

RURAL LEGACY APPLICATION REVIEW AND SCORING PROCEDURE FY 2012 Grant Applications

In order to better quantify the process of reviewing and selecting grant applications for award of Rural Legacy grants, the Department of Natural Resources, in consultation with the Maryland Department of Agriculture and Maryland Department of Planning has implemented an analytical matrix to evaluate grant applications.

The programs goals and the intent of the program have been enumerated as follows:

Program Goals

1. to establish greenbelts of forests and farms around rural communities in order to preserve their cultural heritage and sense of place,
2. to preserve critical habitat for native plant and wildlife species,
3. to support natural resource economies such as farming, forestry, tourism and outdoor recreation, and
4. to protect riparian forests, wetlands, and greenways to buffer the Chesapeake Bay and its tributaries from pollution run-off.

Intent of the Statute

1. The significance of the agricultural, forestry, and natural resources proposed for protection.
2. The degree of threat to the resources and character of the area proposed for preservation, as reflected by patterns and trends of development and landscape modifications in and surrounding the Rural Legacy Area.
3. The significance and extent of the cultural resources proposed for protection through fee simple purchases, including the importance of historic sites and significant archaeological areas.
4. The economic value of the resource-based industries or services proposed for protection through land conservation, such as agriculture, forestry, recreation and tourism.
5. Overall quality and completeness of the Rural Legacy Plan.
6. The strength and quality of partnerships created for land conservation.

Therefore, the following scoring matrix has been developed to measure applications based upon how well they meet the goals and intent of the Program as well as addressing the performance history of Sponsors in carrying out the Program. The matrix examines 1) natural and working resources, 2) planning and land use, 3) leveraging of available funds, 4) the ability of the Sponsors to administer the Program as intended, 5) local jurisdiction priorities as well as allowances for unique and unusual circumstances.

1) RESOURCES: Within the measure for Resources, two independent categories are analyzed: Natural Resources and Working Resources, with a total of 30 points possible.

A) Natural Resources [Ecological]

This section is completed by Department of Natural Resources Watershed Services Unit using four databases:

- Green Infrastructure measures the value of ecologically important lands (ie. forests, wetlands) within the State.
- The Rare Species Habitat database includes additional habitats that support rare, threatened and endangered species.
- The Aquatic Life Hotspots database adds watershed land and streams that support areas of high aquatic biodiversity.
- The Water Quality Protection database focuses on those watershed lands, such as forests, wetlands and steep slopes that are most important for improving water quality services.

Natural Resources comprise up to 15 points of the total available in the Resources category.

*****Note: For the current applications, the provision of riparian buffers will be considered for bonus points with a goal of providing 100 foot buffers where possible.***

B) Working Resources [Agricultural, Timber]

This value is arrived at by examining the prevalence of agricultural and forestry industry contained within a Rural Legacy Area and County. The first item examined is information from the Farm Service Agency (FSA) a unit of the United States Department of Agriculture which provides data at the County level. The percentage of County land in farms is measured and each jurisdiction with an active application is ranked. 5 points available in this category and distributed in tiers as follows:

- Top 1/3 – 5 points
- Middle 1/3 – 2.5 points
- Bottom 1/3 – 0 points

MALPF Staff analyzes the number of MALPF easements (by County), working farms, managed properly, in each County # easements, # applications, ability to perform, certified, matching finds, cost per acre (MALPF chart) as well as the existence of Right-to-Farm legislation. Up to 5 points are available based on the analysis.

Rural Legacy Staff then examines (Ground Truth’s) the Rural Legacy Area assessing the number (or percentage) of ‘Working Farms’ within a RLA. There are up to 5 points available.

*****Note: For the current applications, social benefits that resulted because of RLA easements being preserved during the last Fiscal (i.e., support for local food supply, farm-to-schools, benefits to underserved communities, innovative partnerships, linking children to nature) will be considered for bonus points.***

2) PLANNING/LAND USE: There are four measures to examine the degree to which Maryland’s goals for conservation are being achieved or compromised thus far, and to develop a prognosis for likely long-term outcomes. The four measures are Status, Vulnerability, Threat, and Finishing Costs.

Status (Degree of Fragmentation), Vulnerability under Zoning (Development Capacity), and Degree of Threat (Recent Development in the past decade)” measure residential subdivision and development that has already occurred, could occur in a worst-case scenario, and is more likely to occur based on recent subdivision and development trends. More specifically:

- The “**Status - Degree of Fragmentation**” of rural resource lands is a measure of the degree to which the land has already been subdivided into residential lots, expressed as number of small, improved parcels (less than 20 acres) per 1,000 acres of the Rural Legacy Area. The more small, improved parcels there are, the less possible it is to create large contiguous blocks of preserved resource land and the more likely it is that exurban residents will interfere with nearby farming operations. The small lots are represented on the Rural Legacy Area maps by black dots (development before 1997) and red dots (development since 1997).
- The “**Vulnerability under Zoning - Development Capacity**” of rural resource land is a measure of the degree to which the land can be further subdivided and developed as residential lots under existing local zoning and land use management tools, and in light of the existing public land ownership or conservation easements. It is a worst-case scenario because it shows future build out (which can be calculated) but not future easement or land acquisition (which is unknown). Vulnerability is expressed as the number of possible future houses per 1,000 acres (in addition to what already exists).
- The “**Degree of Threat - Recent Development in the past decade**” to rural resource land is a measure of the percentage of the Rural Legacy Area developed in the 1997-2006 decade. The larger the rate of development, the less likely it is that local policies, ordinances, regulations, and procedures can stabilize the agricultural and forest land base, support working farms and normal farming activities, and provide time to achieve State preservation goals before resource land is excessively compromised by development. Without changes in land use policies (or a prolonged real estate downturn such as we are experiencing now), market demand for residential lots can reasonably be assumed to have similar effects on the area in the future. Recent development is represented on the Rural Legacy Area maps by the red dots.

- The fourth measure, “**Finishing Cost,**” is the amount needed to preserve 80% of the Rural Legacy Area, based on current easement prices and the acreage currently preserved in the RLA.

The points for Planning/Land Use are distributed as follows:

A. Status (Degree of Fragmentation)

[7.5 points possible—7.5 = virtually no fragmentation]

20 or fewer small parcels per 1,000 acres	7.5 points
21-50 small parcels per 1,000 acres	5.0 points
51-80 small parcels per 1,000 acres	2.5 points
More than 80 small parcels per 1,000 acres	0 points

B. Vulnerability under Zoning (Development Capacity)

[7.5 points possible—7.5 = most protective]

30 or fewer houses possible per 1,000 acres	7.5 points
31 to 50 houses possible per 1,000 acres	5.0 points
51 to 99 houses possible per 1,000 acres	2.5 points
100 or more houses possible per 1,000 acres	0 points

C. Degree of Threat (Recent Development in the past decade)

[7.5 points possible—7.5 = least recent development]

Less than 2%:	7.5 points
2%-3%:	5.0 points
3% to 4%:	2.5 points
Greater than 4%:	0 points

D. Finishing Cost

[7.5 points possible—7.5 = lowest cost to finish]

Less than \$40 million	7.5 points
\$40 million to \$50 million	5.0 points
\$50 million to \$100 million	2.5 points
Greater than \$100 million	0 points

3) LEVERAGING: This is a measure of how effectively a Sponsor utilizes other fund sources to enhance the Program. Use of a Sponsor's own funds as well as the use of other land protection programs is examined. A total of 15 points are available.

A) Seven and one-half points are available for the extent to which a Sponsor uses its own funds to match Rural Legacy easement costs and/or pay for related costs such as not utilizing the available grant funds for administrative expenses, stewardship expenses or incidental costs. The level of Sponsor funding is examined and each jurisdiction with an active application is ranked. 7.5 points available in this category and distributed in tiers as follows:

- Top 1/3 – 7.5 points
- Middle 1/3 – 1 - 5 points
- Bottom 1/3 – 0 points

B) The use of other funding programs in the Rural Legacy Area such as the Farm Ranch Protection Program, MALPF, Transfer of Development Rights and Installment Purchase Programs is also considered. Again, the level of leveraging with other programs is ranked and the 7.5 points available in this category and distributed in tiers as follows:

- Top 1/3 – 7.5 points
- Middle 1/3 – 1 - 5 points
- Bottom 1/3 – 0 points

4) ABILITY TO ADMINISTER: There are three measures in this category which are examined.

1) "Old Funds" - Expenditure of funds in a timely manner. Does the Sponsor expend the grant funding within the time limits of the grant? An objective measure of the expenditure record. Points are awarded as follows:

- Still has grant money older than 2 years = 0 points,
- Currently using last period's grant money = 5 points
- Using current grant = 10 points

*For example: 1. As of April 2011 anything Older than 2009 money = 0 points
2. As of April 2011, using 2009 money = 5 points
3. As of April 2011, on 2010 - 2011 money = 10 points

2) "Partnership" - The ability to handle the projects, work with Program Administrators and to move projects to settlement. The ability to follow Program guidance and to seek advice when questions arise is considered. This is a subjective judgment based on observation and results. Points available are awarded as follows:

- 0 points – Inability to handle projects without substantial assistance from DNR Staff.
- 5 points – Handles projects at a satisfactory level
- 10 points – Provides DNR Staff with complete projects, nearly finalized easement language, and moves projects without difficulties.

3) “Monitoring and Stewardship” of easements. Are reports timely, detailed and complete on the required three year monitor cycle? A Sponsor fulfilling 100% of its responsibility will receive 10 points. Point values (to be added up) for the factors are:

- Timely = 5 points
- Detailed = 2.5 points
- Complete = 2.5 points
- Stewardship. Whether the Sponsor has established procedures to manage easement violations and requested amendments.

5) OTHER FACTORS: Up to 15 points may be awarded or subtracted to account for other factors not included in the scoring matrix. Full written justification is to be provided for adjustments in this category. These factors may include but are not limited to:

- The need for administrative start up funding.
- A specific acquisition requiring additional funding.
- Unique and unusual circumstances.

**Note: For current applications, the allowance of some form of public access on appropriate properties with willing landowners (ex: an access trail to get to a fishing hole or annual farm educational demonstrations, etc.) will be considered as bonus points.*

A subtotal will be calculated on the above data. Additional calculations are to be based on this subtotal.

6) EXISTENCE OF MULTIPLE RURAL LEGACY AREAS IN A COUNTY

If there is more than one Rural Legacy Area in the same County, then 10 points are subtracted from that County’s “second-ranked” Rural Legacy Area’s score. In the case of Baltimore County, which has five Rural Legacy Areas, the top two scoring Areas will not be reduced by 10 points. The third, fourth and fifth Areas will have 10 points subtracted.

The Rural Legacy Board will use the final scores for all grant applications to determine how to allocate the limited funds. The Board will need to consider a number of factors including what level of funding is adequate to allow a Sponsor to be successful and whether applications compete in the same region or the entire State.