

Bucks County  
Natural Areas Program

**Application  
Guidelines**

2014







# BUCKS COUNTY NATURAL AREAS PROGRAM Application Guidelines

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## PROGRAM OVERVIEW

Under the 2007 Bucks County Open Space Bond Initiative, \$11 million has been allocated to the Natural Areas Program to assist municipalities and nonprofit organizations acquire and permanently preserve important examples of Bucks County's natural heritage.

### ***The mission of the Natural Areas Program is to:***

- Protect significant geological features,
- Maintain natural ecological functions that sustain all life,
- Protect biological diversity by conserving the natural habitat of plants and animals, and
- Provide citizens an opportunity to experience and learn about the county's unique natural features.

The Natural Areas Program is a competitive grant program. Participation is voluntary. Submitted applications are evaluated using the Natural Areas Program Project Evaluation Criteria. Based on the availability of funds and grant application score and ranking, applicants may receive funding up to 50 percent of a property's appraised value or \$500,000, whichever is less.

This document provides instructions for completing applications to the Natural Areas Program. In addition to these guidelines, all applicable federal, state, and local laws must be followed. For additional information on the Natural Areas Program, please contact the Bucks County Open Space Coordinator at (215) 345-3430.

## APPLICANT ELIGIBILITY

**Nonprofit organizations** — Nonprofit organizations (i.e. land trusts and conservancies) with the primary purpose of conservation and preservation of open space, parkland, or natural areas for public benefit; that are tax exempt under 501(c)(3) of the Internal Revenue Code of 1986; registered with the Bureau of Charitable Organizations, Pennsylvania Department of State; and have been in existence for at least five consecutive years are eligible to apply.

**Municipalities** — The 54 municipal governments in Bucks County are eligible to apply.

**PARTNERSHIPS** have been an essential component to making the Bucks County Open Space Program successful. Land preservation projects increasingly require cooperation among multiple entities. In fact, many projects funded through the Natural Areas Program include collaborative efforts between municipalities and land trusts. Conservation organizations have the expertise and staff to help communities identify projects, process grant applications, and provide long-term stewardship once a property is preserved. Bucks County encourages such partnerships to achieve meaningful open space conservation.

## PROJECT ELIGIBILITY

The Natural Areas Program provides funding for the acquisition of land (fee-simple) and conservation easements that implement the mission of protecting Bucks County's natural heritage. In 2011, the Morris Arboretum of the University of Pennsylvania updated the *Natural Areas Inventory of Bucks County*. The 2011 Update identifies 13 Conservation Landscapes throughout the County in which important ecological functions should be preserved and/or restored. (See Appendix O). Properties located within these Conservation Landscapes will be prioritized for funding through the Natural Areas Program. In addition, County staff will conduct a site visit to evaluate individual property's suitability for funding consideration through the Natural Areas Program. Copies of the *Natural Areas Inventory* are available from the Bucks County Planning Commission, (215) 345-3400.

Grants may only be used to purchase land fee simple or to acquire conservation easements that permanently protect a property's unique conservation values (i.e. water, wildlife, or scenic resources). Grants may not be used to acquire structures or improvements. Any land occupied by structures, or future building sites, must be subtracted from the total land area submitted for funding.

## PROJECT FUNDING

Bucks County will fund up to 50 percent of a property's appraised value (fee-simple or easement), or \$500,000, whichever is less; however, the Open Space Board may waive this cap in exceptional circumstances.

The appraised value shall be based on the average of two self-contained appraisal reports prepared by state certified appraisers according to guidelines in Appendix G. Appraisal reports should be prepared within 12 months of the grant application date. Appraisals must exclude the value of any structural improvements to the property. Upon request by the applicant, the Open Space Board may waive the requirement for a second appraisal, if the appraised value is less than \$100,000.

The County will review all appraisals. If an appraisal is not consistent with Natural Areas Program appraisal guidelines, contains questionable, deficient, or incomplete items, or is fundamentally flawed, it may be rejected by the County.

**Required Match** — Applicants are required to provide a 50 percent match of the appraised value. Municipal funds, federal and state grants, private contributions, and private donations (including the value of bargain sales) may be used. Funds from other Bucks County programs are not eligible to satisfy the required match.

**Grant Disbursement** — Natural Areas Program grants are disbursed to applicants at the property settlement in exchange for a signed deed restriction.

**Ineligible Uses** — Natural Areas Program grants may not be used to cover surveys, appraisals, legal fees, or other administrative costs related to the property acquisition.

## APPLICATION PROCESS

Applications to the Natural Areas Program are accepted on a limited basis. Twelve copies of each application must be received by the Open Space Coordinator by the announced deadline in order to be considered during the associated grant round. Applications shall consist of a completed Application Form (Appendix B) and supporting documentation included on the Application Checklist (Appendix A). *Incomplete applications will not be processed for consideration.* Applicants are strongly encouraged to schedule a pre-application meeting and site visit with the Open Space Coordinator to identify any deficiencies or issues of eligibility.

The Open Space Coordinator will review applications to determine completeness and fulfillment of minimum program criteria. Eligible applications will be scored and ranked according to the following Natural Areas Program Project Evaluation Criteria\*:

Protection of Significant Natural Resources	75 points maximum
Stewardship and Management	30 points maximum
Connectivity	55 points maximum
Potential for Development	15 points maximum
Additional Financial Support	20 points maximum
Preservation Technique	5 points maximum

*\*See Appendix I for further explanation of Project Evaluation Criteria.*

Once reviewed and scored by the Open Space Coordinator, applications are forwarded to the Open Space Board. The Open Space Board's evaluation of proposed grant projects will be based on the information submitted with the application, the project's score and ranking derived from the Natural Areas Program Project Evaluation Criteria, and a presentation by the applicant. The Open Space Board will provide a recommendation to the Bucks County Board of Commissioners. County Commissioners will review and take action on grant applications at an advertised public meeting. Applicants will be notified of grant status following the County Commissioners' meeting by the Open Space Coordinator.

## PUBLIC BENEFIT AND ACCESS

The Natural Areas Program is structured to fund projects with maximum public benefit. Applications must demonstrate how a project provides public benefit to the residents of Bucks County. Factors that establish public benefit will vary from project to project, but may include improved air, land, or water quality; creation of a wildlife habitat corridor; protection of critical ecosystems; etc.

Public access is a significant public benefit as it provides an opportunity for people to experience and learn about the County's unique natural resources. Public access to land acquired with Natural Areas Program funds is one factor used in the evaluation of applications. Public access can range from unrestricted to periodic and/or supervised tours of the property. If limited public access is proposed, the application must explain the exact nature of the limitations and the reasons that warrant any restrictions.

## PRESERVATION IN PERPETUITY

**Conservation Easements** — Deeds to land acquired with Natural Areas Program funding must contain a restrictive covenant (conservation easement) requiring the perpetual use of the land for natural resource conservation. Applicants are responsible for recording the most recent edition of the Natural Areas Program conservation easement, provided by the Open Space Coordinator.

Substantive changes to the Natural Areas Program easement are not acceptable. Minor changes to reflect the unique characteristics of the proposed project (i.e. conservation values, public access, retained development rights, etc.) are permitted, but must be submitted at the time of application in a format that calls out the alterations (i.e. underline, strike out, double underline, etc.).

The County will review **one** preliminary and **one** final draft of easement language. This policy is in place to protect the County's interests, minimize lengthy delays and promote administrative efficiency. Changes to the standard easement are subject to review by the Open Space Coordinator, Open Space Board, and County Solicitor. *PLEASE NOTE: Changes to standard conservation easement may substantially extend review time.*

**Stewardship and Monitoring** — Perhaps the most important responsibility municipalities and land trusts assume when preserving land is the on-going easement inspection, monitoring, and enforcement function. It is the responsibility of the municipality or land trust to inspect every property annually. Accordingly, all applications must provide the following information to ensure that each property will be used and maintained in accordance with that stated conservation purposes.

- **Baseline Report** — A baseline report documents the condition of the property at the time an easement is recorded (See Appendix L). Baselines are used to assess property conditions on subsequent monitoring visits to ensure that no prohibited activities have taken place. Landowners granting conservation easements on private property should also receive a complete baseline inventory.
- **Resource Management Plan** — A resource management plan includes appropriate performance standards based upon Best Management Practices, where available, and outlines maintenance and stewardship activities to preserve the stated conservation values (See Appendix M).
- **Annual Monitoring** — Applicants are required to complete annual monitoring reports for all properties protected with Natural Areas Program grants. Monitoring reports (Appendix N) must be submitted to the Open Space Coordinator by December 31<sup>st</sup> of every year.

## OTHER TERMS AND CONDITIONS

- **Changes in Project Scope and Funding** — Proposed changes must be submitted in writing to the Open Space Coordinator and must fully describe all modifications to the project, including related funding implications. Unauthorized changes in project scope may result in the withholding of County funding. Significant changes may require the submission of a new application.
- **Project Funding Time Limit** — Applicants shall have **two years** from the date of the Open Space Board’s recommendation to complete a project. A project shall be considered complete upon the signing and recording of a County-approved easement. If this time limit is not met, project approval will be withdrawn. The applicant may apply again during a future grant round.  
Upon written request by the applicant, the Open Space Board may extend the deadline for **one** additional 90-day period. Applicants must submit a written statement describing why the extension is needed along with a projected completion date to the Open Space Coordinator at least 45 days prior to the original expiration date.
- **Reimbursement Grants** — If an applicant anticipates acquiring a property or easement prior to making application to the Natural Areas Program, a written request for a Waiver of Retroactivity must be submitted and approved by the Open Space Board before settlement.
- **Survey** — A professional land surveyor registered in the Commonwealth of Pennsylvania shall perform a survey of the property, including the proposed easement area and any remaining lands or proposed public access areas. The survey shall be recorded with the conservation easement.
- **Title Requirements** — Prior to all settlements, applicants must obtain and submit a complete Certificate of Title, confirming ownership of the property. Title insurance equal to the interest being acquired is also required.
- **Subordination of Mortgages or Other Liens** — If there is a mortgage or other lien on the subject property, the holder of the mortgage is required to subordinate the mortgage or lien to the easement so that the easement will continue to be protected in the event of a foreclosure (Appendix K). The landowner or the landowner’s attorney should contact the mortgage holder as soon as there is a final draft of the easement for their lender as this process may take time.
- **Settlement** — It is the sole responsibility of the applicant to schedule settlement/closing.
- **Recording** — Following settlement, the applicant shall be responsible for recording the Natural Areas Program easement with the property’s deed in the County’s Office of the Recorder of Deeds.



# Appendix

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BUCKS COUNTY NATURAL AREAS PROGRAM

**APPLICATION CHECKLIST**

***Documentation to be submitted with grant application:***

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**FORMS**

- Completed Application Checklist.
- Completed Grant Application Form (Appendix B).
- Completed Municipal Resolution / Organization Support Form (Appendix C and D).
- Completed Landowner Understanding Form (Appendix E).

**SUPPORTING DOCUMENTATION**

- Narrative summary (Appendix F).
- Two real estate appraisal reports prepared by state certified appraisers.
- Tax parcel map highlighting subject parcel(s).
- A map illustrating the linkages to other permanently protected lands.
- Site plan of proposed conservation easement area and remaining lands, if applicable.
- Pennsylvania Natural Diversity Index Receipt, if applicable.
- Photographs documenting current site conditions.
- Environmental assessment of the property, if applicable.
- Copies of existing recorded easements encumbrances on the property, if applicable.
- Copy of the sales agreement, if completed.
- Proposed conservation easement language.

BUCKS COUNTY NATURAL AREAS PROGRAM

**GRANT APPLICATION FORM**

Date Submitted: \_\_\_\_\_

**APPLICANT INFORMATION**

Applicant: \_\_\_\_\_

Name and Title of Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**PROPERTY INFORMATION**

Project Name: \_\_\_\_\_

Site Address: \_\_\_\_\_

Current Owner(s): \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Tax Parcel Number(s):** \_\_\_\_\_ **Total Acres:** \_\_\_\_\_ **Acres to be Protected:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**TOTAL** \_\_\_\_\_

*Natural Areas Inventory* Conservation Landscape: \_\_\_\_\_

**FUNDING INFORMATION**

**Project Type:**  Fee Simple  Easement

Funding Source	Amount	Percent of Appraised Value	Percent of Purchase Price
County Grant Request	\$	%	%
		%	%
		%	%
		%	%
<b>TOTAL</b>			

BUCKS COUNTY NATURAL AREAS PROGRAM

**SAMPLE MUNICIPAL RESOLUTION**

(Include with Grant Application)

**Township/Borough \_\_\_\_\_**  
**Bucks County, Pennsylvania**

**WHEREAS,** the Board of Supervisors/Council of the Township/Borough of \_\_\_\_\_ recognizes that the Township/Borough contains natural areas that contribute to the quality of life and health of our community and are worthy of preservation; and

**WHEREAS,** funding of the Natural Areas Program, an initiative of the Bucks County Board of Commissioners, was overwhelmingly passed by Bucks County Voters through referendum on November 6, 2007; and

**WHEREAS,** the program provides grants that may be used by municipalities and non-profit organizations to acquire land to protect critical natural areas; and

**WHEREAS,** the Township/Borough of \_\_\_\_\_, Bucks County, Pennsylvania wishes to participate in the Natural Areas Program; and

**WHEREAS,** the municipality will have available \$\_\_\_\_\_, its required match,

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township/Borough of \_\_\_\_\_, Bucks County, Pennsylvania, as follows:

1. That the Township/Borough of \_\_\_\_\_, Bucks County Pennsylvania hereby approves the filling of an application for funds under the Natural Areas Program.
2. That \_\_\_(name / title)\_\_\_\_\_, is hereby authorized and directed to execute and file the appropriate forms with the Bucks County Open Space Program.

This Resolution has been duly prepared and adopted by the Governing Body of the Township/Borough of \_\_\_\_\_ in public meeting held this \_\_\_\_\_ day of\_\_\_\_\_, 20\_\_.

Signatures:

\_\_\_\_\_

ATTEST: \_\_\_\_\_

\_\_\_\_\_

BUCKS COUNTY NATURAL AREAS PROGRAM  
**SAMPLE ORGANIZATION SUPPORT FORM**  
(Include with Grant Application)

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As President / Chair I hereby certify \_\_\_\_\_, a qualified non-profit land trust or conservancy, and its volunteer or elected board of directors has duly voted to pursue an application for grant funding from the Bucks County Natural Areas Program. Such a vote was received at a meeting held on \_\_\_\_\_.

I further provide support for the completion of all material necessary for such an application to be considered for funding by the Bucks County Natural Areas Program.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

BUCKS COUNTY NATURAL AREAS PROGRAM  
**LANDOWNER'S UNDERSTANDING FORM**

(Include with Grant Application)

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I/we \_\_\_\_\_, (Landowner) have been contacted by  (Name and Title of authorized representative) , of  (name of nonprofit or municipality)  (Applicant), and understand and agree to the following:

- The Applicant does not represent Bucks County and is not an agent of the County.
- The Applicant is negotiating the deal and is responsible for raising necessary funding. The Landowner shall contact the Applicant with any questions.
- There are rules and procedures the Applicant must follow to receive County grant funds. These rules include the Landowner providing public access on the subject property to be preserved.
- County funds awarded to the Applicant will be based on the average of two appraisals that follow the program guidelines.
- The Applicant has given me copies of the Natural Areas Program Conservation Easement and has explained that if modified, it may substantially extend the application review time.
- The Applicant will submit an application on my behalf for funding through the Bucks County Natural Areas Program.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

## BUCKS COUNTY NATURAL AREAS PROGRAM

### NARRATIVE SUMMARY

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The following information will be used in evaluating grant applications submitted to the Natural Areas Program. Applicants should attempt to provide the most complete information available to assist in an accurate evaluation of the project.

- 1. Project Overview** — Describe the property and the purpose of the requested grant. Convey proposed easement area and any lands to be excluded as remaining lands, future building lots, etc. Identify and/or attach copies of current and proposed lease arrangements, past and/or proposed subdivision documentation, and any proposed alterations to the property.
- 2. Identification of Significant Natural Resources** — Explain how the proposed acquisition will protect a significant natural area in Bucks County. Identify the *Natural Areas Inventory* Conservation Landscape in which the property is located and the critical habitat area to be protected. Describe natural features of special concern (e.g. Exceptional Value streams, National Audubon Important Bird Area, Pennsylvania Highlands, etc.). Note the presence of any state or federal rare, threatened, or endangered flora or fauna found on the Pennsylvania Natural Diversity Index.
- 3. Resource Management Issues** — Provide recommendations for the management, conservation or protection of the conservation values (i.e. Best Management Practices, forest management plans, soil conservation plans, streamside restoration projects, watershed management plans, etc.). Include timelines for existing and proposed plan recommendations. *Identify the entity responsible for performing resource management and stewardship activities.*
- 4. Public Access** — Describe the proposed terms of public access. If limited public access is proposed, explain the exact nature of the public access limitations and the reasons that warrant any restrictions.
- 5. Linkage Potential** — Identify adjacent or nearby protected and public lands. List the tax parcel numbers, acreage, and ownership of these parcels. Describe potential for connectivity with the subject property.
- 6. Consistency with Area Preservation Goals** — Briefly describe how the project is consistent with the local municipality's comprehensive and open space plans, as well as any regional plans or studies. Include relevant text and maps.
- 7. Threat of Development** — Describe recent population and development indicators (residential, commercial, industrial, etc.) in the area. Convey any impending sale or development of the subject property that may threaten associated natural resources. Determine how effectively local ordinances can protect the property's resources.
- 8. Financial Support** — Describe the status of additional sources of funding being sought to finance the acquisition.

## **APPRAISAL STANDARDS**

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Obtaining a complete, defensible and professional opinion of a property's value is essential to the grant applicant, the landowner, and Bucks County. For the applicant and landowner, an accurate appraisal provides an independent and unbiased evaluation of a property that is needed for the two parties to agree on a fair price for the property. For Bucks County, an accurate appraisal ensures that the amount of public funds awarded for acquisition is justified.

The following outlines the guidelines that Bucks County will use to review appraisals submitted with grant applications. The County strongly recommends that grant applicants and property owners review the guidelines and ensure that appraisals submitted with grant applications include the following information and analysis in a Self-Contained Appraisal Report.

### **1. Certification**

A copy of the Appraiser's current state General Appraiser Certificate, a list of the appraiser's qualifications and specific experience with Open Space and Conservation Easement appraisals, and 3 client references with contact information are included in the report. At least 5 years of demonstrated experience is required. The Appraiser who is contracted for the appraisal is required to personally inspect the property and contact the property owner via telephone and/or letter. The owner is to be notified in advance of the appraisal in order to have the opportunity to attend the inspection. Also a copy of the Appraiser's current business liability insurance, Errors and Omissions insurance, and Business Automobile Insurance is required to be on file with the contracting agency or person.

### **3. Appraisal Type**

The appraisal is identified as a Self-Contained Appraisal Report performed in compliance with the current edition of the Uniform Standards of Professional Appraisal Practice (USPAP).

### **4. Subject Property**

The appraisal is performed specifically to value the "AS IS" land area and property rights for which grant funds are being requested.

- 5 year sale history, current listing, lease, contract information is to be included in the report and considered in the analysis, if relevant.
- A tax map of the subject property is included.
- A location map of the subject property is included.
- A legal description of the subject property is included
- The appraisal includes photographs of the subject property.
- Current FEMA Flood Map, USGS Topo Map, current GIS Wetlands Map, current GIS Soils Map and others deemed relevant. All maps included in the report must indicate the subject property and include a north arrow to show orientation.
- A discussion of the competing market supply and the current demand for the subject property under its Highest and Best Use must be included in the Location Description section.
- A thorough analysis of the current Highest and Best Use of the property in its AS IS condition, including projected market timing and projected users, must be included.

BUCKS COUNTY NATURAL AREAS PROGRAM  
**APPRAISAL STANDARDS, *continued***

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**4. Comparable Sales**

- At least 3 comparable sales are included.
- The comparable sales should be no more than 2 years old.
- If the subject does not have development approvals, then no more than two “approved” sales may be utilized. If “approved” sales are used, significant downward adjustments must be applied to adjust them to the subject’s “As Is” condition. Documentation of the status of approvals (preliminary or final), necessity of state permits, and availability of public water and sewer is required, including contacts and sources of information.
- Photographs of each comparable sale are required.
- Financing of each comparable sale must be researched and considered in the appraisal. Sales with owner financing (Purchase Money Mortgage) must be explained and appropriately adjusted for Cash Equivalency.
- Verification of each comparable sale with a party to the sale, either the seller, buyer, broker or attorney, is required. Demonstration of attempts to verify the sale via contacting these parties for information is required if sufficient verification is not provided. Sales must be “arm’s length” transactions.
- An appropriate deduction for contributory value of improvements of each comparable sale is required to reflect land-only value. Also, estimated demolition cost must be added to the purchase price of any comparable sale if the improvements contribute no value.
- An adjustment grid with the percentage of adjustment assigned to each variable is included. Except in the case of “approved sales” (see above paragraph), large percentage adjustments (both individual adjustments and total net adjustments) are undesirable and should be kept to a minimum. If any sales indicate a total net adjustment of more than +/-35%, a detailed explanation in the narrative reconciliation of value is required. If an adjustment grid format is supplied by the County, it is to be utilized in the report.
- A thorough narrative description of adjustment variables and percentages is required. Reliance on the “mean” adjusted value only in the final reconciliation of value is not recommended appraisal practice and is discouraged.

**5. Use Limitations**

- The impact of the existence or lack of a permanent access right-of-way to the subject property and its impact on value has been described in the report. This includes overhead high transmission power lines, access easements, road maintenance easements, etc.
- Legal limitations of the subject property and comparable sales, including but not limited to local land use regulations and easements, have been described and considered in the report. This includes partial interest such as life estates, farm leases, etc.
- Physical limitations of the subject property and comparable sales, including but not limited to soils and topography, have been described and incorporated into the report.

BUCKS COUNTY NATURAL AREAS PROGRAM  
**APPRAISAL STANDARDS**, *continued*

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**6. Maps**

- The subject property and comparable sales are displayed and identified on a locator map.
- If the property has development approvals or a proposed subdivision shown on an engineer's drawing, copies shall be included in the report. This map must be based on current zoning.
- If a Conservation Easement acquisition including building envelopes or retained rights is proposed, the report includes a map of those areas, assigns a specific acreage to the area to be placed under easement, and includes a discussion of the impact of these provisions on the valuation conclusion.

**7. Valuation**

- The appraised value may not be based on speculative development potential or hypothetical development scenarios. An "As Is" value based on current zoning and legal and physical characteristics of the property is required.
- The appraised value is based on the subject property's existing "As Is" development rights and status (unimproved or improved with roads and utilities; approved for subdivision or not approved for subdivision). The valuation date is current as of the inspection date.
- An adjustment grid is included to show the assigned adjustment percentages for all pertinent data. An adjustment grid is defined as a non-narrative chart showing adjustments for all relevant variables influencing the relationship of the comparable sales price to the subject property.
- A narrative reconciliation of value explaining the reasoning/thought process/rationale behind the numerical adjustments shown on the adjustment grid is required.
- An independent valuation conclusion has been reached for any areas retaining development rights and any areas not retaining development rights. Further, the sum of those two conclusions shall equal the valuation for the proposed purchase.
- The report should include a copy of the Conservation Easement document bound into the Addendum.
- Appraisers submitting reports to Bucks County are required to cooperate with any reports or reviews prepared by a Review Appraiser. A written response to the Review Appraiser's comments is required to be submitted within 10 working days after it is received by the appraiser.

**APPRAISAL FORMAT**

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The appraisal shall be prepared using the following format:

A. Introduction

1. Letter of transmittal or appraiser's certificate
2. Table of contents
3. Summary of salient facts and conclusions
4. Purpose of the appraisal
5. Easement value definition (if an easement is being acquired)

B. Description of Property

1. Area or neighborhood description
2. Description of appraised property
  - Legal description
  - Property data and existing zoning
  - Description of improvements
  - Photos of subject property
  - Tax map of subject property
  - Location map
  - A survey or sketch plan of the subject property, if available

C. Analyses and Conclusions

1. Analysis of highest and best use
2. Valuation methodology: Market Value
  - Comparable sales data
  - Adjustment grid (non-narrative chart showing adjustments for all relevant variables influencing the relationship of the comparable sales price to the subject property)
  - Reconciliation of value (a detailed narrative explanation of the reasoning/ thought process/rationale behind the numerical adjustments shown on the adjustment grid)
  - Location map of comparable sales.
3. Market value estimate
4. Valuation methodology: Conservation Easement Value, if applicable.
  - Comparable sales
  - Adjustment grid (non-narrative chart showing adjustments for all relevant variables influencing the relationship of the comparable sales price to the subject property)
  - Reconciliation of value (A detailed narrative explanation of the reasoning/ thought process/rationale behind the numerical adjustments shown on the adjustment grid)
  - Location map of comparable sales
5. Easement value, if applicable
6. Professional qualifications of the appraiser and copy of State Certification Certificate

BUCKS COUNTY NATURAL AREAS PROGRAM  
**PROJECT EVALUATION CRITERIA**

Applications will be evaluated and prioritized, in part, based on the following 200-point scale.

CRITERIA	POINTS
<b>1. Protection of Rare, Endangered, or Unique Natural Resource</b>	<b>75 max</b>
a. Within <i>NAI Conservation Landscape</i> and Favorable Site Evaluation	75
b. Outside <i>NAI Conservation Landscape</i> , but Favorable Site Evaluation	50
d. Unfavorable Site Evaluation	0
<b>2. Proposed Stewardship and Management</b>	<b>30 max</b>
<b>I. Resource Management and Monitoring Plan</b>	<b>0-20</b>
a. Application identifies and addresses resource management issues	20
b. Application identifies, but does not address resource management issues	10
c. Application does not identify or address resource management issues	0
<b>II. Degree of Public Access</b>	<b>0-10</b>
a. Public access is significantly enhanced	10
b. Public access is controlled (i.e. limited to guided-tours)	1-9
c. Public access is not permitted	0
<b>3. Connectivity</b>	<b>55 max</b>
<b>I. Proximity to Preserved Land</b>	<b>0-25</b>
a. Subject property adjacent to permanently protected land	25
b. Subject property is within a half mile of protected land	10
c. Subject property is not located near any protected land	0
<b>II. Acres to be Protected</b> (land subject to easement/deed restriction)	<b>0-25</b>
a. 50+ acres	25
b. 10 – 49 acres	5-24.5
c. Less than 10 acres	3
<b>III. Consistency with State, County, Local Plans</b>	<b>0-5</b>
a. Site within local/regional resource protection area	5
b. Site not within local/regional resource protection area	0
<b>4. Potential for Development</b>	<b>15 max</b>
<b>I. Degree of Natural Resource Protection from Local Ordinances</b>	<b>0-10</b>
a. Less than 50% site protected by natural resource protection measures	10
b. Between 51 - 75% site protected by natural resource protection measures	5
c. More than 75% of site protected by natural resource protection measures	0

BUCKS COUNTY NATURAL AREAS PROGRAM  
**PROJECT EVALUATION CRITERIA, *continued***

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<b>4. Potential for Development, cont</b>	<b>15 max</b>
<b>II. Proposed Development</b>	<b>0-5</b>
a. Development and/or Sale of the property imminent	5
b. Development and/or Sale of the property not imminent	0
<b>5. Additional Financial Support</b>	<b>20 max</b>
<b>I. Requested County Contribution is</b>	<b>0-10</b>
a. 1 - 25% of appraised value	5
b. 26 - 45% of appraised value	2.5
c. 46 - 50% of appraised value	0
<b>II. Status of Matching Funds</b>	<b>0-10</b>
a. All required matching funds have been approved	5
b. Some of the required matching have been approved	2.5
c. None of the required matching funds have been approved	0
<b>6. Preservation Technique</b>	<b>5 max</b>
a. Conservation Easement	5
b. Fee-Simple Acquisition	0

BUCKS COUNTY NATURAL AREAS PROGRAM  
**SETTLEMENT CHECKLIST**

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**Documentation to be submitted at settlement:**

- Signed conservation easement.
- Legal description of the area subject to the conservation easement.
- Certificate of title and title insurance commitment.
- Baseline report.
- Resource management plan.
- Mortgage subordination, if applicable.

**Send a copy of the recorded deed and conservation easement to:**

Open Space Coordinator  
Bucks County Planning Commission  
1260 Almshouse Road  
Doylestown, PA 18901

BUCKS COUNTY NATURAL AREAS PROGRAM  
**SAMPLE MORTGAGE SUBORDINATION**

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By signing this Mortgage Subordination ("Subordination") the undersigned holder ("Holder") of a mortgage or other lien ("Mortgage") on premises described as the "Property" or "Easement Area" in the Conservation Easement to which this Subordination has been attached, hereby consents to the Conservation Easement and joins in the execution of such Conservation Easement solely as Holder and agrees that in the event of the foreclosure of said Mortgage, or other sale of the premises described in the Mortgage under judicial or non-judicial proceedings, the same shall be sold subject to said Conservation Easement.

INTENDING TO BE LEGALLY BOUND, the Holder, by its duly authorized representatives, has signed this Subordination as of \_\_\_\_\_(date).

Print Name of Lien Holder: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF PENNSYLVANIA :

SS

COUNTY OF BUCKS :

ON THIS DAY \_\_\_\_\_before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged him/herself to be an authorized representative of \_\_\_\_\_, and that he/she as such representative, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by her/himself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_, Notary Public  
Print Name

BUCKS COUNTY NATURAL AREAS PROGRAM

**BASELINE REPORT CHECKLIST**

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The applicant must document the baseline conditions of the property or interest being acquired. The following checklist is adapted from the *Conservation Easement Handbook* published by the Trust for Public Land and the Land Trust Alliance. Submission of a Baseline Report is required for all acquisitions funded through the Natural Areas Program.

**1. COVER PAGE**

**2. COMPLETED BASELINE DATA CHECKLIST**

**3. TABLE OF CONTENTS**

**4. OWNER ACKNOWLEDGEMENT OF CONDITION**

This is an IRS requirement if the easement is a gift for which a deduction will be claimed. The regulations require that this statement must clearly reference the baseline data. It must say, "in substance...this natural resources inventory is an accurate representation of [the protected property] at the time of the transfer." The statement must be notarized and signed by both grantor and representative of grantee.

**5. BACKGROUND INFORMATION**

- Ownership information (name, address, and phone number of property owner).
- Historical information on the acquisition (brief chronological description of events that led to the protection of the property).
- Summary of easement/deed restriction provisions (specific prohibitions, restrictions, and retained rights, so derived from the language of the easement or deed).
- Purpose of easement/deed restrictions.
- Evidence of the significance of the protected property as established either by government policy or by the long-term protection strategy developed by the grantee.
- Corporate or agency resolution accepting or authorizing purchase of the property (minutes of the meeting at which acquisition approved are adequate).

**6. LEGAL CONDITION**

- A copy of the signed, recorded easement document or deed.
- An assessor's parcel map.
- A clear title statement or preliminary title report, noting any liens against the property that could compromise its natural qualities or invalidate the easement or deed restrictions.
- Copies of any other relevant easements associated with the property.

**7. ECOLOGICAL FEATURES**

- An inventory of rare, endangered, and/or threatened species.
- Reports from wildlife biologists or other specialists that document the status of significant natural elements.
- A very general description of plant covers, soils, etc. This description should be limited only to those ecological features that the easement seeks to protect.

BUCKS COUNTY NATURAL AREAS PROGRAM

**BASELINE REPORT CHECKLIST**

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**8. AGRICULTURAL FEATURES**

- Intensity of grazing (this is expressed in "animal units" per acre).
- Level of pesticide use.
- Soil quality (landowners should be encouraged to ask the Natural Resource Conservation Service to prepare a soil conservation plan; this serves as the easement's benchmark for acceptable practices on erodible land).

**9. SCENIC FEATURES**

- Official policies citing the property's scenic value.
- Nearby public places (i.e. roads, trails, parks, etc.) from which the public can view property.

**10. MAN-MADE FEATURES**

- Improvements (i.e. trails, fences, wells, power lines, pipelines, irrigation systems, etc.).
- Recreation/tourism attractions.
- Trespass damage and disturbed land (i.e. stray animals, introduced species, evidence of vehicular trespass, etc.).

**11. PHOTOGRAPHS**

- On-site photos. Record key photo points on a map, note distance from structures or other fixed points, and sign and date all photos.
- Aerial photographs.

**12. MAPS**

- An 8.5 x 11 in. section of a local road map showing property location and location of eased or restricted area if different.
- A U.S. Geological Survey map showing photo-stations, property boundaries and boundaries of eased or restricted area, if different.

BUCKS COUNTY NATURAL AREAS PROGRAM  
**RESOURCE MANAGEMENT PLAN GUIDELINES**

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A Resource Management Plan (RMP) is a comprehensive guidance document for the long-term stewardship of a property. The RMP describes and recommends land management practices to properly care for the identified Conservation Values of a property.

A RMP does not have to be a complicated document. The information in a RMP should be simple, but with enough detail to be useful. Depending on the size of a property and degree of natural resources present, some RMPs may be quite extensive, while others may be rather concise. Most RMPs are designed to be reviewed every five to ten years, allowing for adjustments to address changing environmental conditions and/or new management practices. The County recommends that municipal applicants partner with land conservation professionals to develop RMPs specific to individual project needs.

A Resource Management Plan should include the following information:

- Property Location and Background
- Resource Assessment
- Conservation Objectives
- Management Recommendations
- Activity Schedule
- Supplemental Information

**Property Location and Background**

Provide a general description of the property’s physical setting (address, property acreage and easement acreage, if different), ownership information, and summary of the easement/deed restriction provisions.

**Resource Assessment**

Inventory significant natural resources (i.e. wildlife, endangered and/or threatened species, water resources, etc.) found within the protected area. Aerial photographs and property maps can be useful to illustrate the different resource areas.

**Baseline Documentation and Resource Management Plans**

The Resource Management Plan should relate directly to the natural resources identified in the property’s Baseline Documentation as well as the conservation objectives found within the associated easement or deed restriction.

Consequently, some components of the Baseline are also required in the Resource Management Plan. To prevent duplication of information and avoid potential confusion, the Baseline and Resource Management Plan can be prepared as a single document. Alternatively, relevant sections such as the *Property Location and Background* and *Resource Inventory* prepared as part of a Baseline, can be referenced within the Resource Management Plan.

BUCKS COUNTY NATURAL AREAS PROGRAM  
**RESOURCE MANAGEMENT PLAN GUIDELINES**

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**Conservation Objectives**

State the desired outcomes or future conditions for the subject property. Objectives should complement the Conservation Objectives identified in the easement/deed restrictions and reflect the existing conditions inventoried in the in the baseline documentation.

**Management Recommendations**

Based on the resource assessment and conservation objectives, specific recommendations should be made for each critical resource area according to accepted Best Management Practices. Recommendations should outline a series of treatments or operations, with a discussion of the expected results of each activity. Other topics such as deer management and handling native and invasive plants can be provided.

**Activity Schedule**

Develop a timetable as to when each recommended treatment should occur. Typically, landowners are responsible for implementing the RMP. However, in some cases, a conservation organization or municipality may be assigned a particular task. If so, the RMP should identify responsible parties other than the landowner and clearly define their related function.

**Supplemental Information**

RMPs may also include additional reference or resource information such as:

- ***Publications and Fact Sheets*** — Resource guides offering information relating to specific practices in the RMP.
- ***Contact Information*** — Professionals and organizations that may be able to offer the landowner assistance in the implementation of the RMP.
- ***Cost Summary*** — Projected costs for recommended management practices.
- ***Recordkeeping Log*** — Consistent recording of dates, times, places, and expenses associated with each activity may be helpful in evaluating current techniques, planning additional activities, and updating the RMP.

BUCKS COUNTY NATURAL AREAS PROGRAM

**ANNUAL MONITORING REPORT**

*To be submitted to Bucks County Open Space Coordinator by December 31<sup>st</sup> of each year.*

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Property Name: \_\_\_\_\_ Municipality: \_\_\_\_\_

Primary Easement Holder: \_\_\_\_\_

Date of Visit: \_\_\_\_\_

Tax Map Parcel#(s): \_\_\_\_\_

Monitor name and affiliation: \_\_\_\_\_

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**A. Ownership**

Has ownership of the property changed? Yes \_\_\_ No \_\_\_

If yes, provide the following information:

Current Landowner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Have copies of the easement and baseline been provided to the new landowner? Yes \_\_\_ No \_\_\_

**B. Land Use** What is the current land use of the property? \_\_\_\_\_

**C. Construction Activities**

Have structures or improvements (*including trails*) been built in the Easement Area? Yes \_\_\_ No \_\_\_

If yes, describe below, locate on a site map, and attach photographs.

Are improvements consistent with the provisions of the deed restrictions? Yes \_\_\_ No \_\_\_

BUCKS COUNTY NATURAL AREAS PROGRAM

**ANNUAL MONITORING REPORT**

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**D. Other Changes**

Describe any alterations in the property since the baseline or last visit. (*i.e. evidence of timber harvest, trespass, trash, natural alterations such as flooding, fire, insect infestation, etc.*) Locate changes on a site map and attach photographs.

Does landowner plan to sell and/or subdivide the property in the near future? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, provide anticipated date and describe nature of activity:

Does the landowner have plans for construction, mining, utilities? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, provide anticipated date and describe nature of activity:

Are the proposed changes consistent with the provisions of the deed restrictions? Yes \_\_\_\_\_ No \_\_\_\_\_

**E. Recommended Actions:**

**F. County Open Space Sign?** Yes \_\_\_\_\_ No \_\_\_\_\_ **Condition:** New \_\_\_\_ Good \_\_\_\_ Fair \_\_\_\_ Poor \_\_\_\_

**Signature of monitor(s):** \_\_\_\_\_  
*Signature of monitor verifies that the information on this form is accurate and that a copy of the report has been provided to the landowner and the Bucks County Open Space Program.*



## Conservation Landscapes by Municipality

Municipality	Conservation Landscape	Conservation Landscape	Conservation Landscape
<b>Bedminster</b>	Nockamixon Haycock (#9)	Lower Tohickon Creek (#6)	
<b>Bensalem</b>	Atlantic Coastal Plain (#1)	Neshaminy Creek (#8)	
<b>Bridgeton</b>	Coffman Hill (#2)	Delaware River (#4)	
<b>Bristol Borough</b>	Atlantic Coastal Plain (#1)		
<b>Bristol</b>	Atlantic Coastal Plain (#1)		
<b>Buckingham</b>	Mid County Ridges (#7)	Neshaminy Creek (#8)	Paunacussing Creek (#10)
<b>Chalfont</b>	Lake Galena Pine Run (#5)	Neshaminy Creek (#8)	
<b>Doylestown Township</b>	Neshaminy Creek (#8)		
<b>Durham</b>	Cooks Creek (#3)	Delaware River (#4)	
<b>East Rockhill</b>	Nockamixon Haycock (#9)		
<b>Falls</b>	Atlantic Coastal Plain (#1)		
<b>Haycock</b>	Cooks Creek (#3)	Nockamixon Haycock (#9)	
<b>Hulmeville</b>	Atlantic Coastal Plain (#1)	Neshaminy Creek (#8)	
<b>Langhorne</b>	Neshaminy Creek (#8)		
<b>Lower Makefield</b>	Atlantic Coastal Plain (#1)	Delaware River (#4)	
<b>Lower Southampton</b>	Neshaminy Creek (#8)		
<b>Middletown</b>	Neshaminy Creek (#8)		
<b>Milford</b>	Upper Unami Creek (#13)		
<b>Morrisville</b>	Atlantic Coastal Plain (#1)	Delaware River (#4)	
<b>New Britain Borough</b>	Lake Galena Pine Run (#5)	Neshaminy Creek (#8)	
<b>New Britain Township</b>	Lake Galena Pine Run (#5)	Neshaminy Creek (#8)	
<b>New Hope</b>	Delaware River (#4)		
<b>Newtown Township</b>	Neshaminy Creek (#8)		
<b>Nockamixon</b>	Coffman Hill (#2)	Nockamixon Haycock (#9)	Tinicum Creek (#11)
<b>Northampton</b>	Neshaminy Creek (#8)		
<b>Penndel</b>	Atlantic Coastal Plain (#1)		
<b>Plumstead</b>	Lake Galena Pine Run (#5)	Lower Tohickon Creek (#6)	Paunacussing Creek (#10)
<b>Richland</b>	Nockamixon Haycock (#9)	Upper Tohickon Creek (#12)	Upper Unami Creek (#13)
<b>Riegelsville</b>	Cooks Creek (#3)	Delaware River (#4)	
<b>Solebury</b>	Delaware River (#4)	Mid County Ridges (#7)	Paunacussing Creek (#10)
<b>Springfield</b>	Cooks Creek (#3)	Nockamixon Haycock (#9)	Upper Tohickon Creek (#12)
<b>Tinicum</b>	Coffman Hill (#2)	Delaware River (#4)	Lower Tohickon Creek (#6)
	Nockamixon Haycock (#9)	Tinicum Creek (#11)	
<b>Tullytown</b>	Atlantic Coastal Plain (#1)		
<b>Upper Makefield</b>	Delaware River (#4)	Mid County Ridges (#7)	
<b>Warwick</b>	Neshaminy Creek (#8)		
<b>West Rockhill</b>	Nockamixon Haycock (#9)	Upper Unami Creek (#13)	
<b>Wrightstown</b>	Neshaminy Creek (#8)		
<b>Yardley</b>	Delaware River (#4)		



**Bucks County**  
Planning Commission

Neshaminy Manor Center  
1260 Almshouse Road  
Doylestown, PA 18901  
Phone: 215-345-3400  
Fax: 215-345-3886  
Email: [bcpc@co.bucks.pa.us](mailto:bcpc@co.bucks.pa.us)