



Northampton County Open Space Initiative
Livable Landscapes Grant Program Guidelines - 2019



Livable Landscapes Grant Program

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Section I – Program Summary

On or about November 4, 2004, the Northampton County Council adopted Ordinance #423-2004, establishing the Northampton County 21st Century Open Space Initiative. County Council created the Northampton County Open Space Advisory Board and established its duties, and provided for the administration of the Open Space Initiative with the Northampton County 21st Century Open Space Initiative guidelines which were also subsequently amended by the enactment of Ordinances #468-2007, #533-2011, #522 of 2012, #559-2012, and #582-2013.

The Northampton County 21st Century Open Space Initiative (Open Space Program) was established in December 2004 after County voters by a majority of approximately 65%, approved a referendum in November 2002 to authorize dedication of funds for the purpose to preserve and enhance the natural environment of Northampton County. The Open Space Initiative has been preserving natural areas, assisting municipalities in the acquisition and supports the development of parks and recreation sites.

On October 3, 2013, the Northampton County Council adopted the Resolution #85-2013 supporting the development of the Northampton County Livable Landscapes Strategic Open Space Plan. *Livable Landscapes – An Open Space Plan for Northampton County* is an update to the *Northampton County Parks – 2010* plan published in November 2002 by the Lehigh Valley Planning Commission.

On January 7, 2016, Northampton County Council adopted an Ordinance #603-2015 establishing “The Livable Landscapes” – an Open Space Plan Program for Northampton County and further providing for the administration of the 21st Century Open Space Initiative. The Northampton County Council directs that the Livable Landscapes Plan shall be used when implementing and/or conducting activities under the current 21st Century Open Space Initiative.

At the May 2, 2019 County Council meeting, Ordinance #666-2019 renamed the Open Space Advisory Board as the Parks, Recreation and Open Space Advisory Board to serve as advisors to the County Council on issues presented to the Board and to support implementation of the vision, goals, and recommended actions of the currently adopted County Open Space, Park and Recreation Plan(s). The Board will make recommendations to the Administration and County Council on providing funds for grant programs dedicated to open space, natural areas and parks and recreation initiatives. The Board will continue to exercise all the duties, responsibilities and obligations of the formerly named “Open Space Advisory Board” as designated in any County Ordinance and Resolution including but not limited to Ordinances 423-2004 and #603-2015.

A recommendation in the *Livable Landscapes Plan Action Plan* is to modify the Open Space Program Guidelines to be consistent with the goals and implementation strategy of the current open space plan. The former guidelines are over 15 years old and this revision aligns our grant funding program with our current Park, Recreation, and Open Space Plan *Livable Landscapes*.

The Northampton County Livable Landscapes Grant Program continues to provide grant funding opportunities under the Open Space Initiative to support municipal parks, land preservation, and environmental services. It includes fee simple acquisition, conservation easements, municipal park rehabilitation and development, and environmental restoration efforts within the County’s natural areas.

Grant Program Purpose: *is to protect the County's important natural features by assisting municipalities and organizations to acquire, restore, and enhance permanently protected lands to conserve natural resources and provide outdoor recreation for future generations.*

Section II - Eligibility

A. Eligible Applicants

Any of the following entities may apply for a grant:

1. **Municipality** – Any city, borough, township within Northampton County
2. **Council of Governments within Northampton County**
3. **Authorized Organization** – An entity involved in research, restoration, rehabilitation, planning, acquisition, development, education or other activities, which furthers the protection, enhancement, conservation, preservation or enjoyment of this county's environmental, conservation, recreation or similar resources. The organization must be a tax-exempt institution under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C § 501(c)(3)) and registered with the Bureau of Charitable Organizations or an educational institution involved in these authorized activities or a municipal authority.
4. **Institution of Higher Education** – An entity that is an accredited university, college, seminary college, community college or two-year college.

B. Eligible Projects

The eligible projects listed are consistent with the Action Plan and Goals established in the Livable Landscapes Plan. Eligible applicants can apply for a grant that falls within any topic area(s) that best fits your project. Please contact the County's grant coordinator with questions.

1. **Land preservation** including fee simple acquisition or conservation easement within natural areas, greenways, trails, river/watershed conservation areas, critical habitat, and/or open space. Lands should be consistent with conservation priorities in the current Comprehensive Plans and other state, county, and local plans (ex. Park, Recreation, and Open Space Plans) that relate to the project. Identify if the land falls within the County Natural Heritage Inventory. The threat of development is considered a high priority.
 - a. Natural areas are areas of land and/or water, which are important in preserving flora, fauna, native ecological systems, trails, and geological, natural, historical, open space, scenic or features of scientific or educational value. Connectivity to conserved lands and open space such as parks, trails, and nature preserves.
 - b. Critical habitats are areas of land and/or water which provides habitat for rare, threatened or endangered plant and animal species or ecological or natural communities which are at risk of destruction or substantial degradation.

2. **Ecological restoration** of developed lands to natural areas (such as meadows, woodlands, pastures, etc.) within public areas, natural areas, greenways, trails, river/watershed conservation, riparian buffers, agricultural areas, and/or open space.
 - a. Natural areas are areas of land and/or water, which are important in preserving flora, fauna, native ecological systems, trails, and geological, natural, historical, open space, scenic or similar features of scientific or educational value.
 - b. Critical habitats are areas of land and/or water which provides habitat for rare, threatened or endangered plant and animal species or ecological or natural communities which are at risk of destruction or substantial degradation.
 - c. Restoration efforts to implement Best Management Practices (BMPs) for sustainable stormwater management in agricultural, watersheds, parks, urban, or residential areas for runoff control or reduction negatively impacting stream water quality.
 - i. A description of BMPs commonly used for agricultural operations is provided in the Field Office Technical Guide administered by the USDA Natural Resources Conservation Services
<https://efotg.sc.egov.usda.gov/#/details> Click on Pennsylvania and Section IV Conservation Practices
 - ii. A listing of potential BMPs is contained in the Pennsylvania Stormwater Best Management Practices Manual, administered by PA DEP
<http://www.depgreenport.state.pa.us/elibrary/GetFolder.aspx?FolderID=4673>
3. **Planning, Education, and Outreach** that “lay the groundwork” for future acquisition, development and/or management of critical habitat, open space, natural areas, greenways, river/watershed conservation, open space programs, and environmental regulations.
4. **Municipal Park Acquisition, Rehabilitation and Development** projects to conserve and/or improve parks, outdoor recreation, greenways, trails, waterways, and natural areas. Closing trail gaps, enhancing outdoor recreation, and upgrading park amenities and/or natural areas for an ecological and/or recreation benefit that supports the community and the region.
**Must be a municipal applicant.*

C. Eligibility of Funds

Funds may be used by the applicant to pay for any of the following project costs:

1. Grant funds may be used to purchase land in fee simple acquisition or a conservation easement that would permanently protect a property’s open space, natural areas, watersheds, agricultural areas, and/or important natural features.

2. Grant funds also may be used for appraisals, surveys, legal fees, or other administrative costs related to the property acquisition of no more than 5% of the County grant award.
3. For land preservation, the maximum grant request shall not be more than 50 percent of the property's value or \$300,000, whichever is less. Applications may be reviewed to exceed the 50% of the property's appraised value or \$300,000, on a case by case basis. The fair market value of a fee simple acquisition or conservation easement is determined by the appraisal report submitted with the application. The appraisal must be done by a state certified appraiser.
4. For construction projects, no more than 15% of the County grant award may be used for engineering and construction professional services, permitting, and inspection monitoring costs that directly relate to the project construction, rehabilitation, and/or development.
5. Professional services, consultants, and contracted services need to comply with the current public bidding process including appropriate advertisement and selection of services to complete either a portion of or full project scope of work
6. Printed materials, signage and approved education and outreach communication tools.
7. Grant funds may not be used to acquire structures of any significant monetary value, but may be evaluated on a case by case basis.

Section III – Program Requirements

A. Applicant Cost Share Requirements

The program is a reimbursable grant, with a 50% match required by the grantee of the total project cost. Eligible total project costs are effective from the Agreement and/or County Resolution approval and end date, as long as the eligible expenditures and match are directly related to the project. Detailed letters of match commitment is required to be provided with the grant application and/or re-submitted if the match commitment changes.

For Restoration, Rehabilitation, and Development projects, the local share may come from federal, state, county, or municipal funds, private contributions and/or donations. In-kind services, such as in-kind/donated labor and/or equipment can be included in the 50% match requirement, but up to 35% of the match is allowable.

B. Planning and Permit Requirements

All grant recipients for rehabilitation and development projects where federal, state, or local planning or permit approvals are required, must state in the grant application that the applicant will secure the necessary planning and permit approvals for the project and submit to the County's grant administrator prior to beginning construction. The grantee must document in the grant close-out report that the project is in compliance with all applicable planning (bidding, design, and engineering) and permitting regulations, as evidenced by a letter from the appropriate agency prior to funds being disbursed.

C. Grant Requirements

1. County Review

Northampton County reserves the right to reject or seek alterations to applications if it determines the property or project is not suited for its intended use. All application submissions must be complete and include all necessary information as listed in Appendix I and II. Incomplete applications will be rejected.

2. Ownership of Land

Applicants must identify all tax ID numbers (tax map, block and lot number) of all parcels. Projects completed within lands that are not in public ownership or do not have a conservation or agricultural easement already in place need have an easement placed on the impacted area to allow for access to the site that has been protected and/or rehabilitated. The applicant will need to document ownership, easement, or control of the property with at least 25 years or perpetuity.

3. Professional Services

Any Professional Services needed in any project category must be completed by a qualified individual, firm, or organization. For projects including rehabilitation or development, the applicant shall obtain the services of a professional engineer or landscape architect licensed in Pennsylvania who will certify all cost estimates, design, and specifications. They will need to conduct a site visit and submit a signed letter certifying the rehabilitation or development was completed in accordance with the design and specifications.

4. Project Records

The grantee must maintain full and accurate records and ensure adequate control over related parties relevant to the project. The County requires access to such records, as well as the ability to inspect all work, invoices, materials, and other relevant records at reasonable times and places. Upon request by the County, the grantee must furnish all data, reports, contracts, documents, and other information relevant to the project.

5. Phase I Environmental Assessment

A Phase I Environmental Assessment may need to be conducted by the grantee on a case by case basis, if applicable

6. Final Close-out Report

Grantees will be required to provide two copies as one electronic (PDF) and one paper copy of a final report at the completion of the project.

The final close-out report must include:

- Cover letter and one page summary detailing the project and describing the work completed
- Photographs of before and after the restoration, rehabilitation and development
- Summary of total cost expenditures breakdown of the project (including match):
 - o Copies of paid invoices, receipts, cancelled checks or financial report
 - o In-kind expense sheets detailing hours, salary, and equipment use and labor (utilize approved municipal rates, PA Department of Labor, PEMA, or FEMA)
- A copy of secured permits, design, specifications, and compliance with bidding procedures (if applicable), and certification letter stating construction was completed in accordance to the design and specifications

Additional Close-out Items needed Specific to Land Preservation:

- A signed Agreement of Sale or Conservation Easement
- Legal or deed description of the area subject to the fee simple acquisition or conservation easement
- Survey Plan/Site Plan of the land identifying:
 - o Detailed map of the area to be acquired by fee simple acquisition or conservation easement, indicating excluded areas and limits of public access
 - o Significant natural resources or critical habitat
 - o Existing disturbed areas, and
 - o Location of existing structures
- A written management plan for the land that shows Best Management Practices and a maintenance and public access outline
- A Phase I Environmental Assessment Report or a letter of the environmental condition of the land, as needed (for Acquisition)

D. Other Requirements for Land Preservation

1. Public Access

Public access to any land developed or rehabilitated with a County grant is required. Public access provides an opportunity for citizens to experience and learn about the County's important natural resources. Topics to be addressed regarding public access include:

- Type of uses—hiking, fishing, hunting, wildlife watching, educational, etc.
- How will the property be accessed—parking on-site, road access, walk-in access
- When can the property be accessed—daily, weekly, monthly, seasonally
- Who will have access—organizations/groups, individuals

Special consideration may be given if the applicant clearly identifies a safety hazard or other consideration to deny or limit public access. The amount and type of public access is flexible to balance the environmental, historical, cultural, safety, water quality and other factors.

Key points to remember:

- Significant public access is required; however, the need to protect critical habitat can override the interest in providing public access

- Reasonable restrictions on the time and manner of public access for protecting or restoring the land are acceptable
- Multiple activities should be considered on various portions of the land

2. Property Appraisals, Boundary Surveys and Title Work

Applicants must follow the Pennsylvania Department of Conservation and Natural Resources (PA DCNR), Bureau of Recreation & Conservation's Grant Policy of: "Requirements for Property Appraisals and Requirements for Boundary Surveys and Title Work". The required documentation must be the latest revised copy of the policy guidelines.

If an application is not seeking funding from PA DCNR, the requirements outlined in the Grant Policy of: "Requirements for Property Appraisals and Requirements of Boundary Surveys and Title Work" will be enforced. Northampton County may require a second appraisal or a technical review conducted by a state certified appraiser if the appraised value is greater than \$100,000.

Properties that are located in municipalities that are eligible for a tax freeze under Act 319 must have surveys that identify property boundary and the minimal protection area boundary. Appraisals must be conducted only on land that is outside of the minimal protection and no structures of any significant monetary value will be appraised.

3. Management Plan

Lands that have been acquired, developed and/or or rehabilitated with funding from Northampton County must provide a Management Plan or outlined management practices that address a strategic plan for the management of the improved areas and/or purchased/eased lands. Management plans must be a minimum of a 5-year timeframe.

4. Deed & Easement

Prior to the conclusion of the grant project the grant applicant will provide a copy of the legal or deed description of the area subject to the conservation easement or fee simple purchase, signed conservation easement protecting the property's resources in perpetuity and a copy of title insurance. Any lands purchased with Northampton County funding will have language incorporated into the deed and easement language, provided by Northampton County.

Section IV – Grant Administration

1. Use of Livable Landscapes grant funds may only be used for projects in Northampton County.
2. To be eligible for reimbursement, the grantee will need to expend eligible total project costs then submit for 50% reimbursement of total costs up to the awarded grant amount. All grants must be matched with cash and/or eligible non-cash (in-kind) contributions at a minimum ratio of 1:1. The application must include commitment letters from any partner organization(s) and/or municipality that states the agreed upon donation amount or value to be used as match.

3. Total project costs must be incurred within the eligible contract time period (contract start and end date) established in the Grant Agreement and/or County Resolution. A written request should be submitted with reasoning if a grant extension is needed.
4. Grants shall not exceed \$300,000 for any project, unless otherwise warranted. Funds used for acquisition will be awarded no greater than 50 percent of the property's appraised value. Applications may be reviewed to exceed the 50% of the property's appraised value or \$300,000, if a substantial need is warranted. The fair market value of a fee simple acquisition or easement is determined by the appraisal report submitted with the application. The appraisal must be completed by a state certified appraiser.
5. Grant review process includes:
 - a. The Northampton County Division of Parks and Recreation will conduct an internal review to ensure all application requirements have been submitted.
 - i. Grant applications may be reviewed by the Lehigh Valley Planning Commission, as needed
 - b. Applications will be presented to the Northampton County Parks, Recreation, and Open Space Advisory Board (Advisory Board) for recommendation of approval/disapproval
 - c. A recommendation for approval/disapproval letter is submitted by the Parks, Recreation, and Open Space Advisory Board to the County Council Energy, Environment, and Land Use Committee
 - d. County Council Energy, Environment, and Land Use Committee's recommendation is provided to County Council for final approval/disapproval via County Resolution

Section V – Application Procedures

To apply for funding, the applicant must submit the Northampton County Livable Landscapes Program grant application with Appendix II - Supplemental Information by the required deadline date.

Grant Submission Timeline:

1. **Land Preservation projects** are on an open grant round monthly throughout the year.
2. **All other projects** the application periods and workshops will be announced in the beginning of the calendar year.

All applications will be reviewed internally by the County Division of Parks and Recreation to ensure all application requirements have been submitted. Complete applications will be reviewed by the Park, Recreation, and Open Space Advisory Board to determine eligibility of the proposed project as well as the competitiveness of the proposal. The Advisory Board will provide recommendations of grant award to County Council's Energy, Environment, and Land Use Committee and County Council for final approval via Resolution.

Grant Review Process:

Applications are evaluated on a competitive basis using the following criteria:

1. The completeness of the application including the supplemental information in Appendix II, such as a detailed scope of work, budget, narrative, confirmed match with commitment letters (if applicable), etc.
2. The project implements goals and recommendations of the Livable Landscapes, An Open Space Plan for Northampton County
3. The project is consistent with and implements recommendations of existing local, county, state and regional Comprehensive, Parks, Recreation and Open Space or Natural Resource Management Plans or comparable plans
4. How well the project aligns with:
 - a. conservation, restoration, and/or enhancement of natural resources
 - b. provides and maintains an exemplary park, trail, and recreation system
 - c. supports the quality of life of the region
 - d. conserve, restore, enhance, and connect a greenways, trails, and blueways network
 - e. implements best management practices to promote sustainability and conservation
 - f. improves municipal parks, outdoor recreation, greenways, trails, waterways, and natural areas

Following approval of an application by the County, a grant contract will be issued by the County to the applicant explaining the terms and conditions of the grant. The grant contract must be signed and returned to the County within ten (10) business days of the date of the commitment letter or the offer may be withdrawn by the County.

Section VI – Open Space Program Inquiries

Open Space Program inquiries should be directed to:

Sherry L. Acevedo, Conservation Coordinator
Northampton County Division of Parks and Recreation
Louise W. Moore County Park
151 Country Club Road
Easton, PA 18045
Telephone: 610.829.4872
Email: sacevedo@northamptoncounty.org

Appendix I – Grant Application Form



Applicant Information

Organization Name: _____

Project Manager Name and Title: _____

Mailing Address: _____

Telephone Number: _____ Email: _____

Project & Site Information

Project Name: _____

Site Address or Location: _____

Owner of Property: _____

Tax Parcel ID Number: _____ Municipality: _____

Type of Project

Check the eligible project that best fits your project:

- Land Preservation
- Ecological Restoration
- Planning, Education & Outreach
- Municipal Park Acquisition, Development, & Rehabilitation

Project Finances (list all local match amounts, sources, cash and in-kind contributions)

Sources of Funding	Cash	In-kind	Total	%
	\$	\$	\$	%
	\$	\$	\$	%
	\$	\$	\$	%
	\$	\$	\$	%
	\$	\$	\$	%
Northampton County Grant Request	\$	N/A	\$	%
Total Project Costs	\$	\$	\$	100%

Fair Market Value – Appraisal #1: _____

Anticipated Project Completion Date: _____

Appendix II – Supplemental Information

The following items are required to include with the grant application:

1: Project Narrative / Scope of Work – Provide a thorough description of the project which includes the following: (a) a detailed scope of work including a project timeline, (b) the current conditions of the site; (c) the need for the project; (d) the expected results and benefits; (e) implements goals of the Livable Landscapes Plan; (f) consistent in recommendations/goals in existing local, state and regional comprehensive, parks, recreation and open space or natural resource management plans; (g) implementation of practices to promote sustainability; (h) the ability of the project to contribute to restoring waterways or lands for natural habitat; and (i) the regional impact the project will provide.

2: Cost Estimate – A detailed cost estimate of the total project, including cash and in-kind match contributions. For restoration, rehabilitation, and development projects, a detailed cost estimate prepared by a professional engineer or landscape architect licensed in Pennsylvania.

3: Map of Site Location – A color-coded map detailing the location of the project and pictures of the project site must be included. Also include a color-coded map of any regional connections.

4: Photographs of Site Location – Photographs that identify the existing project location must be accompanied by a comment noting the photograph's subject, date and location. Renderings of proposed project may be submitted in this section.

5: Survey Plan / Site Plan – A survey or site plan detailing the project, natural resources, improvements, and the location of existing structures. Renderings of proposed projects may be submitted in this section.

6: Funding Commitment Letters – Funding commitment letters, if available, from all other project funding sources (including equity commitments). Letters should include the term, rate, and collateral conditions and must be signed and dated. For in-kind contributions, include the itemized details of hours, salary, equipment use and labor (utilize approved municipal rates, PA Department of Labor, PEMA, or FEMA)

7: Resolution - A resolution adopted authorizing the submission of the application.

8: Non-Profit organizations - For non-profit organizations, documentation establishing the organizations tax exempt status under 501©(3) of the Internal Revenue Code of 1986; registration with the Bureau of Charitable Organizations, Pennsylvania Department of State; and existence for at least three consecutive years.

After submitting an electronic file, two printed copies of the completed application with all supplemental information and attachments must be mailed or delivered to:

Sherry L. Acevedo

Conservation Coordinator, Northampton County Division of Parks & Recreation

Louise W. Moore County Park

151 Country Club Road

Easton, PA 18045

sacevedo@northamptoncounty.org

Appendix III – Recommended Official Resolution

Northampton County Open Space Initiative
Livable Landscapes Grant Program
Resolution XX – 201X

WHEREAS, the Board of Supervisors/Council/Directors of the Municipality/Agency/Organization of _____ recognizes that the Municipality/Agency/Organization contains natural areas that contribute to the quality of life and economic health of our community which are worth for preservation and/or restoration; and

WHEREAS, the Northampton County Council adopted Ordinance #603-2015, titled, “AN ORDINANCE ESTABLISHING “THE LIVABLE LANDSCAPES – AN OPEN SPACE PLAN PROGRAM FOR NORTHAMPTON COUNTY AND FURTHER PROVIDING FOR THE ADMINISTRATION OF THE 21ST CENTURY OPEN SPACE INTIATIVE” on January 7, 2016; and

WHEREAS, the program provides for funding grants that may be used by the municipality to acquire land to protect significant natural areas and rehabilitate degraded and underutilized lands that are important examples of Northampton County’s natural heritage; and

WHEREAS, the Municipality/Agency/Organization of _____, wishes to participate in the Livable Landscapes Grant Program; and

WHEREAS, the Municipality/Agency/Organization will have the required match of \$_____.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Municipality/Agency/Organization as follows:

1. That the Municipality/Agency/Organization hereby approves the filing of an application for funds under the Livable Landscape Grant Program.
2. That _____, is hereby authorized and directed to execute and file the appropriate forms with the Northampton County Conservation Coordinator.

This Resolution has been duly prepared and adopted by the Governing Body of the Municipality/Agency/Organization of _____ in public meeting held this _____ day of _____, 201__.

SIGNATORIES

ATTEST: _____

Appendix IV – Grant Application Checklist

Documentation to be submitted with a grant application:

- Completed Grant Application Form - **Appendix I**
- Completed Supplemental Information – **Appendix II**
- Supporting documents that relate to Appendix II
- Adopted Resolution – **Appendix III**
- Letter(s) of local match commitment (cash and in-kind contributions)
- Letter(s) of support
- Real Estate appraisal for fee simple acquisition or conservation easement
- Copy of Sales agreement (if completed)



Appendix V – Grant Close-out Checklist



Final Close-out Report to Determine Eligible Grant Reimbursement by the County:

- Cover letter and one page summary detailing the project and describing the work completed (details of phased portions of work completed)
- Photographs of before and after the restoration, rehabilitation and development
- Summary and breakdown of the total project cost expenditures (including match):
 - Itemized spreadsheet of total project costs (including both cash expenditures and in-kind match value)
 - Soft costs for **Land Preservation** such as professional fees, design, and engineering, itemized of no more than 5% of the County grant award
 - Soft costs for **Restoration, Rehabilitation, or Development** such as professional services, design, engineering, and permitting fees itemized of no more than 15% of the County grant award
 - Copies of all paid invoices, receipts, cancelled checks or financial report
 - In-kind expense sheets detailing hours, salary, equipment use and labor (such as approved municipal rates, PA Department of Labor, PEMA, or FEMA)
- A copy of secured permits, design, specifications, and compliance with bidding procedures (if applicable), and certification letter stating construction was completed in accordance to the design and specifications
- Final inspection completed by the Conservation Coordinator and/or designate representative

Additional Close-Out Documents for Land Preservation:

- Signed Agreement of Sale or Conservation Easement
- Legal or deed description of the area subject to the fee simple acquisition or conservation easement
- Survey Plan/Site Plan of the land identifying:
 - Detailed map of the area to be acquired by fee simple acquisition or conservation easement, indicating excluded areas and limits of public access
 - Significant natural resources or critical habitat
 - Existing disturbed areas, and
 - Location of existing structures
- A written management plan for the land that shows Best Management Practices and a maintenance and public access outline
- A Phase I Environmental Assessment Report or a letter of the environmental condition of the land, as needed (for Acquisition)