

Attachment 1 – Required Documentation for CELCP Applications

The following items are required to complete your application. If your project is not yet at a point where it is feasible for you to submit all the documentation, you should discuss your circumstances with me so we can determine what information is appropriate for your application package. It is possible for NOAA to issue an award based on less documentation than is described below. However, if NOAA issues your award based on more limited information, access to your funds will be restricted until such time as we have received and approved the documentation. If possible, Recipients should not close on their properties until after we have received and approved the documentation. Recipients who purchase sites without first getting NOAA approval may not receive reimbursement of their costs.

If your grant involves purchasing more than one property, you will need to submit items 2-8 for each. They can be submitted in the same application, just identify each as a separate task.

Examples of the following are included on subsequent pages where noted.

1. Standard federal forms

Prepare and submit the following Federal standard forms: SF424, SF424A, SF424B, and CD-511. Electronic copies of the forms and instructions for filling them out can be found on the Grants.gov website.

Some recipients may also find it necessary to complete the SF-LLL. This form addresses disclosure of lobbying activities. The CD-511 directs that if your organization has paid any person to influence an agency employee or a Member of Congress (including his or her staff) in connection with this award, you must complete and submit the SF-LLL with your application. Please consider whether this applies to your situation.

Finally, non-profit organization recipients that have not previously received a grant from NOAA must also prepare and submit form CD-346 with their applications.

CFDA Number: On the SF-424 form, Item 10 (Catalog of Federal Domestic Assistance Number) is **11.419**. The title is **Coastal Zone Management Administration Awards**.

2. Scope of Work (example included)

a. Project Description: details about the site(s) to be acquired such as: location, acreage, habitat types (including acreage of each), length of shoreline or other waterbody frontage, current and planned uses; the value(s) of the site that makes it consistent with the CELCP; and other relevant information.

b. Project Timeline and Benchmarks: Award periods are generally 12 to 18 months. If you complete your project in a shorter timeframe, you may request to close out your award early. You should identify benchmarks for the project, especially if you do not have site(s) identified when you make your application. **The requested start date of the**

award should be 120 days from the date you submit the application unless there are special circumstances (more information on that below). Further, your specified award period must begin on the first day of the month and end on the last day of the month. Your start date may not be any later than October 1, 2006.

3. Budget

Describe the costs of the project, giving emphasis to the use of the CELCP funds and what will be serving as the match to the award and the source of those funds (must be state, local, or private). The budget should fully reflect the 1:1 match required by the statute. The example scope of work contains a summary budget table to also show the breakdown of costs by categories, as applicable (standard categories are personnel, fringe, travel, equipment, supplies, contractual, construction, and other). Land purchase costs generally goes under Other, while services such as appraisals or title work generally go under Contractual. If a purchase or donation of other property is being used as in-kind match, this property and its relevance to the CELCP project should be described in the budget section.

4. Maps and Surveys

The following visual depictions of your site are required: (1) a region-scale map that indicates the location of the site; (2) a site map or aerial photograph that provides a general overview of the site, including the property boundaries, physical features, adjacent properties, proximity to coastal water bodies, etc.; and (3) a survey plat.

5. Project Checklist (original included)

The CELCP project checklist is a questionnaire addressing potential environmental impacts of your project, compliance with applicable federal laws, etc. This document is approved by OMB for use in implementing the CELCP and is to assist NOAA in satisfying NEPA requirements as well as determining the eligibility of the projects for CELCP funding. An electronic version of the checklist can be downloaded from <http://www.ocrm.nos.noaa.gov/landconservation.html>. Please note that because this is a Paperwork Reduction Act-controlled document, you should not enter responses in places other than where indicated or provide excessively lengthy responses. Try to fit such information in item 6 (project description) or attach additional pages as necessary. In addition, if an Environmental Assessment or Environmental Impact Statement has been prepared for the project, please include a copy with your application.

6. Evidence of Agreement with a Willing Seller

Properties acquired using CELCP funds must be obtained from a willing seller. CELCP funds cannot be used to pay just compensation for properties taken by eminent domain. To prove you have a willing seller you must submit documentation—such as an option agreement, purchase agreement, or letter of intent—between your agency or organization and the seller that demonstrates agreement to the sale and the price to be paid for the

property. If your project involves a third-party transaction, that is the original landholder has sold the property to a third party (such as a land trust), who in turn will sell it to you, we will need documentation verifying both transactions. That is, we will need to see evidence of agreement and sale price between the original seller and the third party, as well as you and the third party.

7. Evidence of Marketable Title (example included)

Documentation that provides proof that the seller of the property (or easement) is the current owner and has clear title. A title commitment/policy or attorney title opinion based on a title search abstract are both acceptable forms. If the title opinion or title policy shows that there are easements or other encumbrances on the property, you may be asked to provide additional documentation certifying that the encumbrances would not be expected to interfere with the proposed use of the land after the acquisition. It is not necessary to provide a copy of the chain of title. Evidence of title must be less than one year old from the date of your application.

8. Appraisal

A complete, self-contained appraisal prepared by an independent state-certified appraiser based upon the USPAP and, as appropriate, the *Uniform Appraisal Standards for Federal Land Acquisitions* (aka “the Yellow Book”), which establishes fair market value of the site. The appraisal must be less than one year old from the time you submit your application, unless the stated exposure time of the appraisal is greater than 12 months. Appraisals that are older than one year may be accepted with a current review conclusion letter from the original appraiser. However, if there is reason to think that market conditions or the circumstances of the site have caused the value of the property to change significantly, a new appraisal may be necessary. This will particularly be true for projects in which donated land value is to be used as match.

The negotiated price of the project should be based on the appraisal. If the property owner will not sell for the appraised price or less and you still wish to acquire the site, a second appraisal should be done or the original updated to account for any new or changed circumstances, e.g., additional information about the site that would affect the value. If after negotiations and/or a second/revised appraisal, the purchase price still exceeds the appraised value, you still may be able to pay a higher price. You will need to demonstrate reasonable efforts to negotiate at the appraised value and submit written justification for the higher price based on reasonableness, prudence, public interest, appraisals, and/or valuation.

Other Information

Use of Land as In-Kind Match: If you wish to use the value of other lands or easements your agency has purchased, you will need to make this request as part of your application. To be eligible, the match parcel or parcels must be:

- Able to meet the same eligibility criteria, ownership, and stewardship conditions as would be required for a CELCP-funded acquisition
- Proximate to your CELCP property; within the same system (e.g., wetland, watershed) if you can show that both sites are identified as targets for acquisition to fulfill a plan or strategy (e.g., open space plan, habitat protection plan); or otherwise cooperatively managed
- Managed for the same objectives as your CELCP property

Your application should include information about the match site, including evidence that the land was or will be purchased within three years of the date of your application; an explanation of the relationship of the site to and consistency with the proposed CELCP acquisition that justifies its use as match; and documentation that shows price paid and proof of value at the time of acquisition. Finally, as with CELCP sites, language similar to that contained in special award condition number 4 (see *Attachment 3*) must be recorded in the property deed or easement to reflect the Federal interest in the site due to its use as match for your project. Under certain circumstances, donations of property or easements to your agency by a third party may also be eligible. The above conditions apply except that only the current value of the donated land or easement can be used. Please let us know if match will be an issue for your award and/or if you have further questions about things that could constitute acceptable match.