



New York Agricultural Project Flow Chart to Conserving Your Land with a New York State Purchased Agricultural Easement

1 Contact NYALT staff

The first step is to talk to NYALT staff about your goals for your farm, and fill out the *Landowner Information Form*. NYALT staff can talk about the general goals of the NYS farmland protection program, and explain the basics of an agricultural conservation agreement (a conservation easement). Please also refer to information on NYALT's website: www.NYALT.org.

You will also need to talk to your county farmland protection board or municipality to see how it ranks, and sponsors, possible farmland grant applications to the NYS Department of Agriculture.

2 If your project is going to be submitted to NYS for a Farmland Protection Grant:

After your project has been selected as one of your counties (or town's) possible farmland protection projects, please come and talk to NYALT staff again. You will need to fill out a *NYALT Conservation Partnership Application Form* requesting that NYALT work with you to complete your farmland conservation project, should it be funded by the state.

NYALT will need you to supply any gas leases as part of the application process, and will want to explain how gas leases fit within a NYALT farmland conservation project.

Based upon the information in the application form, if the project meets NYALT's overall conservation criteria (as expected by national conservation standards), the NYALT board would provide conceptual approval.

3 Application to the NYS Farmland Protection Grant Program:

Currently, farmers are writing the NYS Farmland Protection Grant applications themselves, hiring local consultants, or working with their municipal sponsors to put together the grant application.

In the future, NYALT hopes to build the staff capacity to help those farmers who have been selected by their counties or municipalities draft and submit their grant applications to NYS.

- If you would like to partner with NYALT to protect your land, it is important that you talk to NYALT about the project budget to obtain realistic project implementation figures prior to submitting the NYS grant application.

You will also want to obtain as realistic "development rights" figures as possible (what your farmland protection grant would be based upon).

4 If your project is awarded a NYS Farmland Protection Grant:

The state, municipality or NYALT will notify you that you have been awarded a NYS Farmland Protection Grant. NYALT will then work with the municipal sponsor to ensure that the contract between the NYS Department of Agriculture and Markets and the municipal sponsor is signed, as quickly as possible. In the past, this has taken four to six months.

Once the contract is signed, NYALT staff will sit down with you and discuss the various documents and steps involved as part of the farmland protection project. After this review, NYALT will commission a title report.

5 Gather information about the project:

NYALT staff will work with you and the county to compile the basic maps and information needed to create a conservation land plan (as related to the terms of the conservation agreement). This involves a visit to your farm.

The resulting land plan is first discussed with the NYALT board, and then the map is reviewed by the Department of Ag. and Markets. Upon conceptual approval by Ag. and Markets, NYALT would then work with you to hire a surveyor and appraiser for your project.

NYALT will send out a request for proposal for both the surveying and appraisal of your non-farm development rights (what your farmland protection grant would be based upon, by the state, in concert with your farmland protection grant application to the state). As part of this process, NYALT would draft a conservation easement for your project.

6 Finalize and record documents:

You will want to ask an attorney familiar with conservation easements, if possible, to review your agricultural conservation easement and related documents.

Generally speaking, once you and NYALT have agreed on the documents, NYALT will establish the “baseline documentation” to document the current conservation conditions of the property, as related to your agricultural conservation easement.

These documents are then submitted to the Department of Ag. and Markets for final approval. NYALT will work with you to prepare any revisions needed.

7 Completing the project:

NYALT will arrange the project closing, and will prepare the necessary paperwork to submit to the state and municipal sponsor (for the farmland protection grant) after the closing.

8 Annual monitoring of your agricultural easement:

As outlined in the conservation easement document, and the NYALT monitoring plan, NYALT staff will arrange a time to visit your farm. NYALT is also available to answer questions related to the farmland protection project and conservation easement as needed.

9 How long does this process take?

Every project is unique, and the timing of State Funding and project review varies. On average, these projects seem to take three-four years from the time of the successful grant announcement.

10 What are my costs to conserve my land?

Each project’s costs will vary related to its size and complexity. These costs are carefully estimated at the beginning of the project when you work with NYALT to confirm the budget submitted to the state for your farmland protection grant.

The State’s farmland protection grant program will cover 75% of the project implementation costs (survey, appraisal, NYALT time and legal review, title search, closing costs, etc.).

The remaining 25% of these costs can be covered by the municipality, the landowner via a bargain sale, or with funding from private foundations. Occasionally, there may be Federal funding available. You will be responsible for your own legal review of the related documents.