

Green Acres Program

New Jersey Department of Environmental Protection



NONPROFIT ASSISTANCE APPLICATION LAND ACQUISITION AND PARK DEVELOPMENT

Green Acres Mission Statement

*To achieve, in partnership with others,
a system of interconnected open spaces
whose protection will preserve and enhance
New Jersey's natural environment
and its historic, scenic, and recreational resources
for public use and enjoyment.*

GREEN ACRES PROGRAM

MAIL CODE 501-01

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www.nj.gov/dep/greenacres

2010

**NJDEP GREEN ACRES PROGRAM
NONPROFIT ASSISTANCE APPLICATION PACKAGE
LAND ACQUISITION AND PARK DEVELOPMENT**

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**GREEN ACRES PROGRAM
NONPROFIT ASSISTANCE APPLICATION
LAND ACQUISITION AND PARK DEVELOPMENT**

GENERAL INFORMATION AND GUIDELINES

The Green Acres Program assists qualifying tax exempt nonprofit organizations in the acquisition of open space for recreation and conservation purposes and the development of outdoor recreation facilities. Funding is provided in the form of 50% matching grants.

Our application deadline for the next funding round will be July 30, 2010. Projects in each round compete against each other, and successful applications are approved by the Garden State Preservation Trust. Approvals will be made from funds approved by the voters in the 2009 Open Space Referendum, as well as from project cancellations and withdrawals. **This will be a limited funding round and competition will be intense.** As a result, Green Acres will only consider requests for funding for **new projects** or from applicants who have completed or are making **significant progress** on previously approved projects. All interested applicants are encouraged to contact Green Acres *as early as possible* to discuss project eligibility, program priorities, and application procedures.

To qualify for grant consideration, the board of directors or governing body of an applying tax-exempt nonprofit organization must:

1. Demonstrate to the Commissioner of the Department of Environmental Protection that it qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C.13:8B-1 et seq.). The enclosed excerpt from that law defines a Charitable Conservancy, but applicants should obtain and review a copy of the entire law, as a compliance certification from each organization will be required as part of the application;
2. Demonstrate that it has the resources to match the grant requested. The nonprofit may use as its matching share, its own funds, a donation of all or a portion of the value of a project site, or any other public or private funding except as provided by, or through, the Garden State Preservation Trust;
3. Agree to provide public access, unless the Commissioner determines that public accessibility would pose an unacceptable risk to the land or its natural resources;
4. Agree not to sell, lease, exchange, or donate the lands except to the State, or local government unit, another qualifying tax exempt nonprofit organization, or the Federal government for recreation and conservation purposes (and then only with the prior written approval of the Commissioner); and
5. Agree to execute and donate to the State, at no charge, a conservation restriction or historic preservation restriction, as the case may be, pursuant to P.L. 1979, c. 378 (C.13:8B-1 et seq.) on the lands to be acquired or developed utilizing the grant. The conservation restriction and historic preservation restriction referred to in the law will be written by Green Acres and the nonprofit to fit the needs of each project.

As you consider potential projects for Green Acres funding, please keep in mind that all proposals must demonstrate the following: consistency with established needs and planning objectives in local and state planning documents, such as New Jersey's 2008-2012 Statewide Comprehensive Outdoor Recreation Plan (a summary of which is available at www.nj.gov/dep/greenacres/pdf/scorp.pdf or upon request); an ability and commitment to maintain the proposed open space/outdoor recreation project; and public input in the project planning process. Successful applications will reflect comprehensive environmental protection, effectively meet the public's open space needs, demonstrate cost effectiveness, and provide meaningful public access.

To ensure that proposals selected for Green Acres funding are those that best represent established open space/recreation priorities, we encourage you to discuss your proposal with land-use planning officials, recreation staff, environmental commissions, and other appropriate interest groups.

Each nonprofit should review and consider the applicable Landscape Project maps and reports, developed

by the Department's Division of Fish and Wildlife, during the formulation of its open space preservation, recreation, and planning goals, and as part of its preparation of a Green Acres acquisition or development application. Information about the Landscape Project can be found at www.nj.gov/dep/fgw/ensp/landscape or by writing to the Division of Fish & Wildlife, P.O. Box 400, Trenton, New Jersey 08625-0400.

Nonprofits proposing to acquire property for future development, as well as applicants seeking development funds, should carefully analyze site suitability early in the open space/recreation planning process and prior to submitting applications to Green Acres. Site attributes, such as wetlands, dunes, endangered species, mature forested areas, or other significant natural resources, may define, limit or, in some instances, preclude development. Applicants are urged to seek assistance from Green Acres or another source to ascertain whether special approvals and permits may be associated with sites proposed for recreational development. Early awareness of possible site development limitations is integral to sound planning practices and often minimizes subsequent construction delays and constraints. Permit identification is required as part of all Green Acres development applications.

The Department encourages the nonprofit to design and construct park development projects, especially any buildings, using sustainable design principles. These design principles include some of the following: the installation of equipment that results in water use reduction; the use of clean energy, renewable energy, and energy efficient technologies; the use of construction materials that include recycled content; and the use of materials that reduce exposure to indoor air contaminants. For guidance please refer to the US Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEEDTM) Green Building Rating System for New Construction and Major Renovations Version 3.0 at www.usgbc.org or the ANSI/ASHRAE/USGBC/ISE, Standard 189.1 - 2009 for the Design of High Performance Green Buildings at www.ashrae.org/publications/page/927.

PROJECT ELIGIBILITY – ACQUISITION PROJECTS

The nonprofit may purchase land in fee simple or it may acquire a perpetual conservation easement or historic preservation easement on the property, as long as meaningful public access is provided to the project area. **Meaningful public access must be provided to every project funded under this program.** Eligible acquisition projects include, but are not limited to, the purchase of water reserves, natural areas, unique land types, historic sites, conservation areas, and open space for active or passive outdoor recreation purposes.

A nonprofit may undertake an acquisition project that implements or assists in the implementation of an Open Space and Recreation Plan developed by a local government that is collecting an open space tax. We will provide a more streamlined application package for these types of projects, which must be undertaken with the approval of and in cooperation with the local government. The plan must be prepared according to Green Acres guidelines and must be submitted for approval as part of the nonprofit's application. Since this is a relatively new nonprofit category, it is *critical* that you discuss your project with Green Acres prior to preparing your application. In fact, it is recommended that all jointly sponsored proposals be discussed with Green Acres staff prior to the preparation of the application.

PROJECT ELIGIBILITY – DEVELOPMENT PROJECTS

Nonprofit organizations are also eligible to receive matching grants for the *development* of outdoor recreation and conservation facilities. Funding for development projects is dedicated to projects in designated Urban Aid municipalities (P.L. 1978 (c. 52:27D-178 et seq.) (see list of eligible municipalities at www.nj.gov/dca/lgs/muniaid/09_aid/ua_fy10_pub_notice.htm), in Densely or Highly Populated Municipalities, or in Densely Populated Counties (see enclosed list). Or, if you can demonstrate that the supermajority (at least two-thirds) of users of the proposed development project live in the above-mentioned municipalities or counties, the development project is eligible for funding.

Recreational facilities that may be funded include, but are not limited to, facilities that provide boating, fishing, swimming, outdoor games and sports, biking, picnicking, camping, or nature interpretation. Projects that will have a significant negative impact on the site's natural resources (such as excessive tree clearing) are ineligible. To be eligible, the nonprofit applicant must either own the land to be developed or must have a 25-

year irrevocable lease or use agreement (which must be reviewed and approved by Green Acres in advance, if possible).

PROJECT RANKING

Applications for Green Acres funding are subject to a competitive ranking system. The Nonprofit Project Priority System measures the extent to which each proposal addresses specific local open space and recreation facility needs; the amount of public input and support during the planning process; consistency of the proposal with existing state and local planning objectives; and project quality. The narrative portion of the Green Acres application is critical to the project ranking process. Therefore, it is important for the narrative to clearly address, *in order*, each factor listed in the priority system.

FUNDING LEVELS

Green Acres anticipates keen competition for funds and, thus, will again need to establish funding award limits. To help us properly evaluate the project, please indicate the *total* anticipated project cost and the amount the nonprofit anticipates being able to spend *in one year*. Organizations may submit more than one application but must indicate their first priority.

ELIGIBLE COSTS

For acquisition projects, costs eligible for funding include the cost of acquiring the land, as well as other costs if they are included in the initial request and if there are sufficient funds. These include survey, appraisal, title, and preliminary assessment costs associated with an acquisition, provided these reports are prepared in accordance with Green Acres guidelines. The cost to demolish buildings on a site being acquired is eligible for reimbursement up to an established cap per project. Well testing done in compliance with the Private Well Testing Act (P.L. 2001, c. 40; N.J.S.A. 58:12A-26 et seq.) also is eligible for reimbursement, if applicable. Incidental costs, individually itemized, associated with the implementation of the acquisition project, including legal, engineering, financial, geological, hydrological, inspection, and other professional services are eligible for reimbursement up to an established cap.

For development projects, the cost of constructing the recreational facilities is eligible for reimbursement, as are other costs if included in the initial request and if there are sufficient funds. Professional services (e.g., design, engineering, and supervision), up to 13% of the cost of construction, and preliminary assessment costs associated with the project site are eligible. Other incidental costs related to the development project, including legal, advertising, permit fees, and preliminary planning and engineering necessary for the preparation of the application, are eligible for funding, up to an established cap.

APPLICATION REQUIREMENTS

As part of the public input requirement, you must have printed in the official newspaper of the municipality(ies) in which the project is located, a notice stating that you have applied for Green Acres funds to acquire or develop the project area, and that your application is on file at Green Acres and available for review and comment. A copy of the notice must be sent to the clerk of the municipality or municipalities in which the proposed project is located at least 15 days prior to submitting an application to Green Acres. Proof of Publication and a copy of the municipal notice must be included in your application package.

For development projects, if the proposed project is located in the Highlands, the Meadowlands, or the Pinelands, the nonprofit must meet with the Highlands Council, Meadowlands Commission, or Pinelands Commission, as applicable, to discuss the proposed project prior to applying for Green Acres funding. Green Acres now requires a letter stating that such pre-application conference was held, accompanied by a copy of the Commission's/Council's comments on the proposed development project, if any. Also, please note that the environmental assessment requirements have changed; additional lead-time will be required for the nonprofit to obtain and evaluate all necessary information. In addition, nonprofits will be required to award contracts for development projects consistent with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

PROJECT SCHEDULE

There are many things that must be done to successfully acquire land or develop recreational facilities. It is important to adequately plan for each project so that it is completed in a reasonable amount of time. Once approved, Green Acres establishes a project period of no more than two years, during which time the nonprofit must meet all procedural requirements, complete the acquisition or development project, and request payment. In addition, significant progress must be made throughout the project period to remain eligible. A proposed project schedule is now required as part of each application to assist you in project planning and to allow Green Acres to evaluate your proposal. Please talk to your Green Acres contact if you do not believe that you can complete the project for which you are applying within that two-year project period. After approval, projects that are not making significant progress or cannot be completed by the end of the project period will be cancelled.

SITE ASSESSMENT

For acquisition and development projects, Green Acres requires careful review of all proposed project sites for evidence of past use as landfills; hazardous waste production, storage, or disposal sites; or of the adverse effects resulting from such sites in close proximity to proposed public land. This is intended to minimize public liability for site cleanup costs and allows the state and local unit to be reasonably assured that lands acquired or developed with public funds can be used for recreation or conservation purposes without risk to public health.

Thus, if your application is approved, you will be required to conduct a preliminary site assessment of the project site. Green Acres will provide guidance documents that require adherence to the minimum criteria established by the NJ DEP in the Technical Requirements for Site Remediation (N.J.A.C. 7:26E-3). Costs normally associated with this professional service are reimbursable as part of an approved and completed Green Acres project.

Green Acres encourages public and private agencies to reclaim and restore former brownfields sites and transform them into public spaces, such as recreational and natural areas. The Department recently launched the "Brownfields to Greenfields" initiative and created the Office of Brownfields Reuse, where experienced NJDEP case managers can oversee remediation and revitalization efforts in your community. If you believe your project site qualifies as a brownfield, please discuss this with your Green Acres representative.

GARDEN STATE GREENWAYS (GSG)

Open space and recreation planners now have a powerful new tool available to aid them in protecting important natural, recreational, and historic resources in their communities. Garden State Greenways, created by the New Jersey Conservation Foundation, is an interactive map-based system that provides a statewide vision for land preservation in New Jersey. With funding and technical support from Rutgers University, the Green Acres Program, and several foundations, GSG provides a wide array of map data on natural resources that is essential for open space and recreation planning. By using GSG, nonprofit organizations can identify potential greenways to connect existing public lands. Camden County and Salem County have used GSG to prepare their open space plans. Visit www.gardenstategreenways.org to take a tutorial on how to use GSG interactive maps and the various applications of GSG for greenway and open space and recreation planning.

YOUR BASIC STEWARDSHIP RESPONSIBILITIES

Prospective applicants are urged to familiarize themselves with the Green Acres Program rules (N.J.A.C. 7:36-1.1 et seq., found at www.nj.gov/dep/greenacres/regs.pdf, adopted January 3, 2006) and procedures to assure mutual state/local objectives. Our policies are designed to advance Green Acres' goals of expanding New Jersey's open space resources and increasing public outdoor recreation opportunities, giving attention to natural resource preservation. Acceptance of Green Acres funds obligates the nonprofit to adhere to the program's requirements.

Nonprofit Assistance Application Form

Complete and submit with **all required attachments** to:
 NJDEP Green Acres Program
 Mail Code 501-01
 P.O. Box 420
 Trenton, NJ 08625-0420
 Contact:(609)984-0500

For G.A. Use Only
Date Rec'd: _____
Application No. _____

PROJECT INFORMATION

Project Title _____

Location of site _____

Municipality(ies) _____ **County(ies)** _____

Street(s) _____

Block(s) and Lot(s) _____

State Legislative District _____ **Congressional District** (of project site) _____

Type of Application :

Acquisition: Will land be acquired _____ *in fee simple* or _____ *easement*?

Development: Is land *owned by* _____ or *leased to** _____ Nonprofit?

(*Copy of minimum 25-year lease must be provided)

Size of site to be acquired or developed: _____ **acres**

Total Estimated Cost of Project:

Land Acquisition:

Land	\$ _____
Survey	\$ _____
Appraisal	\$ _____
Prelim. site assess.	\$ _____
Title	\$ _____
Demolition*	\$ _____
Other related costs (itemized)	\$ _____
Total project cost	\$ _____

Park Development:

Construction	\$ _____
Professional services (13% of const.)	\$ _____
Prelim. site assess.	\$ _____
Other costs) (attach itemized list)	\$ _____
Total project cost	\$ _____

Total request this round ** \$ _____ Total request this round** \$ _____

* Demolition and incidental costs will be limited to established caps.

** Please indicate cost of project that can be accomplished within one year.

Profile of municipality and county in which project is located:

Municipality: Area _____ (in sq. mi.) Population _____ (Year _____)

Population per square mile: _____

County: Area _____ (in sq. mi.) Population _____ (Year _____)

Population per square mile: _____

Estimated yearly operating expenses after acquisition or development \$ _____

Describe the proposed source(s) of the organization's matching funds _____

APPLICANT INFORMATION

Name of applicant organization _____

a.k.a. _____

Address _____

City _____ State _____ Zip _____

Telephone number (____) _____ Fax number (____) _____

Chief Executive Officer _____

Does the organization qualify as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.)? _____ Yes _____ No

(Please attach a letter from the organization's attorney certifying compliance.)

Nonprofit must be registered and in full compliance with the Charities Registration and Investigation Act of 1994. (N.J.S.A. 45:17-A-18 et. seq.) Please submit confirmation.

State major purposes, activities, and membership policies of the organization: _____

Please attach the bylaws.

USE AND PUBLIC ACCESS INFORMATION

Please describe the project in detail, including physical characteristics of site, existing land use, and intended short and long-term use of the project site.

Describe the proposed public access to the site.

If applicable, describe any possibility of transferring ownership of the site to any government agency or another qualifying nonprofit organization.

For acquisition projects, has the project site been identified by a municipality or otherwise designated for use in meeting municipal fair share low and moderate income housing obligations under the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301)?

_____ Yes _____ No If yes, please describe the coordination with the Council on Affordable Housing (COAH) regarding an alternative to meeting such obligations, if known:

Person having day to day responsibility for this application

Name _____ Title _____

Address _____

City _____ State _____ Zip _____

Telephone Number (____) _____ extension _____ Fax Number (____) _____

E-mail address, if applicable _____

Signature _____ Date _____

I, _____ (name of authorized official) hereby certify that the information provided within this Green Acres Nonprofit application is complete and true.

Date

Signature of official authorized to submit application as per attached
Enabling Resolution

**DEVELOPMENT APPLICATION
ATTACHMENTS CHECK LIST**

NOTE: This checklist should be returned with your completed application. If any items are not applicable, please indicate with 'N/A' next to that item.

1. _____ Application Form: Are all questions answered? Is form signed?
2. _____ Governing Body Resolution (the enclosed form must be used)
3. _____ **NEW** Project schedule. Please see attached *Things To Be Done* list and state when you anticipate addressing/completing each item.
4. _____ Letter from nonprofit's attorney certifying that the applicant qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.) (Excerpt enclosed)
5. _____ Units and quantities cost estimate, prepared and signed by an authorized, licensed professional
6. _____ Narrative description of proposal (must address, *in order*, each applicable factor contained in the enclosed Nonprofit Project Priority System)
7. _____ Site specific mapping
 - _____ a. Site location on legible street map
 - _____ b. Tax map outlining boundaries of site to be developed
 - _____ c. Existing property survey (if available)
8. _____ Environmental Assessment (instructions enclosed)
9. _____ Conceptual Site Plan. Plans should be prepared by an authorized, licensed professional. Site plans should identify all proposed facilities, any existing facilities and improvements, and any area of proposed tree clearing
10. _____ Copy of 25-year irrevocable property lease or use agreement for project site (if applicable)
** Lease term must be 25 years from anticipated date of project commencement to ensure term of public use of facilities.
11. _____ Proof of Publication of newspaper notice and copy of notification letter to municipal governing body(ies) regarding application submission. (See General Information.)
12. _____ Digital images and/or prints of the site
13. _____ Letters of support (see Priority System Factor #5)
14. _____ Letters from municipal **and** county planning boards describing how project is specifically consistent with the appropriate Master Plans (See Priority System Factor #5)
15. _____ List of all permits that may be required for the project - applicants with projects requiring permits, grants, or other approvals must *contact* all applicable permitting agencies to secure permit information and application prior to the submission of a Green Acres application
16. _____ Letter verifying pre-application conference with the Highlands Council, Meadowlands Commission, or Pinelands Commission, if applicable, including the Commission/Council's comments on the proposed development project
17. _____ By-laws
18. _____ Breakdown of annual operating expenses after development of site
19. _____ Conceptual floor plan that indicates the proposed use of any structure to be developed
20. _____ Verification that nonprofit is registered and in full compliance with the Charities Registration Investigation Act of 1994

**ACQUISITION APPLICATION
CHECKLIST OF ATTACHMENTS**

NOTE: This checklist should be returned with your completed application. If any items are not applicable, please indicate with an 'N/A' next to that item.

1. _____ Application form: Are all questions answered? Is form signed?
2. _____ Governing body resolution (the enclosed form must be used)
3. _____ **NEW** Project schedule. Please see attached *Things To Be Done* list and state when you anticipate addressing/completing each item.
4. _____ Letter from nonprofit's attorney certifying that the applicant qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.) (relevant excerpt enclosed)
5. _____ Site specific mapping
 - _____ a. Project Reference Map (see instructions that follow)
 - _____ b. Site location on legible street map
 - _____ c. Tax map outlining boundaries of site to be acquired
 - _____ d. Existing property survey (if available)
6. _____ Narrative description of proposal (must address, in order, each applicable factor contained in the enclosed Nonprofit Project Priority System)
7. _____ Proof of Publication of newspaper notice and copy of notification letter to municipal governing body(ies) regarding application submission. (See General Information.)
8. _____ Letters of support (see Priority System Factor #5)
9. _____ Letters from municipal **and** county planning boards stating that project is consistent with appropriate master plan (see Priority System Factor #5)
10. _____ Digital images and/or prints of the project site
11. _____ By-Laws
12. _____ Verification that nonprofit is registered and in full compliance with the Charities Registration Investigation Act of 1994

Things to Be Done

Please assume a January 1, 2011 project commencement date (subject to change)

Acquisition Projects

Approximate Date

- | | | |
|----|---|-------|
| 1. | Meet w/ Green Acres re: beginning appraisals | _____ |
| 2. | Submit appraisals to Green Acres | _____ |
| 3. | Obtain and submit Preliminary Assessment Report | _____ |
| 4. | Sign purchase contract with owner | _____ |
| 5. | Obtain survey | _____ |
| 6. | Obtain title insurance | _____ |
| 7. | Close on property | _____ |
| 8. | Submit for final payment | _____ |

Comments: _____

Development Projects:

Approximate Date

- | | | |
|----|--|-------|
| 1. | Obtain and submit Preliminary Assessment Report | _____ |
| 2. | Design project | _____ |
| 3. | Apply for/obtain permits (if necessary) | _____ |
| 4. | Submit plans to Green Acres for pre-bid approval | _____ |
| 5. | Go out to bid | _____ |
| 6. | Award construction contract | _____ |
| 7. | Begin construction | _____ |
| 8. | Complete construction | _____ |
| 9. | Submit for final payment | _____ |

Comments: _____

PROJECT REFERENCE MAP CHECKLIST

The “project reference map” is the basis for Green Acres ranking and evaluation and is used by the appraiser(s) in the determination of the parcel’s market value. The minimum size of this map should be 11” x 17” and include the information listed below. Clarity of presentation of data will dictate the actual paper size. One copy of a project reference map is required for all acquisition proposals, but additional copies of this map will be required if the project is approved for funding.

The project reference map can be generated mechanically using cartographic methods, or digitally using autocad or Geographic Information System (GIS) technology. Nonprofits using GIS technology may acquire the georeference required by the Green Acres Program from the NJDEP’s GIS. It is recommended that you provide the map preparer with all available data and documents pertinent to the site (i.e., existing surveys, local unit master plan, etc.) in order to facilitate this mapping process.

This checklist should be returned with your completed application. If any items are not applicable, please indicate with “N/A” next to that item. The following are required elements of the project reference map:

- ___ (a) Project name and location
- ___ (b) Block and lot numbers and municipality (ies) in which the acquisition is located
- ___ (c) Current owner(s) of record (*also indicate adjacent lots under the same ownership*)
- ___ (d) Area given in acreage or square feet
- ___ (e) Dimensions of each lot marked on each perimeter boundary
- ___ (f) Improvements shown in approximate location on parcel
- ___ (g) Acquisition area - if only a portion of the parcel is proposed for acquisition, both the proposed portion and the remaining areas and sizes should be noted.
- ___ (h) North arrow and scale of map. The map scale should be proportional to the size of the site to allow an appraiser to prepare an accurate appraisal
- ___ (i) If located in the Highlands, indicate whether site is in the Planning Area or Preservation Area
- ___ (j) Indicate if purchase will be fee or easement. If easement, and less than full public access is proposed, show public access area. (Extent of public access will affect value and eligibility for Green Acres funding. Please discuss with Green Acres.)
- ___ (k) Location and area of all known existing easements, road rights-of-way, encroachments, dune and beach areas, and similar features, with the source of such information shown;
- ___ (l) Location and area of all streams, rivers, waterbodies, and associated buffers. Any waterbody classified as Category One pursuant to N.J.A.C. 7:9B, and the associated special water resource protection area established pursuant to N.J.A.C. 7:8, must be shown and labeled.
- ___ (m) Location and area of tidelands, available from the Department at www.nj.gov/dep/gis, as determined from New Jersey Tidelands claims maps, conveyance overlays, and atlas sheets;
- ___ (n) Location and area of floodplain, as shown on the New Jersey State Flood Hazard Area maps prepared under the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq. and available from the Department at www.nj.gov/dep/gis, or as determined from other State or Federal mapping or from a site delineation;
- ___ (o) Location and area of coastal wetlands, as shown on maps prepared by the Department under the Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq. and available from the Department at www.nj.gov/dep/gis;
- ___ (p) Location and area of freshwater wetlands, available from the Department at www.nj.gov/dep/gis or as determined from:
 - A wetlands delineation, if one exists, verified by the Department's Land Use Regulation Program or its successor;
 - Freshwater wetlands maps prepared by the Department under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq., if they exist; or
 - If the documents listed under (1) and (2) above do not exist, U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) maps, in conjunction with County Soil Surveys published by the U.S. Department of Agriculture

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the _____ (*name of applicant*) desires to further the public interest by obtaining funding in the amount of \$ _____ from the State to fund the following project(s):
(*describe the project* _____
_____ at a cost of _____ (*project cost*);

NOW, THEREFORE, the governing body/board resolves that _____ (*name of authorized official*) or the successor to the office of _____ (*title of authorized official*) is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE _____ (*name of legal body or board*)

1. That the _____ (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as _____ (*project name*);
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$ _____;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

CERTIFICATION

I, _____ (*name and title of Secretary or equivalent*) do hereby certify that the foregoing is a true copy of a resolution adopted by _____ (*name of legal body or board*) at a meeting held on the _____ day of _____, _____.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this _____ day of _____, _____.

(*name and title of Secretary or equivalent*)

a. **"Charitable conservancy"** means a corporation or trust whose purposes include the acquisition and preservation of land or water areas or of a particular land or water area, or either thereof, in a natural, scenic or open condition, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and which has received tax exemption under section 501(c) of the 1954 Internal Revenue Code;

b. **"Conservation restriction"** means an interest in land less than fee simple absolute, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition, or for conservation of soil or wildlife, or for outdoor recreation or park use, or as suitable habitat for fish or wildlife, to forbid or limit any or all:

(1) Construction or placing of buildings, roads, signs, billboards, or other advertising, or other structures on or above the ground;

(2) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials;

(3) Removal or destruction of trees, shrubs or other vegetation;

(4) Excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance;

(5) Surface use except for purposes permitting the land or water area to remain predominantly in its natural condition;

(6) Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or fish and wildlife habitat preservation;

(7) Other acts or uses detrimental to the retention of land or water areas according to the purposes of this act.

c. **"Historic preservation restriction"** means an interest in land less than fee simple absolute, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to preserving a structure or site which is historically significant for its architecture, archeology or associations, to forbid or limit any or all:

(1) Alteration in exterior or interior features of such structure;

(2) Changes in appearance or condition of such site;

(3) Uses of such structure or site which are not historically appropriate;

(4) Other acts or uses detrimental to the appropriate preservation of such structure or site.

* Applicants should obtain and review a copy of the entire law.

TAX EXEMPTION PROGRAM

There is an acute need in New Jersey for natural open space areas to serve public recreation and conservation purposes. The New Jersey Legislature recognized that public funds for the purchase and maintenance of open space are limited and should be supplemented by private individuals and organizations. The Legislature determined that it is "in the public interest to encourage the dedication of privately-owned open space to public use and enjoyment."

In 1974, the Green Acres Tax Exemption Program was created to help meet the open space deficit in New Jersey. This program offers the incentive of property tax exemption to certain nonprofit organizations or corporations that own recreation or conservation lands in New Jersey and are willing to open their private land to the public.

Any nonprofit organization that qualifies for exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code and owns natural open space in New Jersey is eligible to make application under this program.

The Tax Exemption Program is in its 36th year and, to date, over 71,000 acres of open space owned by 55 nonprofit organizations have been opened to the public for a wide variety of environmental and recreational uses. More than 370 sites are located in 138 municipalities throughout New Jersey.

The preservation of open space is a goal shared by many individuals and groups in New Jersey. The Tax Exemption Program is proof that the government and the private sector can work together successfully to achieve this goal. New Jersey must continue to explore methods of preserving open space, other than fee simple acquisition, if the state is to remain rich with "green acres."

Application checklists and forms as well as the enabling legislation and rules regarding the Tax Exemption Program are available on the Green Acres webpage at www.nj.gov/dep/greenacres. For more information, please contact Larry Fink, Green Acres Program, Department of Environmental Protection, Mail Code 501-01, P.O. Box 420, Trenton NJ 08625-0420 (609) 984-0500.

**NONPROFIT PROJECT PRIORITY SYSTEM
ACQUISITION AND DEVELOPMENT PROJECTS**

This priority system is used to evaluate the relative merits of proposed acquisition and development projects. The system is designed to reflect the degree to which proposed projects conform to findings, recommendations and priorities of the New Jersey Statewide Comprehensive Outdoor Recreation Plan, the New Jersey State Development and Redevelopment Plan, and with statewide goals that are consistent with the Garden State Preservation Trust Act. The system uses a set of factors to evaluate each project's conservation and recreation features.

NOTE: EACH APPLICABLE FACTOR SHOULD BE ADDRESSED, IN ORDER, IN NARRATIVE FORM.

FACTOR #1 OPEN SPACE NEEDS (Acquisition only)

This factor evaluates the extent to which a proposed acquisition project will satisfy local open space deficits.

(see table 1)

- a) **Balanced Land Use Deficit.** Up to 5 pts.
This factor takes into consideration the amount of additional open space needed in each municipality or county in order to satisfy the open space goals derived through the balanced land use method.
- b) **Service Area Needs.** Up to 25 pts.
Because countywide figures do not necessarily represent the needs of a particular community or neighborhood, please discuss the needs of the population to be served. The service area for each project will be defined based on population density and the type and size of the project.

FACTOR #2 SERVICE AREA FACILITY NEEDS (Development only) Up to 20 pts.

Please discuss the needs of the population to be served and evaluate the extent to which the proposed development project will satisfy local recreation facility deficits. The service area for the project will be defined on the basis of population density, scope and type of project, and consideration of the project's relation to an existing redevelopment plan. Facility needs will be based on a comparison of recreational demand and a site specific inventory of recreation facilities for the municipality(ies) in which the project is located (submitted by applicant).

FACTOR #3 ENVIRONMENTAL PROTECTION (Acquisition only) Up to 3 pts. each

This factor is used to determine to what extent a proposed acquisition meets key conservation and environmental protection goals.

- a) **Lands that are of sufficient size and located so as to:**
 - 1. Protect critical wildlife habitat;
 - 2. Preserve State Plan, Meadowlands Master Plan, Pinelands Comprehensive Management Plan, and Highlands Regional Master Plan Critical Environmental Sites, unique natural areas or land types (steep slopes, dunes, scenic overlooks, wetlands, forest lands);
 - 3. Provide additions to or linkages between existing public recreation/open space areas;
 - 4. Support regional open space/conservation initiatives such as shore

- protection or the preservation of landscape ecology, biodiversity, wildlife corridors and/or greenways; and
 - 5. Protect documented endangered and/or threatened species habitat.
- b) **Greenways and water resource protection projects**, including forests, shorelines, and stream corridors that are of sufficient size and located so as to:
- 1. Establish an integral link in an existing or planned local, regional or statewide conservation initiative, greenway, or designated or potential Wild and Scenic River;
 - 2. Assist water resource protection efforts;
 - 3. Provide significant natural flood protection;
 - 4. Act as a physical or visual buffer between a significant natural resource or feature and development, or provide visual or physical access to the water; and
 - 5. Protect an aquifer; headwaters, tributaries or the corridor of a designated Category One stream; or other streams or rivers.

FACTOR #4 HISTORIC RESOURCE PRESERVATION (Acquisition only) Up to 3 pts. each
 This factor is used to determine to what extent a proposed acquisition meets key historic resource preservation goals.

- a) If the project is on, contained within, or adjacent to a site included on or eligible for inclusion in the New Jersey Register of Historic Places under N.J.S.A. 13:IB-15.128 et seq. and/or the National Register of Historic Places under 16 U.S.C. §.§470 et seq., or is a Critical Historic Site identified in the State Plan, New Jersey Meadowlands Master Plan, Pinelands Comprehensive Management Plan, or Highlands Regional Master Plan, as applicable.
- b) If the project is an historic project that provides an extension or linkage between existing public recreation and/or open space areas.
- c) The degree to which the project is a significant and/or contributing component of an historic district designated as such under N.J.S.A. 13:IB-15.128 et seq.,
- d) If the project is part of an ongoing historic preservation or restoration project or historic study or investigation.
- e) The extent to which the project is one with historic integrity of location, design, setting, materials, workmanship, feeling, and association.

FACTOR #5 PUBLIC PARTICIPATION/SUPPORT/PLANNING (Acquisition and Development)
 This factor evaluates public involvement and support in the planning process beyond the minimum requirement of a newspaper notice.

- a) **Support** Up to 5 pts.
 Public support for a project is encouraged and should be demonstrated through letters from the municipal and county planning boards, park agencies, recreation departments, environmental commissions, user groups and the general public.
- b) **Planning** Up to 10 pts.
 Applicants should demonstrate consistency with the New Jersey State Development

and Redevelopment Plan (State Plan), the New Jersey Meadowlands Master Plan, the Pinelands Comprehensive Management Plan, the Highlands Regional Master Plan, as appropriate; the New Jersey Statewide Comprehensive Outdoor Recreation Plan; and with local and county land use plans, especially open space/recreation elements as demonstrated in excerpts from or specific references to such plans in the project application.

FACTOR #6 PROJECT QUALITY (Acquisition and Development)

This factor evaluates project elements and features.

- a) **Accessibility (Acquisition and Development)** 1 pt. each
The site location:
1. Is close to population centers;
 2. Is accessible by public transportation;
 3. Is accessible by walking and bicycling; or
 4. Creates public access where none exists or where existing access is undeveloped or restricted.
- b) **Recreation Potential (Acquisition only)** Up to 2 pts. each
The site:
1. Is suitable for major outdoor recreation facility development;
 2. Is suitable for the use and/or development of appropriate water dependent recreation activities or facilities;
 3. Represents part of a planned or existing waterfront development or redevelopment plan;
 4. Provides environmental and/or historic interpretive opportunities; or
 5. Improves management or expansion of recreation facilities.
- c) **Water Access (Acquisition and Development)** Up to 6 pts. (see table 2)
This subfactor evaluates the extent to which a project improves needed visual and/or physical public access to water.
- d) **Design Quality (Development only)** Up to 2 pts. each
The design:
1. Includes multiple recreation and conservation purposes;
 2. Uses effective landscaping with native species;
 3. Provides opportunities for various active and passive recreational uses by diverse user groups;
 4. Includes significant planting of native tree species; and
 5. Minimizes the use of impervious surfaces.
- e) **Cost Effectiveness (Acquisition and Development)** Point range: +8, -8
This subfactor evaluates the quality of conservation or recreation opportunities provided by a project in comparison to the anticipated cost. Considerations include:
1. Cost of alternative locations and facilities;
 2. Whether the land is available at lower cost due to bargain sale, easement, donation of land value, or partnerships (acquisition) or donation of labor, equipment, or materials or partnerships (development);
 3. Cost of future operation and maintenance; and
 4. Whether the project site has development approvals from local planning board (Acquisition only).

FACTOR #7 PROJECT PRIORITIES (Acquisition and Development) 1 pt. each

The following acquisition and development project elements are encouraged:

- a) Private investment and/or ecotourism potential, public/private sector venture, and/or supports municipal and county (urban complex) strategic revitalization plans and programs consistent with the State Plan, New Jersey Meadowlands Master Plan, Pinelands Comprehensive Management Plan, or Highlands Regional Master Plan, as applicable;
- b) Waterfront development or redevelopment;
- c) Trails, bike paths, or greenways;
- d) Historic or archeological resource enhancement or preservation;
- e) Wildlife habitat protection;
- f) Protection of any waterbodies classified as "Category One Waters," pursuant to N.J.A.C. 7:9B, and associated special water resource protection areas established pursuant to N.J.A.C. 7:8; or protection of other water resources;
- g) Multiple uses and provides active and passive recreation opportunities;
- h) Addition to or the development of a prior Green Acres-funded acquisition or development project;
- i) Private donation of land, equipment, labor, or cash, etc.;
- j) Likelihood or threat of private development for other than recreation and conservation purposes. Examples include whether the property is on the market or is the subject of local planning board action, or if any development permits or approvals have been sought for the property (Acquisition only);
- k) Design and construction that utilizes clean and renewable energy and maximizes energy efficiency (Development only);
- l) Rehabilitation or redevelopment of an existing recreational facility (Development only); and
- m) Reclamation of a former brownfields site.

FACTOR #8 FACILITY DESIGN SENSITIVITY AND SITE SUITABILITY (Development only)

a) **General recreation facilities** Up to 2 pts. each
 The environmental features of the site will be used to determine the design sensitivity of the project. Projects that will have a significant negative impact on the site's natural resources will not be considered. Project design should minimize adverse impacts on the environmentally sensitive features of the site by:

- 1. Locating proposed facilities in already cleared areas, to minimize additional clearing of trees and vegetation;
- 2. Locating proposed facilities where topography and soil conditions are suitable, to minimize grading, excavation, fill, and drainage of a site; and
- 3. Retaining, enhancing, or establishing vegetative buffers, or incorporating other site-sensitive techniques, to minimize impacts on sensitive areas such as shellfish beds, beach/dune systems, forests, wetlands, steep slopes, endangered or threatened species habitat, and aquifer recharge areas.

b) **Structures/Buildings** 1 point
 For projects involving structures, project is designed and constructed to meet the U.S. Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEED™) Green Building Rating System for New Construction and Major Renovations Version 2.1. (For more information on the USGBC's LEED™ System go to www.usgbc.org.)

TABLE 1

BALANCED LAND USE

County	<u>Municipal Pts</u>	<u>County Pts</u>
Atlantic	1	3
Bergen	1	1
Burlington	4	5
Camden	2	2
Cape May	1	2
Cumberland	5	5
Essex	2	1
Gloucester	4	4
Hudson	2	1
Hunterdon	5	5
Mercer	2	2
Middlesex	3	3
Monmouth	2	3
Morris	1	2
Ocean	3	4
Passaic	1	1
Salem	5	5
Somerset	4	3
Sussex	4	4
Union	3	1
Warren	5	3

TABLE 2

**PUBLIC ACCESS TO WATER
Need for Access**

<u>Water Body Type</u>	<u>HIGH</u>	<u>MEDIUM</u>	<u>LOW</u>
Ocean	6	5	4
Bay			
River			
Large Lake	5	4	3
Stream			
Lake	4	3	2
Small Stream			
Pond	3	2	1

**NONPROFIT ASSISTANCE PROGRAM
PARK DEVELOPMENT APPLICATIONS
ENVIRONMENTAL ASSESSMENT INSTRUCTIONS**

As part of the Green Acres funding proposal, each applicant must collect, evaluate, and present pertinent environmental information necessary to ascertain the suitability of the site for the activities proposed. Please review and consider the applicable Landscape Project maps and reports, developed by the Department's Division of Fish and Wildlife, during the preparation of the environmental assessment. Information about the Landscape Project can be found at www.nj.gov/dep/fgw/ensp/landscape or by writing to the Division of Fish & Wildlife, P.O. Box 400, Trenton, New Jersey 08625-0400.

OUTLINE

1. DESCRIPTION OF THE PROPOSED ACTION

- a. Briefly describe the total development project
- b. State objectives of the project
- c. Fully describe multi-phase projects

2. DESCRIPTION OF THE ENVIRONMENT

Describe existing environmental features:

- vegetation
- wildlife
- geology, topography and soils
- water resources/hydrology
- historic/archeological resources
- transportation/access to site
- adjacent land uses/description of the surrounding neighborhood

3. ENVIRONMENTAL IMPACT ANALYSIS OF PROPOSED ACTION

Impacts are defined as direct or indirect changes in the existing environment, whether beneficial or adverse, that are anticipated as a result of the proposed action or related future actions and uses. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described. Whenever possible, environmental impacts should be quantified (i.e., number of trees to be removed, cubic yards of cut/fill, etc.).

- a. Discuss all affected resources and the significance of each impact
- b. Discuss short term and long term project impacts
- c. Discuss anticipated increase in recreation and overall use of site over time
- d. Identify adjacent environmental features that may be affected by the proposal
- e. List any permits required for project and a brief status of each (i.e., waterfront development)
- f. For development that would impact an undisturbed portion of the project site, the nonprofit must submit a Natural Heritage Data Request Form to the DEP's Office of Natural Lands Management (form available at www.nj.gov/dep/parksandforests/natural/heritage/datareq.html or by writing to Natural Heritage Program, PO Box 404, Trenton, New Jersey 08625- 0404). **Please discuss (and attach) the results of the search.**

4. ALTERNATIVES TO THE PROPOSED ACTION

- a. Identify alternate sites
- b. Discuss alternate levels and types of development
- c. Compare environmental impacts of each alternative

5. MITIGATING MEASURES

- a. Describe the measures that will be undertaken to mitigate adverse impacts
Densely and Highly Populated Municipalities and Counties

For Urban Aid municipalities, visit www.nj.gov/dca/lgs/muniaid/09_aid/ua_fy10_pub_notice.htm

Atlantic

Atlantic City
Margate City
Pleasantville City
Ventnor City

Bergen

Bergenfield Borough
Bogota Borough
Cliffside Park Borough
Dumont Borough
Edgewater Borough
Elmwood Park Borough
Englewood City
Fair Lawn Borough
Fairview Borough
Fort Lee Borough
Garfield City
Hackensack City
Hasbrouck Heights Borough
Leonia Borough
Little Ferry Borough
Lodi Borough
Maywood Borough
New Milford Borough
North Arlington Borough
Palisades Park Borough
Ridgefield Park Village
River Edge Borough
Rochelle Park Twp
Rutherford Borough
Teaneck Twp
Wallington Borough
Wood-Ridge Borough

Burlington

Evesham Twp
Mount Holly Twp
Mount Laurel Twp
Pemberton Borough
Riverside Twp
Willingboro Twp

Camden

Audubon Borough
Audubon Park Borough
Camden City
Cherry Hill Twp
Collingswood Borough
Gloucester City
Gloucester Twp
Haddon Twp

Lindenwold Borough
Merchantville Borough
Mount Ephraim Borough
Oaklyn Borough
Pennsauken Twp
Winslow Twp
Woodlynne Borough

Cumberland

Bridgeton City
Millville City
Vineland City

Essex

Belleville Twp
Bloomfield Twp
Caldwell Borough
East Orange City
Glen Ridge Borough
Irvington Twp
Maplewood Twp
Montclair Twp
Newark City
Nutley Twp
Orange City Twp
South Orange Village Twp
West Orange Twp

Gloucester

Glassboro Borough
Monroe Twp
Washington Twp
Woodbury City

Hudson

Bayonne City
East Newark Borough
Guttenburg Town
Harrison Town
Hoboken City
Jersey City
Kearny Town
North Bergen Twp
Union City
Weehawken Twp
West New York Town

Mercer

Ewing Twp
Hamilton Twp
Trenton City

Princeton Borough

Middlesex

Carteret Borough
Dunellen Borough
East Brunswick Twp
Edison Twp
Highland Park Borough
Jamesburg Borough
New Brunswick City
North Brunswick
Old Bridge Twp
Perth Amboy City
Piscataway Twp
Sayreville Borough
South Amboy City
South Brunswick Twp
South River Borough
Woodbridge Twp

Monmouth

Asbury Park City
Avon by the Sea Borough
Belmar Borough
Bradley Beach Borough
Freehold Borough
Highlands Borough
Howell Twp
Keansburg Borough
Keyport Borough
Long Branch City
Marlboro Twp
Middletown Twp
Neptune City Borough
Neptune Twp
Red Bank Borough
Shrewsbury Twp
Lake Como Borough

Morris

Dover Town
Morristown Town
Parsippany Troy
Victory Gardens Borough

Ocean

Berkeley Twp
Brick Twp
Jackson Twp
Lakewood Twp
Manchester Twp

Point Pleasant Borough
Seaside Heights Borough
Toms River Twp

Passaic

Clifton City
Haledon Borough
Hawthorne Borough
Passaic City
Paterson City
Prospect Park Borough
Wayne Twp

Salem

Penns Grove Twp
Salem City

Somerset

Bound Brook Borough
Bridgewater Twp
Franklin Twp
Hillsborough Twp
North Plainfield
Somerville Borough
South Bound Brook Borough

Union

Elizabeth City
Fanwood Borough
Garwood Borough
Hillside Twp
Linden City
Plainfield City
Rahway City
Roselle Borough
Roselle Park Borough
Union Twp
Winfield Twp

Warren

Phillipsburg Town

Bergen
Camden
Mercer
Middlesex
Monmouth
Morris
Passaic

Densely Populated Counties

Essex
Hudson
Union

Highly Populated Counties