approval of activities as specified in an easement, and other activities associated with ensuring compliance with the principles established by this policy and procedure.*

Conservation easement administration includes such items as handling routine requests for information or interpretation on conservation easement language, formal requests for approval of activities as specified in an easement, and other activities associated with ensuring compliance with that the principles established by this policy and procedure are adhered to. The Land Administering Division will appoint one staff person as the Conservation Easement Administrator to serve as the central point of contact for conservation easements. The Conservation Easement Administrator will be responsible for implementation of the Conservation Easement Stewardship Policy and Procedures using the following guidelines:

### On-going Responsibilities:

- Develop, maintain and update the standardized forms for conservation easement stewardship, monitoring workbook and monitoring plans for each conservation easement
- Establish monitoring schedules each year and ensure those who are responsible for the monitoring know their responsibilities
- Send out annual landowner questionnaires at the beginning of each year (see Appendix for template)
- Keep records and develop recordkeeping processes to ensure the can properly monitor, enforce and defend the terms of its conservation easements according to policy (see Recordkeeping below)
- Serve as the point of contact for conservation easement violations and enforcement actions

### Administration Functions:

- Respond to requests regarding:
  - Reserved rights information
  - Notice on permitted activities
  - Requests for approval
  - Conservation easement interpretation questions—all interpretations will be put in writing to avoid later misunderstandings
- Ensure site visits occur
- Review management plans and obtain approval (from other staff, as appropriate) for activities and documents, as required by the conservation easement (forest management plans, reserved rights for example)
- Obtain landowner approval and signature on baseline updates
- Initiate baseline preparation and provide guidance on baseline development, monitoring methods, how often monitoring should occur, monitoring report deadlines, etc. according to a schedule/calendar
- Ensure that recordkeeping occurs, as required by the policy and procedure

The tract on the eastern shore of Lake is identified as a priority project in New York State's Open Space Plan, and it is the largest privately owned piece of lakefront remaining in the . It's a acre parcel with feet of undeveloped shoreline. recently expressed an interest in selling for less than the appraised value. If acquired by the Land Trust, the plan would be to sell it to the state. ; will be meeting with ; next week at the site to assess the property and size up a possible project.

asked that if the land became a state forest, would the state develop it. indicated that we would have to become actively involved in future management of the property.

### **Partnership**

As detailed in his September 9, 2011 memo to the board, described this proposed partnership with the would advance the establishment of conservation easements, and possible acquisitions, in the area on Lake. is an identified focus area of the Land Trust. The offered \$ to the Land Trust to cover stewardship and transaction costs. This partnership could serve as a model for establishing similar relationships with watershed organizations from across the region.

Staff recommends proceeding with the partnership and asks for authorization from the board for to proceed in negotiating an MOU with . A restricted fund would also be established to cover costs associated with projects in the area.

asked if the MOU would have an escape clause. said yes; that anyone could walk away. The MOU would be based only upon mutual interest. asked about the staff time that would be required. said that it would be manageable, and that this could also lead to good fundraising opportunities in the Lake watershed.

Motion to approve negotiation of an MOU with :

Seconded:

Vote: Unanimous approval

### **Conservation Easement Monitoring and Enforcement Policy and Associated Procedures**

described the need for the Land Trust to establish written policies and procedures for conservation easements, and to codify the procedures. He noted that this is also required for accreditation purposes with the Land Trust Alliance.

Copies of the proposed policy and procedures prepared by staff had been previously provided to the board for their review and comment. noted that the documents



Land Trust  
Board of Directors Meeting Minutes  
Saturday, September 17, 2011  
9:30 am

excerpt

Present -

Absent -

Staff present -

President opened the meeting and asked everyone to introduce themselves as and are new board members.

**Review and Approval of Minutes from the July 18, 2011 Board Teleconference, the July 24, 2011 Land Trust Annual Meeting and the August 15, 2011 Board Teleconference**

Each set of minutes had been previously reviewed by the board. asked if anyone had any changes or suggested revisions. There being none, they were put to a vote for approval.

Motion to approve all three documents:

Seconded:

Vote: Unanimous approval

**Land Committee**

made no report as the committee's activities were addressed elsewhere on the agenda.

**Preserve Management Committee**

reported that trails at the Preserve were now open after downed trees were cleared following the damage from the tornado last spring. was able to get it done at no cost by a local tree firm in exchange for some free publicity for the firm. The committee approved a predatory beetle release at the Preserve to control the Hemlock Woolly Adelgid if the beetles become available at no cost.

iving a

and/or

## Land Trust

# Conservation Easement Enforcement Procedures

excerpt

In accordance with the Conservation Easement Monitoring and Enforcement Policy adopted by the Land Trust Board of Directors on September 17, 2011, this Conservation Easement Enforcement Procedures document is hereby set forth for the purpose of providing guidance and procedures for staff, Board of Directors, and legal counsel when addressing and resolving violations of conservation agreements.

This version of the Conservation Easement Enforcement Procedures is being set forth as of November 2012.

### Understanding and Documenting the Situation

The first step in assessing a reported, observed, or suspected conflict or violation of a conservation easement (CE) or conservation-related deed restriction (DR) is for the person who made the observation and prepared the monitoring report, or the Director of Stewardship on the monitoring personnel's behalf, shall consult with Executive Director about the situation prior to making any further communication with the landowner. The Executive Director, in consultation with the Director of Stewardship, will determine whether or not additional information or documentation of the situation is required. If so, staff will gather any necessary additional information, which may include follow-up visits to the property, written descriptions, personal statements or testimony from the landowner or others, photographs, location maps, measurements, sample testing, property management records, or other documentation that identifies and describes the suspected violation. The nature, scope, and extent of the violation should be described and depicted as completely and accurately as possible, and information should be collected as soon as possible after first learning of the situation (with the level of urgency being governed by the perceived degree of severity of the situation). If an alleged violation was reported by a volunteer CE Steward, then in almost all cases staff should schedule a visit to the property to corroborate reported information.

Follow-up visits to the property should be scheduled with advance notice to the landowner, and the landowner should be notified that there is a situation of concern that needs to investigate or further inquire about. Failure of the landowner to schedule or grant permission for additional property inspection(s) will not bar Land Trust access to the property if there is evidence or a strong suspicion of an ongoing or imminent violation that is causing, or has the potential to cause, harm to the conservation values of the property. The terms of the CE document must be reviewed in order to confirm that has the right to enter the property in such cases.

The Director of Stewardship and the Executive Director will assess the available information about the property condition and the reported conflict, review the language of the CE or DR document, and make a determination about the level of severity of the situation and the threat to the conservation values and purpose of the conservation restrictions. There may be occasions when it will be difficult to characterize an action, whether minor, moderate, or major, as a clear-cut violation because the exact language of the CE or DR may be ambiguous in regard to the activity or situation in question. In these circumstances, the President of the Board of Directors and legal counsel should be consulted, and staff may also want to obtain the professional opinion of other outside land conservation practitioners, or specialists in a profession or field of study related to the nature of the situation.

Following is a general guide for assessing the severity of a violation:



Land Trust

## Conservation Easement Monitoring and Enforcement Policy

excerpt

and to pro  
owners.

This policy is hereby adopted and set forth by the Board of Directors on September 17, 2011.

Further detail is provided in separate procedural documents (see *Conservation Easement Communications and Monitoring Procedures* and *Conservation Easement Enforcement Procedures*).

### Importance of Easement Stewardship

The Land Trust, uses conservation easements, and occasionally deed restrictions, as a primary tool for protecting a variety of important conservation lands around the region. is committed to maintaining the long-term integrity of each and every conservation easement (CE) and conservation-related deed restriction (DR), meeting our responsibility to monitor and enforce the legally-binding terms and restrictions set forth in these agreements and ensuring that the original conservation protections and intent agreed to by and the grantors of the restrictions are carried forth in a meaningful way. This commitment is critical for achieving the organization's mission; for meeting our obligations to the Internal Revenue Service (IRS) as a tax-exempt, charitable, non-profit land conservation organization; for achieving operational standards set forth by the Land Trust Alliance (LTA), the Land Trust Accreditation Commission, and the greater land conservation community; and for fulfilling the expectations and retaining the trust and confidence of our members, supporters, donors, conservation landowners, partner organizations and individuals, and the public.

Once a CE or DR is recorded, and the landowner begin a formal long-term land conservation partnership, with having a critical oversight and management responsibility. Owners of restricted land will need to make their property management decisions pursuant to the terms and conditions of the CE or DR, and will need to be responsive to landowner questions, proposals, and actions. Conducting routine property visits and inspections, maintaining regular communication, and building a good working relationship with conservation landowners are key elements to the success of this partnership, and to preventing potential problems or conflicts from occurring.

In order to ensure that the intent and purpose of each CE and DR is upheld in perpetuity, shall regularly monitor and inspect each property that is subject to conservation restrictions held by the organization, and enforce the terms and conditions of those restrictions, according to this policy and procedures, and in accordance with the most recent version of the LTA Standards & Practices related to conservation easement monitoring and enforcement.

### Communications

To foster good communication and relationship-building, the Land Trust will strive to maintain regular contact with easement landowners, serve as an informational resource, and respond to proposals to exercise reserved rights or other inquiries in a helpful and timely manner. Information about future plans for the property provided by the landowner will be considered and discussed in light of the terms and conditions of the conservation restrictions, and guided or influenced by the Land Trust to the extent necessary to ensure compliance with the restrictions.

Directly related to the goal of fostering good communication and relationships with easement landowners is the need to track changes in ownership of conservation properties, or pending changes of ownership,



### Written Policy Regarding Easement Enforcement

Adopted by the organization's Board of Directors on September 17, 2011, the Land Trust has an established conservation easement monitoring and enforcement policy which is executed through a set of procedures. This document provides guidance and procedures for Land Trust staff, Board of Directors and legal counsel when addressing and resolving violations of conservation agreements. Both the policy and procedure documents are attached here, as well as the minutes from the September 17, 2011 Board meeting (discussion on pages 7 & 8).



Stewardship Fund

Attached, please find the account summary for the  
stewardship fund.

· Land Trust's





170 N. Radnor Chester Road, Suite 300  
Radnor, PA 19087

Transaction Confirmation  
06/30/2014  
Page 1 of 1

Shareholder Inquiries: (610) 684-8200  
Shareholder Services Fax: (610) 684-8210  
Website Inquiries: www.tiff.org  
Registration:  
Account Number: [REDACTED] *Stewardship Fund*

**Account Summary**

Fund Name	Fund Number	Share Balance	06/30/14 NAV	Market Value	Dividend Option	ST Cap Gain Option	LT Cap Gain Option
TIFF MULTI-ASSET FUND	0070	95,384.190	\$16.75	\$1,597,685.18	Reinvest	Reinvest	Reinvest

**Transaction History**

Trade Date	Transaction Type	Gross Amount	Net Amount	NAV	Transaction Shares	Total Shares
06/30/2014	BEGINNING BALANCE	\$3,150.51	\$3,150.51	\$16.75	188.090	95,196.100
	INCOME DIVIDEND - REINVESTED @ 0.033095	\$3,150.51	\$3,150.51	\$16.75	188.090	95,384.190

\* Note: a portion of this fund is designated for Legal Defense

### Legal Defense Fund

Attached, please find the account summary for the defense fund. Please note that a portion of the land trust's legal defense. Additionally, the conservation defense liability insurance provided by the Land Trust carries TerraFirma, which is a

Land Trust's legal fund is designated for Land Trust carries TerraFirma, which is a conservation defense liability insurance provided by the Land Trust Alliance. The land trust pays an annual fee of \$60 per property for coverage. Policies cover up to \$500,000 in legal fees annually to defend the threatened conservation values of easements and conserved lands. For more information please see: <http://www.landtrustalliance.org/conservation/conservation-defense/conservation-defense-insurance>.





170 N. Radnor Chester Road, Suite 300  
Radnor, PA 19087

Shareholder Inquiries: (610) 684-8200  
Shareholder Services Fax: (610) 684-8210  
Website Inquiries: www.tiff.org  
Registration:

LEGAL DEFENSE FUND

LEGAL DEFENSE FUND ]

Account Number: [REDACTED]

**Account Summary**

Fund Name	Fund Number	Share Balance	06/30/14 NAV	Market Value	Dividend Option	ST Cap Gain Option	LT Cap Gain Option
TIFF MULTI-ASSET FUND	0070	4,355,282	\$16.75	\$72,950.97	Reinvest	Reinvest	Reinvest

**Transaction History**

Trade Date	Transaction Type	Gross Amount	Net Amount	NAV	Transaction Shares	Total Shares
06/30/2014	INCOME DIVIDEND - REINVESTED @ 0.033095	\$143.85	\$143.85	\$16.75	8.588	4,346,694
	BEGINNING BALANCE					4,355,282

**ATTACHMENT B-2: PERFORMANCE BASED BUDGET  
SUMMARY**

Project Name: Gateway Farms (TEST1 - 87.5%)

SFS Payee Name: *Farmlands Forever, Inc.*

#	DELIVERABLE/OUTCOME	TOTAL AMOUNT PER UNIT	GRANT AMOUNT PER UNIT	NUMBER OF UNITS	GRANT FUNDS	MATCH FUNDS	MATCH % CALCULATED	OTHER FUNDS	TOTAL
1	Contract Approval	\$22,500.00	\$12,000.00	1	\$12,000.00	\$10,500.00	87%	\$0.00	\$22,500.00
2	Preliminary Approval	\$50,300.00	\$39,800.00	1	\$39,800.00	\$10,500.00	26%	\$0.00	\$50,300.00
3	Final Report Approval	\$22,000.00	\$10,000.00	1	\$10,000.00	\$12,000.00	120%	\$0.00	\$22,000.00
4	Project File Approval	\$2,223,250.00	\$1,938,200.00	1	\$1,938,200.00	\$285,050.00	14%	\$0.00	\$2,223,250.00
	Subtotal		\$2,000,000.00		\$2,000,000.00	\$318,050.00	15%	\$0.00	\$2,318,050.00
	Available Bonus		\$0.00		\$0.00				\$0.00
	Total		\$2,000,000.00		\$2,000,000.00	\$318,050.00	15%	\$0.00	\$2,318,050.00



Organization	Grant Opportunity	Application #	Project Title	Date/Time Submitted
<i>Farmlands Forever</i>	Hudson Valley Agricultural Enhancement Program (HVAEP)	AGM01-HVAEP2-201 5-00001	Gateway Farms (TEST1 - 87.5%)	Oct 7 2015 3:09PM

**ATTACHMENT C - WORK PLAN  
SUMMARY**

PROJECT NAME: Gateway Farms (TEST1 - 87.5%)

CONTRACTOR SFS PAYEE NAME: *Farmlands Forever, Inc.*

CONTRACT PERIOD:  
 From: 04/01/2016  
 To: 03/31/2020

Provide a high-level overview of the project, including the overall goal and desired outcomes. Include information such as location, target population, overall number of persons to be served, service delivery method and hours of operation.

The proposed project will result in the conveyance of a perpetual conservation easement. If each performance measure is achieved, this Conservation Easement Project will be completed within two years of the date of State approval of the awarded funding agreement.

Organization	Grant Opportunity	Application #	Project Title	Date/Time Submitted
<i>Farmlands Forever</i>	Hudson Valley Agricultural Enhancement Program (HVAEP)	AGM01-HVAEP2-201 5-00001	Gateway Farms (TEST1 - 87.5%)	Oct 7 2015 3:09PM

**ATTACHMENT C - WORK PLAN  
DETAIL**

**Objective**

1 Vendor Tasks - Conservation Easement Project - Conduct the tasks necessary to complete the proposed Conservation Easement Project in a timely fashion within the overall timeframe of the awarded funding agreement.

**Tasks**

1 Vendor compiles required documents to submit to Department for preliminary review of the proposed Conservation Easement Project (refer to Attachment A-1 for list of required project deliverables).

**Performance Measures**

**Tasks**

2 Vendor submits complete preliminary review package to the Department for its preliminary review of the proposed Conservation Easement Project.

**Performance Measures**

1 Preliminary Review Package - Preliminary review package submitted within 3 months of State approval of awarded funding agreement.

**Tasks**

3 Vendor compiles required documents to submit to Department for its project file review of the proposed Conservation Easement Project (refer to Attachment A-1 for list of required project deliverables).

**Performance Measures**

**Tasks**

4 Vendor submits complete project file to Department for final review of proposed Conservation Easement Project.

**Performance Measures**

1 Project File - Complete project file submitted within 18 months of State approval of awarded funding agreement.



Tasks

5 Upon its receipt of interim payment #2, vendor conducts the closing of the conservation easement transaction.

Performance Measures

Tasks

6 After the closing of the conservation easement transaction, vendor compiles final report to submit to Department for its review of the completed Conservation Easement Project (refer to Attachment A-1 for list of required project deliverables).

Performance Measures

Tasks

7 Vendor submits complete final report to Department for its review.

Performance Measures

1 Final Report - Complete final report submitted within 120 calendar days of receipt of Interim Payment #2.

Organization	Grant Opportunity	Application #	Project Title	Date/Time Submitted
<i>Farmlands Forever</i>	Hudson Valley Agricultural Enhancement Program (HVAEP)	AGM01-HVAEP2-201 5-00001	Gateway Farms (TEST1 - 87.5%)	Oct 7 2015 3:09PM

**ATTACHMENT C - WORK PLAN**  
***ORGANIZATIONAL CAPACITY***

Describe the staffing, qualifications and ongoing staff development/training activities, and relevant experience of the provider organization to support the project.

Refer to Program Specific Question #11



