

**OHIO PUBLIC WORKS COMMISSION – DISTRICT 10  
NATURAL RESOURCE ASSISTANCE COUNCIL  
SCORING METHODOLOGY**

**Note: Scoring is for NRAC Committee. It is attached as a guide to the applicant.  
Do not submit Scoring Methodology as part of Attachment B**

Applicant Name: \_\_\_\_\_  
Applicant Contact: \_\_\_\_\_  
Project Name: \_\_\_\_\_

**PART 1: PRELIMINARY SCREENING**

YES NO

\_\_\_ \_\_\_ Applicant is an eligible entity  
\_\_\_ \_\_\_ Complete application received by deadline

Project purpose must involve at least one of the following from A. or B. below

**A. OPEN SPACE (per Ohio Revised Code 164.22A)**

\_\_\_ Acquires land for parks  
\_\_\_ Acquires land for public forests  
\_\_\_ Acquires land for wetland preservation or restoration  
\_\_\_ Acquires land for natural areas protecting endangered species  
\_\_\_ Acquires land for other natural areas  
\_\_\_ Acquires land for connecting corridors for natural areas  
\_\_\_ Openspace acquisition  
\_\_\_ Permanent conservation easement (requires current easement appraisal and actual easement language to be submitted with the application)  
\_\_\_ Constructs or enhances facilities necessary to make the acquired open space accessible and usable by the general public

**B. RIPARIAN CORRIDORS OR WATERSHEDS (per Ohio Revised Code 164.22B)**

\_\_\_ Protects or enhances riparian corridors or watersheds including the protection and enhancement of streams, rivers, and other waters of the state

**C. WOULD THE PROJECT:**

YES NO

\_\_\_ \_\_\_ Initiate or perpetuate hydromodification projects such as dams, ditch development, or channelization?

- \_\_\_ \_\_\_ Fund current legal obligations (such as fines, penalties, litigation expenses, mitigation, or reclamation) under state or federal laws or local ordinances?
- \_\_\_ \_\_\_ Fund facilities other than those required to provide public access to or use of openspace?
- \_\_\_ \_\_\_ Fund facilities for active recreation, such as tennis courts, ball fields, or recreation centers?

**IF “YES” TO ANY OF THE ABOVE IN SECTION C, THE PROJECT IS INELGIBLE (PER OHIO REVISED CODE SECTION 164.22)**

**IF PROJECT MEETS THE PRELIMINARY SCORING REQUIREMENTS, CONTINUE ON TO SCORING**

**PART II: PROJECT EMPHASIS**  
(per Ohio Revised Code Section 164.22)

Does the project emphasize one or more of the following, based on information provided by the applicant?

An \* indicates a project type that is of special interest to the District 10 NRAC. Up to ten (10) points are given for project types with two (\*\*), up to six (6) points are given for project types with one (\*), and up to two (2) points are given for the other project types (94 points maximum).

- 1)\_\_\_ (\*\*)The protection of habitat for rare, threatened, and endangered species or the preservation of high quality, viable habitat for plant and animal species;
- 2)\_\_\_ (\*\*)The preservation of existing high quality wetlands or other scarce natural resources within the geographical jurisdiction of the council;
- 3)\_\_\_ (\*\*)The inclusion of wildlife linkages to, or adjacent to, existing open-space preserves;
- 4)\_\_\_ (\*\*)The preservation or restoration of water quality, natural stream channels, functioning floodplains, wetlands, streamside forests, and other natural features that contribute to the quality of life in this state and to the state’s natural heritage;
- 5)\_\_\_ (\*\*)The provision of multiple recreational, economic, and aesthetic preservation benefits;
- 6)\_\_\_ (\*\*)The preservation or restoration of floodplain and streamside forest functions;
- 7)\_\_\_ (\*\*)The preservation of headwater streams;
- 8)\_\_\_ (\*)Inclusion as part of a stream corridor-wide or watershed-wide plan;
- 9)\_\_\_ (\*)The support of comprehensive open space planning and incorporation of aesthetically pleasing and ecologically informed design;
- 10)\_\_\_ The enhancement of economic development that relies on recreation and ecotourism in areas with relatively high unemployment and/or lower incomes;

- 11)\_\_\_\_\_ The enhancement of educational opportunities and provision of physical links to schools and after-school centers;
- 12)\_\_\_\_\_ The reduction or elimination of nonnative, invasive species of plants or animals;
- 13)\_\_\_\_\_ The proper management of areas where safe fishing, hunting, and trapping may take place in a manner that will preserve a balanced natural ecosystem;
- 14)\_\_\_\_\_ The increase of habitat protection;
- 15)\_\_\_\_\_ The restoration and preservation of aquatic biological communities.

PART II SCORE: \_\_\_\_\_

**PART III: COMPLIANCE WITH STATE CRITERIA**  
(per Ohio Revised Code Section 164.24)

- 1) Percentage of Clean Ohio funds necessary to complete the project  
(Local match can include bargain sales, where seller provides a price reduction below fair market value as a matching contribution)

The amount and percentage of the funds requested under the proposal:

Amount \_\_\_\_\_  
Percent \_\_\_\_\_

_____	75% (required)	0 Points
_____	74-70%	2 Points
_____	69-65%	4 Points
_____	64-60%	6 Points
_____	<60%	8 Points

- 2) Level of collaborative participation: Participation means active involvement through in-kind services or funding (give one (1) point if any of the following are met up to a maximum of three (3) points):

\_\_\_\_\_ Local political subdivision  
 \_\_\_\_\_ State agencies  
 \_\_\_\_\_ Federal agencies  
 \_\_\_\_\_ Community organizations  
 \_\_\_\_\_ Conservation organizations  
 \_\_\_\_\_ Local business groups

- 3) Level of conservation coordination with other Openspace, Riparian Corridor, Farmland Protection or Urban Revitalization Projects under the Clean Ohio Fund in this or other Public Works Commission Districts:

\_\_\_\_\_ Is a joint project in more than one district (2 points)  
 \_\_\_\_\_ Is a joint project in this district (1 point)  
 \_\_\_\_\_ Carries out an adopted community, watershed, or other plan overlapping another district (1 point)

- 4) Community Benefits: Relative economic, social/recreational and environmental benefits the proposed project will bring to the geographical area represented by the NRAC as compared to other projects:  
 \_\_\_\_\_ Economic (1 point)  
 \_\_\_\_\_ Social/recreational (1 point)  
 \_\_\_\_\_ Environmental (1 point)
- 5) Extent of public access once project is completed:  
 \_\_\_\_\_ Open days and weekends (8 points)  
 \_\_\_\_\_ Open limited, but regular hours (4 points)  
 \_\_\_\_\_ Open by appointment or with written permission (1 point)
- 6) Operation and Maintenance once project is completed:  
 \_\_\_\_\_ Operation plan and infrastructure, if appropriate, in place (6 points)  
 \_\_\_\_\_ Operation plan, no infrastructure (3 points)  
 \_\_\_\_\_ Limited operation plan, volunteers available, no infrastructure (1point)
- 7) Project Management Experience/Ability to Complete Project  
 \_\_\_\_\_ Applicant/partners demonstrate high ability/experience to complete project (6 points)  
 \_\_\_\_\_ Applicant/partners demonstrate moderate ability/experience to complete project (3 points)  
 \_\_\_\_\_ Applicant/partners demonstrate limited ability/experience to complete project (1 point)

PART III SCORE: \_\_\_\_\_

**PART IV: COMPLIANCE WITH DISTRICT 10 PRIORITIES**

- 1) Community planning: Project complies with publicly adopted regional, neighborhood or community advisory plan, watershed plan, or greenspace plan (may include adoption by governing bodies, planning commissions, park districts or similar boards or commissions appointed by the governing body of a political jurisdiction):

YES NO  
 \_\_\_\_\_ (if yes, 4 points)

- 2) Project benefits multiple political jurisdictions:

YES NO  
 \_\_\_\_\_ (if yes, 4 points)

- 3) Natural Resource Viability: How important is the project to the viability of the natural resources affected by the project (give 1 point for each that applies, 4 points maximum):
- \_\_\_\_\_ Protects a federally listed endangered species or biological community
  - \_\_\_\_\_ Protects more than 5 state natural heritage inventory (NHI) endangered species
  - \_\_\_\_\_ Protects 1-5 state NHI ranked rare species
  - \_\_\_\_\_ Protects a high quality example of a regionally endangered biological community
  - \_\_\_\_\_ Protects threatened biological community or important example of Ohio's natural heritage
- 4) Project preserves or naturally restores steep hillsides with slopes of 20% or greater:
- YES NO  
 \_\_\_ \_\_\_ (if yes, 4 points)
- 5) Project provides or enhances greenspace or openspace opportunities in lower income or in highly urbanized areas:
- YES NO  
 \_\_\_ \_\_\_ (if yes, 4 points)
- 6) Project preserves or enhances undeveloped lands along viewsheds of major highway and transportation corridors:
- YES NO  
 \_\_\_ \_\_\_ (if yes, 4 points)
- 7) Project addresses a situation where action must be taken now or opportunity will be lost forever documenting evidence as to how opportunity will be lost must be submitted):
- YES NO  
 \_\_\_ \_\_\_ (if yes, 4 points)
- 8) The readiness of the applicant to proceed with the project (based on information provided by the applicant)(0-7 points):
- \_\_\_\_\_

PART IV SCORE: \_\_\_\_\_

**PART V: OTHER FACTORS**

- 1) Other factors relative to project (e.g. larger tracts of land involved, uniqueness of the opportunity, action now or lost forever, degree of community support, conformity with district priorities) (discretionary points – up to 20% of maximum points):

\_\_\_\_\_

TOTAL OVERALL SCORE (PART II THROUGH PART V): \_\_\_\_\_

## ATTACHMENT B

All applications for green space conservation funds in District 10 **MUST** contain both the application forms provided by the Ohio Public Works Commission and the enclosed attachment B. To be considered, all applications must be typed and received by the deadline set forth below. Responses in this attachment B should be brief and concise and must not exceed 6 pages (if a question is not applicable, there is no need to state that and use space in the 6-page limit). Minimum font size is 12.

Applicants are encouraged to attend the public meeting where the selection of projects will be made. Although applicants will not be allowed to make presentations about their projects, they should be prepared to briefly address any questions about their project proposal from members of the NRAC.

Applicants must submit an original plus 11 copies to:

Warren County Soil and Water Conservation District  
320 East Silver St.  
Lebanon, OH 45036

**ALL INFORMATION MUST BE RECEIVED BEFORE:  
4:30 p.m. EDT on MARCH 28, 2011**

Project Name:

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Applicant Organization:

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Please indicate which of the following 16 project purposes your project addresses. For every item you check, provide a brief paragraph highlighting how your project outcome will accomplish each item:

- 1)\_\_\_\_\_ (\*\*)The protection of habitat for rare, threatened, and endangered species or the preservation of high quality, viable habitat for plant and animal species.
  
- 2)\_\_\_\_\_ (\*\*)The preservation of existing high quality wetlands or other scarce natural resources within the geographical jurisdiction of the council.
  
- 3)\_\_\_\_\_ (\*\*)The inclusion of wildlife linkages to, or adjacent to, existing open-space preserves.
  
- 4)\_\_\_\_\_ (\*\*)The preservation or restoration of water quality, natural stream channels, functioning floodplains, wetlands, streamside forests, and other natural features that contribute to the quality of life in this state and to the state's natural heritage.
  
- 5)\_\_\_\_\_ (\*\*)The provision of multiple recreational, economic, and aesthetic preservation benefits.
  
- 6)\_\_\_\_\_ (\*\*)The preservation or restoration of floodplain and streamside forest functions.

- 7)\_\_\_\_\_ (\*\*)The preservation of headwater streams.
  
- 8)\_\_\_\_\_ (\*)Inclusion as part of a stream corridor-wide or watershed-wide plan.
  
- 9)\_\_\_\_\_ (\*)The support of comprehensive open space planning and incorporation of aesthetically pleasing and ecologically informed design,
  
- 10)\_\_\_\_\_ The enhancement of economic development that relies on recreation and ecotourism in areas with relatively high unemployment and/or lower incomes.
  
- 11)\_\_\_\_\_ The enhancement of educational opportunities and provision of physical links to schools and after-school centers.
  
- 12)\_\_\_\_\_ The reduction or elimination of nonnative, invasive species of plants or animals.
  
- 13)\_\_\_\_\_ The proper management of areas where safe fishing, hunting, and trapping may take place in a manner that will preserve a balanced natural ecosystem.
  
- 14)\_\_\_\_\_ The increase of habitat protection.

15)\_\_\_\_\_ The restoration and preservation of aquatic biological communities.

Please indicate which of the following items your project addresses. Provide a brief paragraph highlighting how your project accomplishes each item:

a) Describe the level of collaborative participation: Participation means active involvement through in-kind services or funding:

- \_\_\_\_\_ Local political subdivision
- \_\_\_\_\_ State agencies
- \_\_\_\_\_ Federal agencies
- \_\_\_\_\_ Community organizations
- \_\_\_\_\_ Conservation organizations
- \_\_\_\_\_ Local business groups

b) Describe the level of conservation coordination with other Openspace, Riparian Corridor, Farmland Protection or Urban Revitalization Projects under the Clean Ohio Fund in this or other Public Works Commission Districts:

- \_\_\_\_\_ Is a joint project in more than one district
- \_\_\_\_\_ Is a joint project in this district
- \_\_\_\_\_ Carries out an adopted community, watershed, or other plan overlapping another district

c) Describe the economic, social, and environmental benefits that the proposed project will bring to the geographical area represented by District 10 NRAC.

d) Describe the extent of public access once project is completed:

- \_\_\_\_\_ Open days and weekends
- \_\_\_\_\_ Open limited, but regular hours
- \_\_\_\_\_ Open by appointment or with written permission

e) Describe the Operation and Maintenance once project is completed:

- \_\_\_\_\_ Operation plan and infrastructure, if appropriate, in place
- \_\_\_\_\_ Operation plan, no infrastructure
- \_\_\_\_\_ Limited operation plan, volunteers available, no infrastructure

f) Describe the capacity and experience of both the applicant organization and the partnership to carry-out this project.

g) Is this project in concert with publicly adopted regional, neighborhood or community advisory plan, watershed plan, or greenspace plan?

- YES    NO
- \_\_\_    \_\_\_    (if yes, please reference the plan and describe how your project relates to the plan)



- n) Briefly indicate any additional project benefits or considerations you would like the NRAC to consider in evaluating your application.
- o) Does the project address a situation where action must be taken now or the opportunity will be lost forever (documenting evidence as to how opportunity will be lost must be submitted):
- YES NO  
— —
- p) Describe your readiness to proceed with this proposed project (e.g. contract with the owner and evidence from the seller that closing will take place, or that openspace-related facilities construction is ready to take place now, within 6 months or less, within one year, or longer).

### DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this “Declaration”) is made on this \_\_\_ day

of \_\_\_\_\_ 00\_\_ by \_\_\_\_\_ [Name of Declarant], [a or an] \_\_\_\_\_ (eg: Municipality/County/District; the “Declarant”).

Recitals:

A. Declarant owns certain property located in \_\_\_\_\_, County, Ohio as more particularly described on Exhibit A attached hereto and made a part hereof (the “Property”).

B. Declarant applied for and has received a grant from the State of Ohio, acting by and through the Director of the Ohio Public Works Commission (“OPWC”), pursuant to Ohio Revised Code §164.20 et seq. (the “Grant”). In connection with Declarant’s application for the Grant, Declarant proposed to use the Grant funds either for open space acquisition and related development or to protect and enhance riparian corridors, as set forth more specifically in its application.

C. As a condition to Declarant’s receipt of the Grant, Declarant has agreed to restrict the use of the Property as set forth in this Declaration, with the intent that such restrictions run with the land.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant, for itself and its successors and assigns as owners of the Property, hereby agrees as follows:

**§1. Use and Development Restrictions.** Declarant hereby agrees, for itself and its successors and assigns as owners of the Property, that the Property shall be subject to the following: (INSERT SPECIFICS FROM GRANT APPLICATION)

**§2. Perpetual Restrictions.** The restrictions set forth in this Declaration shall be perpetual and shall run with the land for the benefit of, and shall be enforceable by, OPWC. This Declaration and the covenants and restrictions set forth herein shall not be amended, released, extinguished or otherwise modified without the prior written consent of OPWC, which consent may be withheld in its sole and absolute discretion.

**§3. Enforcement.** If Declarant, or its successors or assigns as owner of the Property, should fail to observe the covenants and restrictions set forth herein, the Declarant or its successors or assigns, as the case may be, shall pay to OPWC upon demand, as liquidated damages, an amount equal to the greater of (a) two hundred percent (200%) of the amount of the Grant received by Declarant, together with interest accruing at the rate of six percent (6%) per annum from the date of Declarant's receipt of the Grant, or (b) two hundred percent (200%) of the fair market value of the Property as of the date of demand by OPWC. Declarant acknowledges that such sum is not intended as, and shall not be deemed, a penalty, but is intended to compensate for damages suffered in the event a breach or violation of the covenants and restrictions set forth herein, the determination of which is not readily ascertainable. OPWC shall have the right to enforce, by any proceedings at law or in equity, all restrictions, conditions and covenants set forth herein. Failure by OPWC to proceed with such enforcement shall in no event be deemed a waiver of the right to enforce at a later date the original violation or a subsequent violation.

**§4. Restriction on Transfer of the Property.** Declarant acknowledges that the Grant is specific to Declarant and that OPWC's approval of Declarant's application for the Grant was made in reliance on Declarant's continued ownership and control of the Property. Accordingly, Declarant shall not voluntarily or involuntarily sell, assign, transfer, lease, exchange, convey or otherwise encumber the Property without the prior written consent of OPWC, which consent may be withheld in its sole and absolute discretion.

**§5. Separability.** Each provision of this Declaration and the application thereof to the Property are hereby declared to be independent of and severable from the remainder of this Declaration. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Declaration.

**§6. Notices.** Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of the parties are as follows:

Declarant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OPWC:           Ohio Public Works Commission  
                  65 East State Street  
                  Suite 312  
                  Columbus, Ohio 43215  
                  Attn: Director

**§7. Governing Law.** This Declaration shall be governed by, and construed in accordance with the laws of the State of Ohio.

**ATTACHMENTS / COMPLETENESS REVIEW:**

BE CERTAIN EACH OF THE ITEMS LISTED BELOW IS ATTACHED. THE DISTRICT 10 NRAC REQUIRES THAT ALL SIGNED DOCUMENTS SUBMITTED INCLUDE THE ORIGINAL SIGNATURE. YOUR APPLICATION MAY BE DELAYED OR REJECTED IF THE INFORMATION IS OMITTED OR INCOMPLETE.

- A certified copy of the authorization by the governing body of the applicant authorizing a designated official to sign and submit this application and execute contracts with the commission.
- A certification signed by the applicant's chief financial officer stating all local share funds required for the project will be available on or before the dates listed in the project Schedule section.
- A formal detailed estimate of the project's costs provided by an architect, landscape architect, or other professional. For land acquisition, an appraisal by a State-certified general real estate appraiser, as defined under ORC4763 for the type of land being appraised will need to be submitted to the District 10 prior to closing.
- A cooperation agreement, (if the project involves more than entity) which identifies the fiscal and administrative responsibilities of each participant.
- Resolution of Support (please refer to section 164.23(B)(!) of the Ohio Revised Code for guidance.) Call OPWC for clarification.
- Identification of any participation by state agencies that may have expertise regarding the particular project and that may provide assistance with respect to the project.
- Information concerning the coordination of the project among local political subdivisions, state agencies, federal agencies, community organizations, and local business groups.
- Supporting Documentation: Materials such as additional project description, photographs, and/or other information to assist your District 10 NRAC in ranking your project. Be sure to include supplements which may be required by your District 10 NRAC.
- Include a letter of commitment from the land owner(s) with an estimated cost if possible, or a letter of intent to sell.
- Include a conceptual site development plan.

Continued...

**ATTACHMENTS / COMPLETENESS REVIEW continued:**

- All applications should include the Project location identified on a U.S.G.S. 7.5' Topographic Quadrangle map.

- Include a copy of the deed restrictions (Provided in Attachment B) as they will be submitted to the State if your project is approved. The wording submitted with the application must meet the wording submitted to the state.
- Justification of land value: Include a copy of a County Tax Appraisal, a Market Analysis by a Realtor, or a copy of a recent appraisal on the land to be purchased through the Clean Ohio Fund. This request stands if the application is for the purchase of an Easement.
- For LAND ACQUISITION: If applicant provides a County tax Appraisal to meet the criteria for justification of land value and the purchase price of the land is over 150% of the County Tax Appraisal amount, the NRAC will require an appraisal by a State certified appraiser be completed before a decision on the application will be made at the local level.
- For EASEMENT PURCHASE:  
 \*\*If property currently has a Current Agriculture Use Value (CAUV) determined by the County Auditor, the applicant may present the following formula to the NRAC to determine the per acre value of the Easement :  $\text{Market Value (minus) CAUV (divided by) the number of acres (MV-CAUV/ACRES)}$ .

\*\*If there is no CAUV on the property or the applicant chooses not to determine land value based on the above formula then the NRAC shall consider up to 60% of Fair market Price for the value of the easement.

If applicable, *either* of the above methods may be used to determine easement value. If the applicant is requesting MORE than is determined fair by either of the above methods, the NRAC will require an analytical narrative appraisal be done on the property. The applicant has the option to provide an analytical narrative appraisal in place of either of the two above mentioned requests.

- Have you reviewed your District 10 NRAC's scoring methodology to see that you have addressed all components? (Do not attach a copy of the methodology to your application)
- ❖ PROPOSED PROJECTS THAT DO NOT OBTAIN A MEAN MINIMUM SCORE FROM COMMITTEE MEMBERS OF AT LEAST **60%** OF THE TOTAL POSSIBLE MAXIMUM POINTS THAT COULD BE AWARDED BY DISTRICT 10 NRAC COMMITTEE MEMBERS WILL ONLY BE FUNDED I FULL OR PART UPON A FAVORABLE VOTE OF 8 COMMITTEE MEBERS, AND BE CONTINGENT UPON FUNDING AVAILABILITY