EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
Rebecca Tepper, Secretary
Grant Announcement
Project # FY27LAND0016
Posting Date: October 22, 2026

Land Acquisition for Forest Reserves Grant
FY 2027

1. GRANT OPPORTUNITY:

A. OVERVIEW AND GOALS: The Executive Office of Energy and Environmental Affairs (EEA) protects, conserves, and restores the natural resources of the Commonwealth. To fulfill this mission, Rebecca Tepper, Secretary of EEA, is making available funding for the FY27 Land Acquisition for Forest Reserves Grant Program to support 501(c)(3) organizations, municipalities, and other qualified conservation organizations in the permanent protection of forest reserves.

The Land Acquisition for Forest Reserve Grant Program is part of the Healey-Driscoll Administration's Forests as Climate Solutions Initiative and conserving forest land as part of meeting the state's aggressive climate goals. This program advances protection for forested lands that will allow natural processes to determine forest structure and composition, and where timber harvest is prohibited. The designation and protection of forest reserves is intended to:

1. Provide an opportunity for unique older forest habitats to mature and develop over time with no intended intervention in ecological processes as part of a holistic, statewide, biodiversity conservation strategy.
2. Contribute to climate resilience through the maintenance of connected forest blocks and species movement corridors that provide a variety of important ecosystem processes, functions, and services.
3. Provide unique opportunities for passive outdoor recreation and other public enjoyment to serve a diverse public with wide-ranging recreational values.
4. Contribute to carbon sequestration and storage as part of the Commonwealth's overall climate mitigation strategy.
5. Provide opportunities for passive outdoor recreation and other public enjoyment in uniquely undisturbed settings to serve a diverse public with wide-ranging recreational values.
6. Maintain passively managed reference sites that provide unique opportunities for ecological research, comparative studies of forest dynamics within different age classes and types of forest and enable long-term monitoring.

B. ELIGIBLE APPLICANTS: This bid is open to qualified 501(c)(3) organizations formed for land conservation purposes, municipalities, and other conservation organizations (such as Land Banks).

Eligible municipalities must be authorized through Town Meeting vote or other appropriate vote to act through their conservation commission to acquire the property interest and must not have unresolved protected open space conversion issues with EEA (for details, review the EEA Article 97 Disposition Policy). The award of grant funds to a municipal partner is contingent upon the municipal grantee being able to certify that it will comply with the Massachusetts General Laws, including G.L. c. 40A, § 3A, the MBTA Communities Act.

Compliance with the MBTA Communities Act is determined by the Executive Office of Housing and Livable Communities. Eligible municipalities;

C. ELIGIBLE PROJECTS: Applications will be accepted for FY27 or FY28 projects. Eligible projects may include the purchase of forest land in fee, or the permanent protection of forest under terms of a CR as defined in G.L. c. 184, § 31. Alternatively, applications may request reimbursement for due diligence, closing and other eligible costs associated with the gift of fee simple or a perpetual CR for the permanent conservation of forest.

To meet the goals of this program, land purchased or gifted is required to be permanently protected under a CR that restricts active forest management and timber harvest to ensure natural processes persist for ecological benefit. All CRs must incorporate these restrictions, but may allow for stabilization measures conducted in response to a major disturbance to ensure the natural recovery of the ecosystem and prevent further degradation of the health and functionality of the ecosystem. CR's may also include terms to accommodate compatible passive recreation, such as hiking, cross-country skiing, or environmental education. Additional guidance will be provided to grantees upon award.

Land proposed to be purchased with grant funds must be currently unprotected. Land that is already protected for any purpose under Article 97 or under an EEA-approved CR, an APR or WPR is ineligible for funding. Article 97 status is conferred to a property purchased with funding from an EEA grant program (LAND, PARC, Conservation Partnership, or LWCF), or by a government entity for any Article 97 purpose. Municipally-owned land that is not Article 97, or with unclear or disputed Article 97 status may, at the discretion of EEA, be considered eligible.

Lands enrolled in Chapter 61, 61A or 61B are not classified as permanently protected land and are eligible to receive funding. However, applicants should be aware the requirements of Chapter 61 programs may not be compatible with the restrictions imposed on timber harvest and forest management by this grant program.

Land already be owned by a 501(c)(3) non-profit environmental or conservation organization is ineligible for a grant award unless it was purchased by the organization no earlier than one year prior to the bid posting date by the organization on behalf of the applicant with the sole intention of facilitating the applicant's purchase of the property with a Land Acquisition for Forest Reserves grant award. Any exercise of this exemption is at the risk of the non-profit organization. EEA does not guarantee funding as a result of this exemption.

D. APPLICATION DEADLINE: Thursday, February 18 2027.

E. INFORMATION SESSION: An information session will be hosted virtually via MS Teams on Monday, November 16, 2026 at 10:30 am. Applicants are encouraged to attend. RSVP to Vanessa Farny (vanessa.farny@mass.gov) no later than Thursday, November 12 to receive a link to the workshop. The workshop presentation and answers to any questions received will be posted on the DCS website at https://www.mass.gov/info-details/land-acquisition-for-forest-reserves-grant-program.

F. FUNDING AVAILABILITY: This grant reimburses up to 50% of eligible project costs incurred by the grantee for a maximum grant award of $425,000 (unless the maximum grant award is increased at the discretion of the Secretary). Grantees may not use other state grant funding sources for acquisition costs. Funding contributed by a state agency participating as a project partner and use of CPA or Land Bank funds is permitted. Eligible expenditures incurred by the grantee within the contract period must be documented by invoices and cancelled check or wire transfer statements from the applicant's account or an attested treasurer's statement.

All contracts shall be subject to available funding. If available funding ceases for any reason, contracted partners will be notified in writing and the contract shall be deemed under suspension and contract performance must

halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension, in writing, if additional funding is received.

G. TOTAL ANTICIPATED DURATION OF CONTRACT(S): Contracts issued pursuant to this bid must expend all approved project costs on or before June 30, 2028 according to contract terms. Amendments and extensions to contracts are at the sole discretion of EEA.

H. REGULATIONS, STATUTES, OR AUTHORIZATION GOVERNING THIS GRANT PROGRAM: This bid is issued according to Chapter 209 of the Acts of 2018. All properties for which grant assistance is provided will become permanently protected open space for purposes of forest reserves, dedicated to conservation and passive recreation purposes. Property interests acquired by entities subject to Article 97 of the Amendments to the Constitution of the Commonwealth with funding from this program will become permanently protected open space under Article 97, dedicated to conservation use in accordance with M.G.L. c. 40, §8C and must be open to the public for appropriate passive recreational use.

I. CONTACT INFORMATION:

Vanessa Farny
Executive Office of Energy and Environmental Affairs
100 Cambridge Street – Suite 900
Boston, MA 02114
(857) 330-1978
vanessa.farny@mass.gov

2. Application Submission

A. INSTRUCTIONS: An electronic copy of the application must be received by Thursday, February 18 2027 through the EEA Grant Management System (GMS) to be considered eligible. Applications will not be accepted after the deadline.

Applicants are required to establish a user profile in GMS in order to apply. **If you have not submitted a grant via the Grant Management System previously, please allow a few days to establish and verify your profile.**

To create an applicant profile:

Click on "Login to Applicant Portal"
Select "Login/Register"
Select "Create a Business Account"
Follow the instructions provided
For help, see EEA's Grant Management System User Guide or Instructional Videos.

Once verified, you will receive an email notification and access to the Grant Management System for your organization. This portal will serve as your locale to view all grant information. You may then view the FY27 Land Acquisition for Forest Reserves Grant Program funding opportunity and apply through the Grant Management System.

Applicants may save a draft application and return to modify and/or submit until the application deadline. After the deadline, applicants will not be able to edit submitted materials. Please note that the "Grant Primary Contact" must be a valid system user and will receive all relevant notifications and updates to the grant record.

A few tips:

- Filter and sort programs by Program Name or Agency to navigate to EEA's FY27 Land Acquisition for

Forest Reserves Grant Program.

- To start an application, click the "Apply" button for the grant program.
- The "Summary" tab will show the general grant program information. The "Policies and Procedures" tab will show the program procedures, custom application questions, and required documentation.
- Click on the "Start Grant Application" button on the top right to enter the grant application form.
- In the "Upload Documentation" section, download, complete, and re-upload the required Scope and Budget template. Upload any supporting documentation or materials within the Additional Documentation upload tool.
- Once complete, submit your grant application.

B. REQUIRED DOCUMENTS: A complete application package includes:

1. Application form
2. Appraisal report(s)
3. Letter signed by an authorized signatory for the applicant organization (e.g., President, CEO, Chair of the Board of Selectmen), authorizing the project manager to apply for the grant on behalf of the applicant
4. *For municipal applicants:* Certified Town Meeting Vote or other municipal vote authorizing the acquisition for conservation and passive recreation and expenditure of the total project cost (or draft language, if vote is pending)
5. Project narrative
6. Project budget
7. Property map(s) illustrating project parcels, protection status of connecting/adjacent parcels, habitat values and other relevant resources and features, including water ways, ponds or lakes, as well as roads.
8. All applicants must request comments from the Massachusetts Natural Heritage & Endangered Species Program (NHESP) on the presence or absence of rare species listed under the Massachusetts Endangered Species Act (MESA) on or near the proposed land acquisition. To request comments, please submit a Request for State-listed Species Information to the NHESP. See https://www.mass.gov/how-to/request-rare-species-information for information on submitting that request online or by mail. The request should include "Land Acquisition for Forest Reserves Grant" in the Project or Site Name. There is no charge for this request letter.

Digital files uploaded to the application site must be provided in Microsoft Office compatible format or unlocked Adobe Acrobat.

C. APPRAISAL REQUIREMENTS: Applications **must** include the appropriate type of appraisal for the property proposed to be purchased with grant funding. Appraisals must have an effective date no earlier than one year prior to the grant application deadline (February 18, 2026). The applicant or one of the applicant's project partners must be the client for the appraisal; **the owner of the property cannot be the client**. If the applicant is having another non-profit entity pre-acquire the property on its behalf, the appraisal must reflect the market value prior to purchase by the non-profit.

All appraisal reports must be prepared in accordance with the report format and other relevant standards as described in EEA Specifications for Analytical Narrative Appraisal Reports. The appraisal must incorporate the entirety of the project acreage, reflective of the acquisition. See the DCS website for detailed Appraisal Report Requirements at http://www.mass.gov/eea/docs/eea/dcs/fy15-gr/eea-grant-programs-appraisal-report-requirements.pdf.

Parcels with an estimated value of under $350,000:
One certified appraisal report, or restricted appraisal report.

Parcels with an estimated total value of over $350,000:
One certified appraisal report. ***For parcels with an estimated total value of over $1,000,000 applicants are strongly encouraged to obtain a second appraisal report or review appraisal***.

EEA reserves the right to request additional or review appraisals, as it deems necessary.

D. BUDGET REQUIREMENT: This is a reimbursement program; a detailed budget for all project component(s) is required with the application and EEA may approve or disapprove individual portions of a proposed budget. Grantees must provide evidence of all project expenditures for reimbursement.

Individual eligible costs may be reimbursed up to 100% of the cost, provided the sum of reimbursement requests do not exceed 50% of documented project costs.

Municipalities must secure authorization to raise, borrow, or otherwise appropriate their respective shares of the total project costs, as well as secure authorization to spend 100% of respective project costs in anticipation of a grant reimbursement payment.

Grant funding may be used for reimbursement of:

- Purchase of property interests
- Survey work
- Recording fees
- Title search and certification
- Baseline Documentation Report preparation work (up to $1,500 per BDR)

Ineligible project costs include, but are not limited to:

- Legal fees (except those incurred with title research, certification, or closing)
- Stewardship endowments
- Staff salaries
- Equipment or goods
- Any other items as determined by EEA

All eligible project costs are subject to EEA approval.

E. GRANT AWARD STEPS AND PROCEDURES FOR REIMBURSEMENT:

1. DCS confirms application eligibility, contacts applicant to arrange in-person site visits.
2. EEA evaluates eligible projects using grant program selection criteria.
3. Awards are announced and grant recipients receive formal award letters.
4. Contracts are issued to grantees for signing and subsequently executed by EEA.
5. Municipal grantees still pending funding authorization via vote pursue authorization to (a) allow the municipality to appropriate, transfer from available funds, expend from its Conservation Fund, or borrow a sufficient amount to meet its contribution obligations as required. A municipality may vote to borrow funds in anticipation of state or federal reimbursement prior to receiving a grant award (M.G.L. C. 44, §8C)] (b) designate the Conservation Commission to hold and manage the property for conservation and passive recreation (M.G.L. C. 40, §8c). Vote language must be reviewed and

approved by the grant program manager prior to the vote.

6. Grantees pursue due diligence to confirm clear title, and complete recent metes and bounds survey as needed.
7. Grant required CRs are submitted for DCS review per instructions on the DCS website, and no later than four months prior to anticipated closing.
8. Municipal partners advertise in the Central Register 30 days in advance of closing per state procurement laws, M.G.L. C. 30B (Uniform Procurement Act). Section 16(2)(e). Communities using CPA funds for the acquisition are exempt from this requirement.
9. Required documents are recorded for grant reimbursement.
10. Grantee submits the reimbursement request.
11. Reimbursement payments are made by electronic funds transfer (EFT).

3. Evaluation & Project Terms

A. **APPLICATION REVIEW:** Each application will be scored using the criteria below.

- **Landscape considerations (26 points)** Considerations include the forest's contribution to wetland or other water resource protection, connection to existing protected landscapes, proximity to existing State Forest Reserves or other lands managed explicitly for ecological integrity, and overall contribution to climate resilience.

- **Ecological contributions & condition (22 points)** Considerations include current forest condition, including the capacity for long-term health or forest regeneration, whether the forest potentially supports NHESP designated wildlife habitats, unique natural communities and/or overall biodiversity that is associated with intact forest canopy, forest structural complexity or other special attributes such as late seral characteristics.

- **Size (16 points)** Proposed reserves of a variety of sizes will be considered, but larger properties with robust core to edge ratios will be scored higher as they tend to demonstrate greater resilience, support a greater variety of habitats with greater species diversity, and provide more protection from outside disturbances to ensure ecological process and function may persist. Small forested properties that benefit special status species, or that contribute significantly to the overall protection and function of landscape corridors or core forest habitats will be considered.

- **Public passive recreational access (18 points)** Project parcels acquired in fee should accommodate dispersed, passive recreational activities such as hiking, hunting, and wildlife observation to the extent such access is feasible and compatible. Public access accommodations will be considered in the evaluation of the overall project quality. While reasonable restrictions on the time, place, and nature of public use are encouraged, public access, where provided, must be permanent and by right.

- **Project readiness and suitability (18 points)** The landowner willingness and/or commitment to the project, overall forest condition, future recreational uses and proposed stewardship will be evaluated.

B. CONTRACT TERMS & CONDITIONS: Awarded projects must abide by the Standard Commonwealth of Massachusetts Terms and Conditions. EEA does not guarantee that any contracts may result from this bid. It is anticipated that projects could commence when the relevant contract is executed, or capital allocation completed. Amendments and extensions to contracts are at the sole discretion of EEA.

C. REQUIRED DELIVERABLES: Acquisitions resulting from this bid must permanently conserve natural resources in a manner that prioritizes forest and existing ecological function via a conservation restriction pursuant to Sections 31-33 of Chapter 184 of the MA General Laws. Recorded CRs must include terms that restrict alteration or manipulation of the natural, ecological regime including uses for timber harvest, or forest management for other forest products.

In addition, the following requirements apply:

- Acquisitions by municipalities must be held by the Conservation Commission.

- CRs held by 501(c)3 non-profits or municipalities must be approved by the Secretary of EEA. Additional information is available on the DCS Conservation Restriction Review webpage.

- Property must be delineated by a recorded metes and bounds survey, and grantees must provide evidence of good, clear title to fee property to retain eligibility for reimbursement.

D. REPORTING: Awardees will be required to submit periodic progress reports.

E. INVOICING: This grant program is a **reimbursement** program. Grantees will need to submit documentation of payment for project costs for which reimbursement is sought. Only approved expenses incurred during the contract period are eligible for reimbursement. The following documentation of project completion will be required for reimbursement:

- Recorded documents (deed and/or CR and copies of any required municipal votes)
- Title certification
- Recorded metes and bounds survey of acquired property.
- Cancelled checks from the grantee (both sides), wire transfer statements, bank statements, or attested statement of Treasurer indicating the amount of payment, date paid, associated check or transaction numbers, and authority of payment.

4. Procurement Calendar

A. RELEASE OF BID: October 22, 2026

B. QUESTION PERIOD: Questions about this bid will be answered through the Deadline.

C. INFORMATION SESSION: Monday November 16, 2026 at 10:30 am. Applicants are encouraged to attend. RSVP to Vanessa Farny (vanessa.farny@mass.gov) no later than Thursday, November 12 to receive a link to the workshop.

D. APPLICATION DEADLINE: Thursday, February 18, 2027

E. ESTIMATED AWARD DATE: Awards are estimated to be announced within 90 days of the grant application deadline, with contract negotiations to begin immediately thereafter.

F. ESTIMATED CONTRACT START DATE: If awarded funds under this bid, the awardee shall have 90 days from the public announcement of the award to execute a contract with EEA. Notwithstanding any verbal representations by the parties, or an earlier start date listed in the Standard Contract Form, and only after an award is issued and a final scope of services has been negotiated, the effective start date of a contract shall be

the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.

5. Miscellaneous

A. TYPE OF PROCUREMENT: Grant

B. USE OF THIS PROCUREMENT BY SINGLE OR MULTIPLE DEPARTMENTS: This bid is a single department procurement. All contracts awarded under this bid will be utilized solely by EEA and its agencies, including the Departments of Conservation and Recreation and Fish and Game.

C. REQUEST FOR SINGLE OR MULTIPLE CONTRACTORS: This bid is seeking multiple contracts.

D. BID DISTRIBUTION METHOD: This bid has been distributed electronically using the CommBuys system. It is the responsibility of every applicant to check CommBuys for any addenda or modifications to the bid to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to applicants who fail to check for amended bid and submit inadequate or incorrect responses. Potential applicants are advised to check the "last change" field on the summary page of bids for which they intend to submit a response to ensure they have the most recent bid files. The application and answers to questions will be posted on the DCS website at https://www.mass.gov/info-details/land-acquisition-for-forest-reserves-grant-program# .

Those submitting a proposal must respond in accordance to the bid directions and complete only those sections that prompt an applicant for a response. Modifications to the body of this bid, specifications, terms and conditions, or which change the intent of this bid are prohibited. Any unauthorized alterations will disqualify the response.

D. DOCUMENTATION REQUIRED IF SELECTED TO RECEIVE FUNDING: If selected, the applicant will be required to submit the following forms to complete a contract:

- Commonwealth Standard Contract Form
- Commonwealth Scope and Budget Form
- Completed Contractor Authorized Signatory Listing

These forms are available for review prior to submission of an application under the Forms and Terms tab of this CommBuys posting, as well as: https://www.mass.gov/lists/osd-forms.

E. LIST OF ATTACHMENTS TO THIS BID:

A. Application Questions
B. Project Scoring Criteria
C. Requirements for Acquisition Projects Funded Through the Community Preservation Act
D. Sample Municipal Vote

ATTACHMENT A: APPLICATION QUESTIONS

Application must be completed online at:
https://greenhub.appianportals.com/applicants-portal/page/grantee-portal

1. PROJECT INFORMATION

Project name:_____

Property acres: _____

Interest to be acquired __Fee
__Conservation Restriction (CR)

County: _____

Assessor's parcel map/lot number (s): _____

Owner(s) listed on current deed:_____

Does property have street frontage?__ Yes__ No

If yes, provide the address(es): _____

Will the property be publicly accessible for compatible passive recreation? __Yes __No

Describe: _____

Past Use(s) of Property: _____

Are there buildings or structures on the property? __ Yes__No
If yes, list each and indicate current and planned use. This grant program is intended to preserve undeveloped land, not to purchase buildings. Buildings are ineligible for funding and should be excluded from any appraisal, deed and/or CR.

Will this project involve the removal of structures?__Yes__ No

Are there project partners involved? Please describe:
_____
_____
_____

2. ACQUISITION AND FUNDING DETAILS

Have terms for the proposed acquisition been discussed and/or negotiated with the landowner?

__ P&S executed with terms and date for closing.
Negotiated sale: $_____

__P&S in negotiation

__Other agreements in place with landowner
Describe: _____

__Under discussion. No P&S or other agreements in place.

Are you requesting FY27 Funding? __Yes ___No (requesting FY28 funding)

Date you anticipate this project to close: _____

3. PROJECT BUDGET

Eligible costs are subject to EEA approval. Proof of payment of total costs by Grantee, is required for reimbursement. See bid for additional details.

Please identify, in addition to the grant request, other proposed funding source(s) (e.g. federal grants, CPA, other):

Item	Total Cost ($)	Grant request ($)	Other funding source(s)
Property acquisition**			
Recording fees			
Title certification			
Survey			
Other eligible cost(s):			
TOTAL PROJECT COST:			
** If a bargain sale is proposed, the total cost may reflect the appraised value. The amount of the bargain sale should be listed under 'other funding source(s)'.			

4. PROJECT NARRATIVE

Please include a 1-2 page narrative that describes the following as applicable:

- The property characteristics including forest composition, age, former uses, recreational, historical, educational values, contribution to water quality protection, or connection to existing protected lands.
- How the proposed project enhances other protected open space, particularly contiguous forest habitat.
- Development threat to the property.

- If the property supports sensitive wildlife habitats, unique natural communities and/or makes any other contributions towards state-wide biodiversity goals.
- Any management or stewardship concerns or considerations (existing populations of invasives, existing trails or property uses)
-Existing stewardship capacity as demonstrated through management of projects currently owned or managed by applicant.
- An outline of the project schedule; please address any existing agreements with landowners.

5. PROJECT QUALITY

Biodiversity and resource protection: Please include maps with data layers that clearly support the information provided below. See MassMapper for relevant data and more information (https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html).

What percentage of the project is within MA Natural Heritage and Endangered Species Program (NHESP) BioMap Forest Core Habitat? _____ %

What percentage of the property is NHESP designated Rare Species Core? _____ %

What percentage of the project is within MA Natural Heritage and Endangered Species Program (NHESP) Critical Natural Landscape? _____ %

The Nature Conservancy's Resilient Land Mapping Tool (https://www.maps.tnc.org/resilientland/#/explore) assigns an average climate resiliency score to identify the importance of the site for climate change adaptation, what is the resiliency score for the project?_____ SD

Water resources: Please include maps with data layers that clearly support the information provided below.

How many acres are located within 400 feet of a lake, pond, river, stream, or wetland? _____ acres

Please identify the waterbody/ies: _____

Connectivity: Please include maps with data layers that clearly support the information provided below.

How many acres of permanently protected open space does the property abut? _____ acres
How much of abutting protected land is forested? ___acres

Is the property adjacent to a State Forest or Wildlife Management Area (WMA)? If so, please identify the State Forest or WMA: _____

Is the property adjacent to other permanently protected land with forest management restrictions that reflect the intent to allow natural processes to determine forest composition (e.g. Wildland CR, or Wildlife Preserves)? If so, please provide evidence of management restrictions or goals such as the recorded CR terms, property deed or other.

Attachment B: Land Acquisition for Forest Reserves Grant Project Scoring Criteria

Landscape Considerations (26 Points)

1.) **Percent of project acreage within 400 feet of a lake, pond, river, stream or wetland:**

1-25.9%	26-49.9%	50-74.9%	75-100%
1	2	3	4

2.) **Average TNC Climate Resiliency score:**

Below Average (<-2.0 to -0.41 SD)	Average (-0.4 to 0.5 SD)	Above Average (>2 to 0.6 SD)
0	3	6

3.) **Total adjacent, protected open space acreage:**

1-100 acres	100 – 299 acres	300-499 acres	500+ acres
2	4	6	8

4.) **The property is adjacent to a state designated Forest Reserve or other designated, forested property permanently protected as such (private forest preserves):** No - 0 Yes – 8

Size (16 Points)

1.) **Total acreage protected:**

<15.0	15.0-29.9	30.0-59.9	60.0-119.9	120.0-199	200+
1	2	5	8	12	16

Ecological Contributions & Conditions (22 Points)

1.) **Percent of total project acres within NHESP BioMap Core Habitat or Critical Natural Landscape:**

1-19.9%	20.0-39.9%	40.0-59.9%	60.0-79.9%	80.0-100%
1	4	7	10	14

2.) **Forest conditions reflect suitable structural complexity and limited existing barriers (i.e. invasive/exotic species, heavy deer browse) to long-term ecological health and forest regeneration and /or contain unique natural communities and may support specialized organisms associated with mature forest conditions. (checked on site visit):**

Excellent	Good	Fair	Poor
6-8	3-5	1-2	0

Recreational Opportunities (18 Points)

1.) **Recreational opportunities provided (checked on site visit):**

Activity	Good *4 points*	Limited *2 points*	Not provided *0 points*
Trail-based (hiking, etc.)			
Wilderness (camping, hunting, etc.)			
Water-based (canoeing, etc.)			
Education (organized nature walks, classes)			

2.) **Project facilitates recreational opportunities within an environmentally vulnerable or burdened community:** Yes = 2 No = 0

Project Readiness (5 Points)

Projects will be rated on readiness based on information in the applications and the site visits.

Stewardship Capacity (5 Points)

Applicant demonstrates appropriate stewardship capacity as demonstrated through management of projects currently owned or managed by applicant, designated stewardship funding, staff, successful volunteer programs or other resources.

Overall Project Suitability (8 Points)

Points will be awarded based on overall project suitability.

Attachment C: Requirements for Acquisition Projects Funded Through the Community Preservation Act

The Community Preservation Act (CPA) requires that, for municipal fee acquisitions, the municipality convey a Ch. 184 Sec. 32 Conservation Restriction to a qualified 501(c)(3) organization whose purpose is land and/or water conservation (e.g., land trust). **Conveyance of a CR to a qualified entity is required for reimbursement under this grant program if property is acquired in part with CPA funding.**

Pointers for authorizing, drafting & conveying a Conservation Restriction (CR):

1. At the same time that it votes to acquire the property, the municipality should vote to authorize the grant of the CR and also indicate that the purchase of the property and conveyance of the CR be a simultaneous closing.
2. The deed to the municipality should indicate that the municipality might grant a CR to the specific entity identified to hold it or to an entity authorized to hold a CR under M.G.L. Ch. 184, Sec. 32.
3. As long as the CR is recorded **after** the deed of acquisition (even if immediately after), the unrestricted value (and therefore higher value) of the property is used for DCS grant funding determinations.
4. The fact that the funding statute *requires* the restriction may mean that a party seeking a charitable contribution deduction in connection with a bargain sale of property may not be able to use the unrestricted value of the property in calculating the tax benefit.
5. The "proceeds" clause of the CR, if conveyed at no cost to the grantee, must provide that the municipality (as the fee owner) receives all of the proceeds of an extinguishment or taking, and the grantee receives none of such proceeds. In the event that the land ever is converted to non-conservation use, the municipality would still be responsible for replacing the converted property with land of equal or greater monetary value and conservation use as described in the Program Regulations, as though the land were owned in fee simple. Applicants should consult with DCS for guidance on drafting conservation restrictions for the appropriate language.

Community Preservation Act
Section 12 of the Chapter 44B Real property interest; deed restriction; management

(a) A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the
Community Preservation Fund to pay a non-profit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.

(b) Real property interests acquired under this chapter shall be owned and managed by the city or town, but the legislative body may delegate management of such property to the conservation commission, the historical commission, the board of park commissioners or the housing authority, or, in the case of interests to acquire sites for future wellhead development by a water district, a water supply district or a fire district. The legislative body may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203.

Sample Vote Language for Community Preservation Act Projects

To see if the Town [or City] will vote to raise, borrow and/or appropriate $Total Project Cost for the acquisition by gift, negotiated purchase or eminent domain of a parcel of land of approximately __ +/-acres owned by OWNER as described on Assessors Map__, Parcel __, to be managed and controlled by the Conservation Commission of the Town [or City] of XXX in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes, and to meet said appropriate with funds transferred and/or borrowed in accordance with M.G.L. Chapter 293, the Community Preservation Act and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes that may be necessary for that purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority, and that the Town Manager [or Board of Selectmen or City Council or Mayor] be authorized to file on behalf of the Town [or City] of XXX any and all applications deemed necessary for funds in any way connected with the scope of this acquisition, and the Town Manager and the Board of Selectmen [or Mayor and the City Council] and the Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town [or City] of XXX to affect said purchase. Said conservation restriction may be granted to the [Name of Grantee] or any other organization qualified and willing to hold such a restriction.

Attachment D: Sample Municipal Votes

Each community should draft its warrant article or city council resolution with the guidance of municipal counsel. The form will vary with the type of project, source of funding, etc. All should include the following elements:

I. Authorization to expend an amount equal to the full cost of the project (or project component subject to vote). All DCS grant programs are *reimbursement* programs; therefore, the total project cost must be raised or appropriated through current tax levy or borrowed; project bills paid by the municipality and then a reimbursement request is made to DCS consistent with the terms of the contract.

II. Indication of the source of funding (Conservation Fund, Community Preservation Act Fund, general fund, borrowing, etc.). M.G.L. Chapter 44, sections 7, 8C, and 12(a) on Municipal Indebtedness, allows cities and towns to borrow in anticipation of reimbursement. It is strongly recommended that the warrant article or city council order is prepared with the advice of city/town counsel, treasurer and accountant to ensure that the appropriate section is noted in the warrant article. These sections permit the municipality to borrow in anticipation of a grant and require that a grant agreement be executed before the treasurer actually obtains the borrowed amount. This assures DCS that the municipality has budgeted for 100% of the total project cost, and assures the municipality that the project need not be completed if the proposal does not receive grant assistance. For further advice, please contact the Department of Revenue, Division of Local Services at (617) 626-2300.

III. Acquisition projects: indicate that land is being acquired for forest conservation (Chapter 40, Section 8c) and will be in the care and control of the Conservation Commission per the program regulations.

IV. Authorization for the conservation to seek reimbursement under this grant program, and enter any necessary contracts thereto.

V. If a taking is involved in an acquisition project, the conservation commission must, in writing, request the selectmen or city council to take the property via eminent domain.

VI. Communities may also consider allowing the subsequent conveyance of a Conservation Restriction (if CPA requires).

The following is a sample vote authorizing the acquisition of conservation land intended only as a point of reference. **Municipal Counsel should always be consulted when drafting Town Meeting warrant articles or City Council resolutions.** The draft article or order should be submitted to DCS for review prior to the Town Meeting or City Council to ensure compliance with the grant program.

Sample Town Meeting Warrant Article

To see if the TOWN will vote to appropriate, and authorize the Treasurer with the approval of the Selectmen [describe method of appropriation and/or borrowing according to M.G.L. Chapter 44, note particularly Section 8C], to borrow the sum of $TOTAL PROJECT COST, for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise, a certain property together with buildings thereon, known as the PROPERTY NAME consisting of XXX acres, more or less, as shown on a plan entitled "Plan of Land in MUNICIPALITY made by SURVEYING FIRM dated XX/XX/XX"; that said land be conveyed to said CITY/TOWN under the provisions of Massachusetts General Laws, Chapter 40, Section 8c, and as it may

hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of MUNICIPALITY, and the Conservation Commission be authorized to file on behalf of MUNICIPALITY any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under Chapter 132A, Section 11 and/or any others in any way connected with the scope of this Article, and the TOWN and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of MUNICIPALITY to affect said purchase.

Sample City Council Vote

A RESOLUTION TO APPLY FOR, ACCEPT, AND EXPEND A GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS, DIVISION OF CONSERVATION SERVICES

WHEREAS: The Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EEA) Division of Conservation Services (DCS) is making funding available through the Land Acquisition for Forest Reserves Grant Program;

WHEREAS: The Land Acquisition for Forest Reserves Grant Program was established to assist municipal conservation commissions in acquiring forested land for natural resource protection and passive outdoor recreation purposes;

WHEREAS: The permanent preservation of open space is a priority of the CITY; and

WHEREAS: The CITY will vote to appropriate, and/or borrowing according to M.G.L. Chapter 44, notes particularly Section 8C], to borrow the sum of $TOTAL PROJECT COST, for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise.

WHEREAS: The NAME OF THE CITY has identified an assembly of parcels of TOTAL LAND ACREAGE known as PROJECT NAME that would be preserve for PURPOSE OF THE PROJECT.

WHEREAS: The CITY intends to submit an application to EEA to fund up to REIMBURSEMENT RATE of the purchase price of the PURCHASE IN FEE/CONSERVATION RESTRICTION for the property known as PROJECT NAME.

NOW THEREFORE, BE IT RESOLVED:

1. That the City Manager be and is hereby authorized and requested to file an application with EEA for a Land Acquisition for Forest Reserves grant;
2. That the city manager be and is hereby authorized to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of EEA DCS Land Acquisition for Forest Reserves Grant Program;
3. That the city manager be and is hereby authorized to take such other actions as are necessary to carry out the terms purposes, and conditions of EEA DCS Land Acquisition for Forest Reserves Grant Program.