

**2013 Clean Ohio Local Agricultural Easement Purchase Program (LAEPP)  
Technical Meeting Notes**

Bromfield Building, Auditorium A&B  
Ohio Department of Agriculture  
Reynoldsburg, Ohio

September 10, 2013

Notes taken by Amanda Bennett

Note: Many individual opinions are captured by the recorder but do not necessarily reflect the opinions of the entire group.

**Attendees:** Nikki Taylor, Liz Woedl, Megan Chapman, Dan Jackson, Jonathan Ferbrache, Pat Deering, Bill Roshak, Krista Magaw, Michele Burns, Patrick Hornscheimeir, Paul Baumann, Charlie Guarino, Mike Powell, Matthew DeTemple, Andy McDowell, Chris Szell, Doug Ritchey and Julia Cumming

**ODA Staff Members:** John Schlichter, Deputy Director; Denise Franz King, Jody Bowen, and Amanda Bennett

ODA Deputy Director John Schlichter opened the meeting by welcoming everyone and doing introductions.

Amanda Bennett began with a presentation about the 2013 landowner applications. She stated that 97 applications were submitted electronically, with 43 hardcopies being received by the Office of Farmland Preservation for review and approval for funding. Pending easements include four new counties for the LAEPP: Clinton, Highland, Jackson, and Pickaway.

Amanda then began walking through the online application and comments from the Technical Committee are as follows:

Step 1 (Create Farm ID)

A member of the Technical Committee stated that they found "Affiliation to Landowner" confusing. Amanda explained that sometimes the main landowner contact may not be the landowner (as in the case of a daughter or son applying for their parent(s), for example). It was suggested ODA should replace the word "Affiliation" with "Relationship."

Step 12 (Proximity)

Amanda explained that many comments were shared throughout the landowner application period regarding the application interpretation of proximity (only acreage within 10,560 feet could be counted for proximity, even if part of the property being submitted in Step 12 fell within the range). Amanda recapped the last Advisory Board discussion on the policy, brought up after the 2011 application round. In that meeting, the Board expressed concern about irregular-shaped properties that may extend far beyond the 10,560 feet perimeter (such as bike trails). A suggestion was made by the Board to perhaps limit the acreage that could be counted for irregular-shaped items like bike trails.

Technical Committee comments included a suggestion to return to a pre-2011 funding round interpretation of proximity. Reasons included difficulty in calculating excluded acreage, and the feeling that “cutting off” at 10,560 feet was counterproductive to the program’s priority for large blocks of protected farmland.

As it concerned bike trails, a suggestion was made to look at allowing a reservation in Deeds of Easement for landowners to allow bike trails in the future. Without that reservation, some local sponsors cannot partner the Clean Ohio LAEPP with the Clean Ohio trails program.

Another suggestion related to proximity included allowing for Grassland Reserve Program (GRP) easements to count for points. One member expressed concern about losing points after a farm went from 12C (proximity to other applicants) to 12A (proximity to ag or conservation easement-protected property).

A question was raised about finding existing conservation easements (such as WRP), and a suggestion was made to use the Trust for Public Lands database. ODA will look at adding this link to their web site or the FAQ site.

#### Step 13 (Development Pressure)

Concerns were raised about access to publicly-available water resulting in fewer points. There are many on farm uses that make publicly-available water a good option for some farmers, and some see it as a basic human right. A comment was made that by awarding points for Agricultural Security Areas, it would be good to keep consistency as it relates to the point structure for distance to water and sewer.

One member asked that ODA be more explicit about the definition of freeway interchange. This caused them many problems during the 2013 landowner applications.

Another member asked for the words “non-farm” to be added back to question 13E, which asked how many homes were within a half mile of the applicant property. While recognition was made that the question had changed repeatedly in previous funding rounds, it is unfair for landowners to lose points when there may be several neighboring farm homes within a half mile radius. A suggestion was made to use CAUV records on Auditor’s websites to determine whether a home is a “farm” home.

#### Step 15 (Local Comprehensive Plan)

A question was raised as to whether or not the spread of points for local funding (15D) was still relevant, given that landowners are often only competing against landowners in their same areas (so everyone in those scenarios get the same amount of points for this question). It was one member’s feeling that they were hard pressed to find a community that was able to spend more than \$10,000/yr. on farmland preservation.

Amanda shared that from 97 online applications, about 41% answered 15D as “up to \$10,000.”

## Step 16 (Narratives)

This section was optional in 2013 because Tier II scoring (narratives) were eliminated as a requirement. The Advisory Board has discussed taking some aspect of this section and awarding points for it (such as awarding farms that have estate plans in place).

Comments included: a concern that keeping the questions open-ended would create a conflict of interest if required for points (local sponsor as both representative for the landowner and as “scorer” of applications); awarding points just for having estate plans did not necessarily make them good estate plans; if points are awarded for estate plans, would ODA have to see them as an attachment (this could deter some landowners not wishing to share personal information); if narratives are made a requirement, they should only be for final selections (those applications submitted in hardcopy to ODA).

## Step 18 (Soils)

Amanda mentioned that Matt from the Federal Farm and Ranch Lands Protection Program (FRPP) has agreed to provide training on the Web Soil Survey for local sponsors to use in completing soils information. Some Committee members found the web site to be not user friendly, and others had difficulty accessing their local NRCS/SWCD representatives. A request was made to reconsider the requirement that a NRCS/SWCD representative sign the landowner application.

Other topics and comments from the Technical Committee:

- Regional balance – we saw a lot of organizations give their money back, and not all the money was redistributed. We had to turn people away that scored well into the 60s, but yet other organizations submitted applications with points in the 20s. Other considerations should be made when awarding funding to local sponsors.
- Not all Local Sponsors are using FRPP to stretch LAEPP funding. They should. (Note: NRCS has been invited to train LS in how to use and apply for FRPP at the January 8, 2014 mandatory training.)
- We would like to see a move towards a more electronic-only application.
- Why do some organizations have to obtain County and Township Resolutions? This politicizes the process, as one elected official backed by pro-development interests may be able to kill a potential resolution for a committed landowner and local sponsor. The goal is to protect prime soils and preserve Ohio’s largest industry, and the program should be based on a system that is equitable without political interests playing a role.
- ODA should post resources online such as example maps

Amanda then shared a few tips for completing a successful application:

- “Helper farms” (electronically submitted applications that may be submitted for proximity purposes but that the landowner and local sponsor understand may not score high enough to be funded) must be completed online (through “submit” in Step 19)
- Resolutions – start early and make sure that the required language is include (as shown on the Attachment checklist)
- Maps need to include everything as request on the Attachment Checklist. Amanda shared an example with the Technical Committee.

## **2014 LAEPP Local Sponsor Certification Application**

Denise Franz King, Executive Director of the Office of Farmland Preservation, then shared with the Technical Committee the 2014 Local Sponsor Certification Application. Edits were made to the staff numbers area of the application to increase clarification during review. Local Sponsors will not need to resubmit attachments under Section F (Local Support) if those items have not changed or been revised since the previous certification. For instance, if a local comprehensive plan was submitted during the 2013 Local Sponsor Certification round, the Local Sponsor merely needs to note that on their application and the same points will be awarded. Comments by Local Sponsors:

- It seems redundant to have to be certified every year. ODA should give consideration to multi-year certifications.
- Is this second round of Certification happening too soon?

Denise explained that the second round of the LAEPP (beginning with Local Sponsor Certification) is happening so quickly because Local Sponsors encouraged ODA to get the timeline back in line with previous landowner application rounds (January-April). Consideration will be made to pushing back the deadline for the Local Sponsor Applications for Certification to November 15, 2013 (currently set at November 1, 2013).

Denise then shared the tentative timeline for the 2014 LAEPP funding round, and potential award amounts for Local Sponsors (utilizing a tentative funding round amount of \$6.18 million and roughly the same number of Certified Local Sponsors).

### **Next Steps for 2013 LAEPP Local Sponsors**

Amanda and Jody Bowen then walked through the next steps for Local Sponsors with farms being preserved under the 2013 LAEPP funding round. Jody shared the Cumulative Report with Local Sponsors, outlining all approved landowner applications for each Local Sponsor. Local Sponsors should use this information when preparing their Notice of Selection, which is the next step according to the Scope of Work in all ODA-Local Sponsor 2013 LAEPP Cooperative Agreements. Amanda reviewed the Scope of Work and Notice of Selection with Local Sponsors. Participants requested that ODA create a Local Sponsor resource page online with templates for various items such as the Notice of Selection, title contracts, and escrow agreements?

Jody reminded 2013 Local Sponsors that Cooperative Agreement Updates would be making their way to organizations soon, and that the Advisory Board would like pictures of each applicant farm when they meet to provide recommendations to the Director, and those pictures should be sent to the Office of Farmland Preservation via email with the requested information as shown in the template provided to Local Sponsors at the meeting.