

Department of Energy and Environmental Protection (DEEP)

Open Space Watershed Land Acquisition (OSWA) Grant Program

2024 Program Guidelines and Answers to Frequently Asked Questions

Introduction

The Open Space and Watershed Land Acquisition (OSWA) Grant Program as defined in [CGS 7-131c to 7-131g](#) provides financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space and to water companies to acquire land to be classified as Class I or Class II water supply property. DEEP obtains Conservation and Public Recreation Easements over all OSWA protected properties to ensure permanent protection of property and public access. The goal of the program is to increase public open space throughout the State and to enhance the State’s 21% open space goal as defined in [CGS 23-8](#). Funding for the program comes from State bond funds, as well as the [Community Investment Act](#). The [Natural Heritage, Open Space and Watershed Land Acquisition Review Board](#) is an independent advisory group of volunteers appointed by the Governor, leadership of the House and Senate and the Commissioner of DEEP established by Connecticut General Statutes Section 7-131e to advise on the implementation of the OSWA grant program.

Program Specifics

What can be funded?

A percentage of the fair market value or purchase price (whichever is less) of property to be conserved as open space for passive recreational uses.

Grant funds can also be used for the reimbursement of incidental costs associated with the acquisition of land (i.e., survey and legal fees, appraisals, appraisal reviews, etc.) for property in [Environmental Justice Communities](#), [Targeted Investment Communities](#) or [Distressed Municipalities](#).

Grant and match funds cannot be used for development costs including any passive recreation features.

Grant Funding Amounts

Grants approved by the DEEP Commissioner will be based upon the fair market value, as determined by DEEP, and will not exceed the following grant funding amounts:

TO A	FOR	IN AN AMOUNT NOT TO EXCEED *
Municipality	Open space or Class I & Class II water supply property	65% of fair market value
Nonprofit land conservation organization	Open space or watershed protection	65% of fair market value
Water Company	Class I & Class II water supply	65% of fair market value
Municipality, nonprofit land conservation organization or water company if land is located within an Environmental Justice Community, Distressed Municipality or Targeted Investment Community	Open space or watershed protection	75% of fair market value

** Percentages shown represent the maximum grant award. Grant awards may be reduced to a lesser percentage and/or may be subject to an administrative cap.*

The amount of funding provided will be based on numerous factors related to the quality of the project, amount of private or other governmental funds leveraged, number and quality of other grant applications and the availability of DEEP resources.

Other Compatible Funding Sources

Each applicant is required to secure funds from other sources to match DEEP's grant award. Matching funds can come from private entities or other governmental funding programs.

- A. **Private Sources:** Matching funds from private individuals, foundations, corporations, businesses, contributions by other organizations, or governmental programs not managed or funded by the State of Connecticut or Federal Government.

Funding from these sources count toward the applicant's match requirement without restriction. However, caution should be exercised to ensure that acceptance of such funds would not place a restriction on the property that could be in conflict with the State's Conservation and Public Recreation Easement and Agreement.

- B. **Other Governmental Sources:** Many governmental programs exist to assist with land conservation. Connecticut law was recently revised to simplify the combination of OSWA grant funds with federally funded land conservation grant programs, municipal conservation grant programs, or private conservation grant programs subject to certain requirements and conditions.

While statutory changes have lessened the issues, caution should still be exercised to ensure that acceptance of other funds will not place a restriction on the property that could be in conflict with the State's Conservation and Public Recreation Easement and Agreement. Specific questions about the compatibility of governmental funding programs should be directed to DEEP's Land Acquisition and Management Division by calling Allyson Clarke at (860) 424-3774 or (860) 595-7469.

- i. **Municipal Sources:** Municipalities (as the grant award applicant or host community) often contribute match funding for land conservation projects funded through this program. Funds from municipal sources count toward the match requirement.
- ii. **State Sources:** Other State funds can be used to assist with project costs, but please discuss any of these funding sources with DEEP before submitting your application, or as soon as other State grant funding is being considered, if that occurs after the application is submitted. DEEP staff needs to ensure that the requirements of both funding programs are compatible.
- iii. **Federal Sources:** Applicants may apply for grant funds from federal programs which are administered by the State or by federal agencies. For example, the US Department of Agriculture (grassland preservation, farmland and prime agricultural soils preservation, river restoration, forest and habitat preservation, etc.), the US Department of the Interior (Wild and Scenic, wetlands preservation, river protection, wildlife habitat restoration/protection, etc.), the US National Oceanic and Atmospheric Administration (shoreline preservation, natural area preservation, wetland protection), and the US Fish and Wildlife Service (The Highlands Conservation Act) have programs that may be used as additional sources of funding for the subject project.

The combination of federal and OSWA funding sources cannot exceed ninety percent (90%) of the fair market value of the property, as determined by DEEP under the OSWA grant program. If federal funds are anticipated for the project, then the applicant must inform DEEP of its intention to seek and obtain such funding in the grant application, along with the amount of federal funding being requested. Applicants must inform DEEP if federal grant awarding occurs

after the application is submitted, as well. If a federal grant is accepted by the applicant, the State OSWA grant award may need to be adjusted so that the combined OSWA and federal grant awards do not exceed ninety percent (90%) of the fair market value of the property.

In limited circumstances, the DEEP Commissioner may authorize the use of state and federal funds to fund one hundred percent (100%) of the fair market value of the property, as determined by DEEP under the OSWA grant program. If you are seeking this authorization, please refer to [Public Act No. 15-23](#) for more information and contact DEEP as soon as possible but prior to accepting such federal funds.

If the applicant is applying for a U.S. Fish & Wildlife Service Highlands Grant, the property seller must sign a Landowner Disclosure Letter or the applicant must include the necessary language within the purchase and sales agreement. The applicant should submit the letter or purchase and sales agreement (signed by the seller) when the property appraisals are submitted. Please contact Allyson.clarke@ct.gov to obtain a template of the letter or the appropriate language to insert into the purchase and sales agreement.

It is important to remember that public access must be provided on the subject property, irrespective of federal funding program requirements or policies to the contrary.

Eligibility

(Applications that fail to meet eligibility criteria will not be scored.)

- A. Applicant must be a municipality, non-profit land conservation organization (e.g., land trust), or water company.
- B. Non-profit land conservation organizations must attach an [IRS 501\(c\)\(3\) Determination Letter](#) as evidence that they are a duly authorized 501(c)(3).
- C. Non-profits and water companies need to verify they have a [Certificate of Legal Existence from the Secretary of State](#)
- D. Non-profits need to be verified as active on their [Charitable Solicitation Registration with the Department of Consumer Protection](#)
- E. Non-profits need to provide a link or copy of their most recent [990 tax form from the Internal Revenue Service](#)
- F. All Applicants must provide proof of submission of [State Single Audit or Exemption Form](#) for the preceding 3 years
- G. Municipal applicants must provide proof that they have a [Municipal Plan of Conservation and Development](#) no more than 10 years old, or written approval from the Office of Policy and Management.
- H. Water companies must provide proof that the land to be purchased can be classified as “Class I” or Class II” after acquisition.
- I. If the proposed property is being purchased from a water company, the property must be classified as surplus (Class III) land. The Water Company (title holder) must be granted [permission to dispose of the property by the Public Utilities Regulatory Authority \(PURA\) and the Department of Public Health \(DPH\)](#).
- J. If a Land Trust is purchasing an interest in land located in a Targeted Investment Community, Environmental Justice Community or a Distressed Municipality, it must obtain approval from the Municipality’s Chief Elected Official (CEO) or governing legislative body. Similarly, if a Municipality is purchasing an interest in land, located in another City or Town that is a Targeted Investment Community

or Distressed Municipality or within an Environmental Justice Community, it must obtain approval from that Municipality's CEO or governing legislative body. Approval must be submitted with the application.

- K. If the project is within an Environmental Justice Community that is not also within a Distressed Municipality or Targeted Investment Community, applicant must provide a screenshot of the property location on [DEEP's Environmental Justice Communities Map](#). (Type in the address in top left search box to locate and right click on map to take a screenshot)
- L. Applicant must be willing to conserve the funded acquisition property in perpetuity, predominantly in its natural, scenic, and open condition.

Disqualifying Characteristics

- A. If applicants have OSWA projects awarded prior to 2021, they should not apply until those projects are completed or grant funds are turned back/rescinded. If an applicant has projects, awarded prior to 2021 that are not closed or turned back, the **PROJECT IS REJECTED**
- B. If land is to be used for commercial purposes (other than forest management/agricultural use). **PROJECT IS REJECTED**
- C. If the land is to be used for recreational purposes requiring intensive recreational development (golf courses, driving ranges, tennis courts, ballfields, swimming pools and uses by motorized vehicles other than vehicles needed by water companies to carry out their purposes). **PROJECT IS REJECTED** (trails or pathways for pedestrians, motorized wheelchairs or nonmotorized vehicles shall not be considered intensive development).
- D. If land is associated with environmental contamination and the contamination will not be remediated prior to acquisition in a manner that is satisfactory to the Commissioner. **PROJECT IS REJECTED**
- E. If land is to be acquired by eminent domain. **PROJECT IS REJECTED**
- F. If land is already committed for public use (is protected by conservation easements or open space restrictions in the title). **PROJECT IS REJECTED**
- G. If land was acquired by applicant prior to the grant application deadline. **PROJECT IS REJECTED** (unless a waiver, in writing by the DEEP Commissioner, is provided with the grant application)
- H. If required appraisal(s) were not provided by the appraisal deadline. **PROJECT IS REJECTED**
- I. If applicant has not clearly demonstrated how this new acquisition will be publicly accessible (unless exempt). **PROJECT IS REJECTED**
- J. If applicant has not clearly demonstrated compliance regarding public access components and task completion/closing timeframes for previous OSWA grant awards. **PROJECT IS REJECTED** (the public access component is not applicable to water company lands eligible to be classified as Class I or Class II water supply properties and there is a 6-month grace period from the final Conservation Easement recording for all other entities)
- K. If the project is inconsistent with the Municipal Plan of Conservation & Development. **PROJECT IS REJECTED.**

Appraisal Information

All OSWA applications require one appraisal in compliance with the Uniform Appraisal Standards for Federal Land Acquisitions ("UASFLA" a/k/a Yellow Book) and one appraisal review confirming that the prior appraisal is UASFLA compliant. DEEP and any other federal funding sources to be used for acquisition must be listed as intended users of the report and if the applicant is applying for federal funding, the appraisal must include both fee simple and easement values.

For more information regarding the Yellow Book, or to obtain a copy, go to: [Uniform Appraisal Standards for Federal Land Acquisitions \(appraisalfoundation.org\)](http://appraisalfoundation.org)

Appraiser Selection Notes

Refer to and utilize the “Selecting a Qualified Appraiser Checklist” below to pre-qualify appraisers BEFORE you need an appraisal so that you have a group of qualified appraisers you can contact when you do need one.

Contact state and federal users of appraisal services and appraisal review departments to get feedback on appraisers you may be considering. They may be able to tell you if an appraiser can meet the Yellow Book standards.

Do not wait to order your appraisal. Most qualified land appraisers will require anywhere from 3 to 8 weeks to complete a land appraisal assignment and the most qualified appraisers will be booked quickly for funding programs (CT DEEP Open Space Grant Program) that require many appraisals. Once the appraisal is received, it must be reviewed and approved by another appraiser, who will prepare the appraisal review. The review appraiser will likely also require 3 to 8 weeks to prepare the review appraisal, affirming that the original appraisal was prepared in accordance with the Yellow Book.

When seeking quotes, provide the appraiser and the reviewer with a detailed description of the subject property (including available maps), all the agencies/funding partners involved in the assignment, the specific property rights to be appraised and any other requirements of the assignment.

You need to be sure that the appraisal and the appraisal review comply with the Yellow Book and the requirements of all the funding agencies that will be intended users of the report. Certain agencies and programs may have conflicting appraisal requirements. Be aware that some appraisals cannot meet the requirements of multiple users (example: the IRS, USPAP, and Yellow Book use different market value definitions) and that more than one appraisal may be necessary depending on the circumstances.

For **IRS Appraisal Guidelines** go to [4.48.6 Real Property Valuation Guidelines | Internal Revenue Service \(irs.gov\)](https://www.irs.gov)

Selecting a Qualified Appraiser Checklist: Questions to Ask Your Appraiser

1. Are you a Certified General Appraiser in the State of CT?
2. Do you have any specific appraisal education pertaining to the Yellow Book and or conservation easement appraisals? (Specifically - Have you taken the Uniform Appraisal Standards for Federal Land Acquisitions Course or completed the Valuation of Conservation Easements Certificate Program from the Appraisal Institute, or any other similar valuation courses offered by other organizations?)
3. Do you have a copy of the Yellow Book? Are you knowledgeable about the *UASFLA* or Yellow Book Appraisal requirements? If not, what would you do to assure that the appraisal will comply with Yellow Book appraisal standards?
4. What are the major differences between appraisals done to Uniform Standards of Professional Appraisal Practice (USPAP) and *UASFLA* -Yellow Book standards? (Be aware that the Yellow Book-requires a larger parcel analysis, uses a different definition of market value and uses a 10-year sales history of subject vs. 3 for USPAP, as well as other differences).
5. Would you use sales to federal, state, municipal and or land trusts as comparable sales in Yellow Book appraisals? In USPAP appraisals? (This is a red flag since DEEP and Federal agencies, in almost all cases, will not accept these types of sales in any appraisal).
6. How many Yellow Book Appraisals have you done? How many in the last 24 months? Which agencies, municipalities, land trusts or non-profit conservation organizations have you done Yellow Book or USPAP

appraisals for? Have you done any appraisal work for the specific funding agency(s) involved in the assignment (CT DEEP, CT Department of Agriculture, USDA-NRCS, US Forest Service, US Fish and Wildlife Service, etc.)?

7. Are you aware of and knowledgeable regarding the appraisal requirements for the program that is the basis for this assignment (e.g., CT DEEP Open Space and Watershed Land Acquisition Grant Program, USDA-NRCS programs, etc.)? If a USDA Appraisal is required, ask “Are you aware of the specific requirements for the USDA-NRCS Agricultural Conservation Easement Program, which replaced the former Farm and Ranch Land Protection Program, Grassland Reserve, and Wetland Reserve Programs under the 2014 Farm Bill?” These programs may have different supplemental appraisal requirements that an appraiser needs to be aware of.
8. Have you done land appraisals in this town, county or market area before? If so, how recently? Can you give me examples of the types of property you have appraised in this area (town, size of parcel, fee simple; before and after/easements)?
9. Have you ever had any appraisals rejected by the agency that this appraisal will be done for (DEEP, USDA-NRCS, US Forest Service, US Fish and Wildlife, etc.)? If so, why was it rejected?
10. Could you provide 3 references from the client groups you have done appraisals for (i.e. land trust, municipality, State of Connecticut, corporation)? Try to get one reference for each client group and then follow-up to inquire about the client's experience with the appraiser, the quality of the appraisal, their ability to meet deadlines, and if any appraisals were rejected.

Task Completion Timeframe

Applicants should have funds available and the ability to close the project within 18 months and finish installing signage and public access within 24 months of the award date. The applicant may be required to turn back the funds if the project does not meet the timeline below. The applicant’s ability to comply with the recommended timeframe will be considered when evaluating eligibility for future OSWA grant applications. The following task completion timeframe is required:

(1) Purchase and Sale Agreement (if not provided in application)	within 3 months
(2) Mapping (A2 survey)	within 9 months
(3) Preliminary title work	within 12 months
(4) Grant Agreement execution & payment	within 15 months
(5) Property closing & conservation easement execution and recording	within 18 months
(6) Signage, public access trail & parking compliance	within 24 months

The Commissioner may approve extensions to the task completion timeframes, to facilitate additional state or federal funding approvals. All funding sources for the acquisition must be disclosed. There must be reasonable anticipation that funds will be available to meet the timelines above. It will be to the applicant’s advantage to have funding firmly in place.

Property Use

Projects funded under this program will be protected as open space in perpetuity. Grants will not be given if the property has any structural buildings. Structural buildings must be either excluded or razed before funding can be released. No intensive recreation is permitted on the protected property. Passive recreation is allowed and is defined in the State’s Conservation Easement and FAQs below.

Proposed Protected Property

DEEP understands that the application is being submitted for a proposed project and that specifics might change as the project progresses. The applicant is attesting to the location, current uses, current conditions, value and

size. Errors or omissions in any of these elements in the application may be grounds to stop evaluation of the application. If the project scope (public access, etc.) changes after the grant is awarded, updated property appraisals may be required or the project may no longer be eligible for funding.

Properties subject to existing conservation easements or open space dedications are considered to be “already committed to public use” and are not eligible for funding under this grant program. DEEP recommends applicants provide a copy of the draft purchase deed to OSWA grants staff after the application deadline, but prior to closing, so staff can identify and help applicants fix issues prior to closing.

Similarly, properties subject to liens, encumbrances or deed restrictions such as “a life use,” “quiet enjoyment,” “exclusive use,” “with permission of the grantor,” or restrictions designed to prevent, prohibit, hinder or control public access, are not eligible for funding under this grant program.

Projected Property Management

If the applicant is a previous grant recipient and the previously awarded projects are not managed in accordance with the terms and conditions of the Grant Agreement – including public access requirements, the current application will be ineligible for funding.

Agricultural Property Specifics

Agricultural uses that do not diminish the public’s use of a grant-funded property are permitted. The DEEP Commissioner reserves the right to reduce grant awards for properties that don’t provide full public access.

The DEEP Commissioner can approve limited public access to agricultural properties under this program, based on a determination that unlimited public access would be disruptive to the agricultural activities occurring on the property. Limited public access is only approved if the applicant is purchasing a conservation easement and only if the property has an existing agricultural use that will continue. Such approvals for limited public access require, at a minimum, a small, unpaved parking area for 2-3 cars, DEEP signage and a designated public access trail. DEEP may require that a public access trail map be attached as an Addenda to the Conservation Easement, for easement purchases having limited public access.

All grant-funded properties can permit agricultural uses that do not diminish the public’s use of the property. For example, working with a farmer to remove hay from fields is permitted, if the purpose is to maintain the fields for habitat or passive recreational purposes. Also, the selling of timber, when incidental to the management of the land and in accordance with an approved forest management plan, is permissible, provided that any proceeds of such timber sales be used for management of the land. Public access can be controlled on a temporary basis to protect public safety (e.g., closing a portion of a trail when trees are being removed next to the trail).

Scoring Section Resources

OSWA applications are objectively scored across various factors developed based on criteria outlined in Connecticut General Statutes [Sections C.G.S. 7-131c-k](#). Various experts within DEEP and other State Agencies are assigned to score each application based on the resource values that pertain to their area of expertise. DEEP reserves the right to consider additional factors that may not be listed on the score sheet in determining initial or final rankings. See Appendix A for complete scoresheet. DEEP will score applications using a point-based system that considers public access, environmental justice and equity, climate change mitigation and adaptation, resource conservation, and certain administrative factors and timeframes.

Mapping Resources

Map Viewers

These local, regional, statewide and nationwide map viewers contain resources to develop most, if not all, the maps required for the OSWA application. Most of them also have staff to help answer questions or navigate using the sites.

- A. [U.S. Geological Survey National Map](#)
- B. [University of Connecticut Environmental Conditions Online](#)
- C. Regional Councils of Governments (COGs) – To understand your region of interest check out the [COG map](#).
 - I. [Capitol Region Council of Governments](#)
 - II. [Connecticut Metropolitan Council of Governments](#)
 - III. [Lower Connecticut River Valley Council of Governments](#) – RiverCOG does not have a regional parcel viewer, but many of the individual municipalities do and the link goes to a set of links to municipalities
 - IV. [Naugatuck Valley Council of Governments](#)
 - V. [Northeastern Connecticut Council of Governments](#)
 - VI. [Northwest Hills Council of Governments](#)
 - VII. [South Central Regional Council of Governments](#)
 - VIII. [Southeastern Connecticut Council of Governments](#)
 - IX. [Western Connecticut Council of Governments](#)
- D. Many municipalities have their own map viewers within municipality websites

Property Boundary Map

While an A-2 survey is not required for the submittal of the grant application, it is encouraged. The Town Hall or existing property owner are potential sources. If no recent A-2 survey is available, a Class D survey, a Compilation Plan, or Assessor's map or an Ortho-photo map, containing a site outline, are acceptable for purposes of the application. The Assessor's map can be downloaded from the Town's web page. Please note that, if a recent A-2 survey is not submitted as part of the application, one will need to be ordered and completed prior to finalization of the grant agreement. If no A2 survey is available for the application, it should be ordered as soon as the applicant receives an OSWA grant award letter.

Recreational Use Map

Many of the above map viewers allow you to draw lines or mark up the map to show features. DEEP will accept approximate online drawn maps or hand drawn features on a printed map for this section of the application.

Environmental Justice Community Map (If Needed)

This map is needed if the property to be acquired is in an Environmental Justice Community outside of a Targeted Investment Community or Distressed Municipality. Go to [DEEP's Environmental Justice Communities Map](#). (Type in the address in top left search box to locate and right click on the map to take a screenshot)

Soils Map (If Needed)

This map is requested for properties that have an agricultural focus. The [simple map viewer](#) on the University of Connecticut Environmental Conditions Online contains resources to map farmland soils. The USDA Natural Resources Conservation Service (NRCS) also contains the [web soil survey](#). This map lets you choose an area of interest and then map all the soils within that area. Refer to the [instructions](#) on their website for how to navigate.

The Natural Resources Conservation Service also hosts an [online map viewer](#) that allows the public to type in an address and determine whether a property contains prime or statewide important farmland soils.

Title and Legal Resources

Deeds

To obtain a copy of the most recent deed for the property, visit the Town Clerk's Office for the Municipality in which the property is located. Some Municipalities also have land records information online at [Search IQS](#) or [Record Hub](#).

Title and other Legal Questions

Real estate transactions are complicated projects that require title research, understanding existing legal documents, the drafting of legal documents, etc. CT DEEP encourages all applicants to hire or work with experienced legal representation early on in the process. Be sure they understand the complexities of conservation transactions, have done this type of real estate work before and have familiarity with the requirements of the OSWA grant process.

Public Access and Local, State and Regional Plan Resources

Public Access

OSWA protected properties require some form of public access and that public access needs to be clearly described for new applications. Compliance with the public access requirement from past grants also has to be proven in order to get a new grant with CT DEEP. Pursuant to CGS section 7-131d(e), the public access requirement is exempt, for water companies requesting funds to purchase drinking water watershed land classified as Class I or II land. In order to prove past sites are providing public access, CT DEEP requires links to websites and photos for proof. One of the sites available to publicize public access in addition to Municipal and applicant websites is the [CT Trail Finder](#).

The applicant must clearly show how the public will access and enjoy the property. If public access will not be provided on the proposed property or is not clearly shown, the property will not be evaluated or awarded a grant. Once the property is acquired, the sponsor must install prominent signage indicating public access and acknowledging DEEP funding (including the DEEP logo). Access must be provided on the proposed acquisition, but if the property has no frontage on a public street, access can be through an abutting property, if owned by the applicant. Please note that if the property does not have frontage on a public road or access way, then an adjacent parcel having public access from a public road or access way must be owned by the applicant or permanently protected with a right of way or easement for access in favor of the applicant.

An application that will not provide public access, via the applicant's fee-owned public roadway, must be approved in writing by the Commissioner, prior to its submittal. An on-site, off-street parking area for public safety is preferred. The public access sign must be located on the grant applicant's property and should be clearly visible from the roadway and parking area. Water Companies are exempt from the public access requirement, but public access is still encouraged.

Upon acquisition, the applicant must post maps and information on the applicant's website that clearly show all public access and parking areas for the acquired parcel. If the applicant does not have a website, public access information and maps should be posted on the municipality's website.

Regional and State Plans

Compatibility with regional and State plans is a key component of the OSWA application. Links to relevant documents are below. CT DEEP requests that applicants only attach relevant sections of plans for review.

- A. Regional Councils of Government plans of conservation and development -To understand your region of interest check out the [COG map](#). Available regional plans are linked below.
 - I. [Capitol Region Council of Governments](#)
 - II. [Connecticut Metropolitan Council of Governments](#)
 - III. [Lower Connecticut River Valley Council of Governments](#)
 - IV. [Northwest Hills Council of Governments](#)
 - V. [South Central Regional Council of Governments](#)
 - VI. [Southeastern Connecticut Council of Governments](#)
 - VII. [Western Connecticut Council of Governments](#)
- B. [State's Conservation and Development Plan](#)
- C. [State's 2016-2020 Green Plan](#)
- D. [GC3 Working and Natural Lands Recommendations in the Near-Term Actions Report, January 2021](#)
(Starts on page 40)
- E. [State's Wildlife Action Plan](#)
- F. [Forest Action Plan](#)
- G. [State's Hazard Mitigation Plan](#)
- H. [Coastal and Estuarine Land Conservation Program Plan \(CELCP\)](#)
- I. [Connecticut Environmental Literacy Plan \(CT-ELP\)](#)
- J. [Statewide Comprehensive Outdoor Recreation Plan \(SCORP\)](#)

Frequently Asked Questions

A. What is passive recreation?

Passive recreation refers to recreational activities that do not require intensive development and prepared facilities like sports fields or buildings. Passive recreational activities place minimal stress on a site's resources and as a result provide ecosystem service benefits and are highly compatible with natural resource protection. DEEP's conservation easement defines passive recreation as "recreational trail usage (non-motorized), recreational activities which do not require a formalized delineated playing field or area, picnicking, fishing (catch and release in ____Brook/River), non-commercial hunting by individuals with valid hunting licenses and permits who have the permission of the Grantor, non-motorized boating and environmental education."

Passive recreation:

- Does not significantly impact natural, cultural, scenic, or agricultural values
- Requires only minimal visitor facilities and services directly related to safety
- Minimizes human impacts

Examples of natural resource-based, passive recreational activities:

- Hiking
- Wildlife Viewing
- Painting
- Photography
- Cross Country Skiing
- Snow Showing

- Fishing
- Canoeing
- Hunting
- Environmental Education
- Picnicking

Horse-back riding and/or mountain-biking may also be considered passive recreational activities depending on the property and its resources. It is the responsibility of the applicant to consider site resources and determine the appropriate uses for the site. CT DEEP will not comment on or make management decisions for applicants, unless the uses of the property contradict the terms of DEEP’s conservation easement.

B. What is multi-modal communication?

Multi- modal communication is using a variety of methods including written language, spoken language, sign language, visual images like drawings and pictures, audio and more to convey information to a variety of audiences.

C. What are Greenways?

Greenways are defined in Section 23-100 of the Connecticut General Statutes as corridors of open space that may:

1. Protect natural resources, preserve scenic landscapes and historical resources or offer opportunities for recreation or non-motorized transportation
2. Connect existing protected areas and provide access to the outdoors.
3. Be located along a defining natural feature such as a waterway, along a man-made corridor, including an unused right-of-way, traditional trail routes or historic barge canals or
4. Be a greenspace along a highway or around a village

Connecticut contains quite a few [Designated Greenways](#) across the State. Some of the best known Greenways are [the Blue-Blazed Hiking Trails](#), [the Appalachian](#) and [New England](#) National Scenic Trails and the various [Rail Trails](#) across the State.

D. What is the urban heat island effect?

According to the Environmental Protection Agency, urban areas experience higher temperatures than outlying areas. Structures such as buildings, roads and other infrastructure absorb and re-emit the sun’s heat more than natural landscapes such as forests and water bodies. Urban areas, where these structures are highly concentrated and greenery is limited, become “islands” of higher temperatures relative to outlying areas. Daytime temperatures in urban areas are about 1-7 ° F higher than temperatures in outlying areas and nighttime temperatures are about 2-5 °F higher.

E. How do I know if my proposed property is in a “Distressed Municipality,” a “Targeted Investment Community” or an Environmental Justice Community?

Distressed Municipalities are defined in Section 32-9p of the Connecticut General Statutes as any municipality in the state which, according to the United States Department of Housing and Urban Developments meets the necessary number of quantitative physical and economic distress thresholds... or any town within which is located and unconsolidated city of borough which meets such distress thresholds. The factors considered when ranking municipalities are high unemployment and poverty, aging housing stock and low or declining rates of growth in job creation, population and per capita income. The current list of distressed municipalities is on the [DECD website](#). (Note: Municipalities that no longer meet the threshold requirements but are still in a 5-year grace period still count as Distressed Municipalities for the purposes of the OSHA grant program)

Targeted Investment Communities, also known as Enterprise Zones, are defined in Section 32-70 of the Connecticut General Statutes and were established to encourage the redevelopment of under-used and/or vacant properties, to grow certain service and manufacturing industry sectors and to support projects that overall could add new jobs for the state. Currently the list includes Bridgeport, Bristol, East Hartford, Groton, Hamden, Hartford, Meriden, Middletown, New Britain, New Haven, New London, Norwalk, Norwich, Southington, Stamford, Thomaston, Waterbury, West Haven and Windham.

Environmental Justice Communities are defined in Section 22a-20a of the Connecticut General Statutes as a Distressed Municipality as defined above or a defined census block group where 30% of the population is living below 200% of the federal poverty level. To understand if the proposed property is within an Environmental Justice Community, use [DEEP's Environmental Justice Map](#) and type in the address of the property in the top left corner. If the location is in an orange-colored area, it is within an Environmental Justice Community.

F. What is mixed income housing?

Mixed income housing is a development with diverse types of housing that is affordable to individuals and families with different income levels. For purposes of this grant, DEEP considers mixed income housing to be those dwelling units that are 1) assisted housing as defined in Section 8-30g(a)(3) of the Connecticut General Statutes, 2) currently financed by Connecticut Housing Finance Authority mortgages, 3) mobile manufactured homes located in a resident-owned mobile manufactured home park, or 4) subject to binding recorded covenants as set forth in Sections 8-30g(k)(3) and (k)(4) of the Connecticut General Statutes.

G. How do I know if my proposed property is in an exempt municipality designated by the Commissioner of Housing that has at least 10% mixed income housing?

The Department of Housing publishes a list once a year that provides the percentage of affordable units in each municipality based on Census figures for total number of housing units in that particular municipality. The 2023 list can be found [here](#).

H. Where do I find resources for making an environment accessible to people with disabilities?

The United States Department of Agriculture [Accessibility Guidebook for Outdoor Recreation and Trails](#) includes the federal standards for creating comprehensive accessibility in outdoor environments. The Americans with Disabilities Act (ADA) does not include trail standards, but does include standards for outdoor recreation, including some associated with passive recreation. (Entities obligated under the ADA, for example, local governments and private non-profits, apply relevant federal standards to fulfill the ADA's mandate of equal opportunity when the ADA itself does not offer the applicable guidelines.) The Land Trust Alliance guide, ["Open to All,"](#) goes beyond the standards to provide information on the principles of inclusion and the creation of community-based open space projects.

I. How do I know if my proposed property has the capability to sequester and store carbon?

[Forest Carbon: An Essential Natural Solution for Climate Change](#) is a great resource from UMass Amherst and the University of Vermont that provides an overview of the carbon cycle in our forests.

J. How do I know if my proposed property contains core forest?

Core forest is unfragmented forest land that is at least 300 feet away from non-forested areas within a forest block of at least 250 acres. The [CT DEEP 2020 Forest Action Plan Story Map](#) contains a section on core forest that can help applicants determine if their project is within a core forest area.

K. What are riparian lands?

Riparian lands are areas that occur along the edges of rivers, streams, lakes and other waterbodies. Healthy riparian areas stabilize banks, supply streams with organic matter, maintain water quality, provide important habitat, supply shade and maintain cooler temperatures.

L. What are vernal pool habitats?

Vernal pools are small, shallow seasonal wetlands that contain no permanent inlet or outlet. They fill up each spring by rain and snow melt and typically dry up for a period of time during the summer. They are valuable breeding grounds for insects, amphibians and more.

M. What is a resilient river network?

A resilient river network is one that has the ability to maintain diversity even with changes in composition and structure in response to changes in climate. The Nature Conservancy did an assessment of freshwater resilience of U.S. river networks and created the [Resilient River Explorer](#) online tool to understand a river network's resilience in the face of climate change.

N. What are Prime or Statewide Important Farmland Soils?

Prime farmland soils are those soils that have the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oil seed crops and are currently not urban built-up land or water.

Statewide important farmland soils are those soils that fail to meet one or more of the requirements of prime farmland soils, but are important for the production of food, feed, fiber, or forage crops.

The Natural Resources Conservation Service hosts an [online map viewer](#) that allows the public to type in an address and determine whether a property contains prime or statewide important farmland soils.

O. How do I know if my proposed property meets the criteria for the Department of Agriculture's Farmland Preservation Program?

The traditional Farmland Preservation Program is intended for preserving larger (>30 acres) farms that have a significant quantity of cropland and prime and important soils as defined by the United States Department of Agriculture. [Section 22-26gg-24](#) of the Regulations of Connecticut State Agencies sets the scoring criteria for the program.

P. How do I know if the proposed property includes important areas for State or Federally threatened, endangered or special concern species?

The Natural Diversity Data Base (NDDDB) maps managed by CT DEEP's Wildlife Division show approximate locations of endangered, threatened and special concern species. Applicants can view [maps by town](#) or can view the most up to date data on the [CTECO map viewer](#). The data is in the bioscience section of the layers within the viewer.

Q. What are anadromous and catadromous fish?

Anadromous fish are fish species that spend most of their adult lives at sea, but must return to freshwater to spawn. Catadromous fish are fish species that live most of their adult lives in freshwater, but must return to saltwater to spawn.

Please contact Allyson Clarke at 860-424-3774 or Allyson.clarke@ct.gov with additional questions regarding the Open Space and Watershed Land Acquisition Grant Program.