



CUYAHOGA COUNTY
Natural Resources Assistance Council

Clean Ohio Green Space Conservation Program

District One Natural Resources Assistance Council (NRAC)
Fiscal Year (FY) 2027 Policy Manual

ABOUT THE POLICY MANUAL

This document provides the Ohio Public Works Commission (OPWC) and the District One NRAC policies. Clean Ohio Green Space Conservation Program Funding Applications will be evaluated in accordance with the requirements, terms, and conditions set down by the OPWC and the NRAC.

OPWC POLICIES

The OPWC policies and guidelines should be reviewed before the application materials are submitted to ensure project eligibility and prevent delays in evaluation or selection due to non-compliance with program requirements.

View the OPWC policies and guidelines and read the Advisories on the OPWC website at <https://publicworks.ohio.gov/programs/clean-ohio/advisories-sa>.

DISTRICT ONE NRAC POLICIES

Each program year the project evaluation and scoring are separate and distinct from previous program years. In accordance with OPWC policies, District One NRAC has established the following policies for the evaluation and scoring of project applications.

AGRICULTURAL EASEMENTS

Agricultural easements are not eligible because they fail to satisfy ORC 164.22 (A) or (B).

APPRAISALS

Certified Restricted Appraisal Reports are required and must be done by an [ODOT Prequalified Appraiser](#) credentialed in appraisals. The selected appraiser must certify that he/she has received and read OPWC's Standards and must provide written documentation of this action in the appraisal's Letter of Transmittal. The OPWC will not approve the Request to Proceed without this information.

In accordance with OPWC Policy, applications for open space acquisition that do not include a Restricted Appraisal Report by an ODOT prequalified appraiser will not be considered by the District One NRAC. The list of ODOT appraisers and the OPWC appraisal standards are available at <https://publicworks.ohio.gov/programs/clean-ohio/co-application/1-clean-ohio-application>. Additional requirements include:

- Projects that propose leveraging the difference between the appraised value and purchase contract are required to have an appraisal review performed by an ODOT Prequalified Appraisal Reviewer to ensure that the purchase price history, comparables, adjustments, and disclaimers are accurate.
- The purchase of a property at a cost higher than the appraised value is eligible, however the price cannot exceed 5% of the appraised value. The NRAC must be cognitive of this difference and must validate the value of properties that are using the difference between the Purchase Contract and appraised value as scored.
- Appraisal expenses are considered an eligible expense under planning and implementation and an applicant will be reimbursed based on the project's participation ratio.
- An appraisal's date of determination value (effective date) must be within 12 months of the

date of submittal to the OPWC for the Request to Proceed (RTP); therefore, applicants must be cognizant of the timing of the date of value and the RTP submittal. To view the Standards & Procedures for Appraisal Reporting, visit:

<https://dam.assets.ohio.gov/image/upload/publicworks.ohio.gov/Main%20Website%20Files/Appraisal%20Standards%20Jan%202023.pdf>

CHANGE IN SCOPE

Requests to change a project's scope will be considered by the NRAC if no additional funds are requested and the work to be done is directly associated with the approved project.

The NRAC will not approve a scope change for a project if the type of financial assistance differs from the original award. For example, if an original project request for funding included a 50% match from the Applicant for the total project cost, the proposed scope change for that project requires the same 50% match.

CONTAMINATION CONCERNS

Properties are assumed to be uncontaminated, but if an applicant is uncertain, a Phase 1 Environmental Site Assessment (ESA) must be provided.

If the District 1 NRAC, by majority vote, voices concern that a property being recommended for Clean Ohio funding may be contaminated, it must ask the director of the OPWC to consider requiring the applicant to submit a Phase 1 ESA prior to the OPWC issuing a project agreement.

If the Phase 1 ESA documents one or more recognized environmental concern(s) and concludes that the property is likely to contain contamination, the applicant shall be required to submit a Phase 2 ESA prior to October 31, 2026 for further consideration by the NRAC.

LAND ACQUISITION

Projects not scheduled for acquisition within twelve (12) months from the date of the Project Agreement will be rejected by OPWC and are not eligible. The District One NRAC requires documentation of impending land transactions. This information must be included in the application, in one of the following forms:

- A Fully executed contract with the owner (signed purchase agreement)
- A Contract (Purchase Agreement that does not have all the required signatures), a Letter of Understanding, or Memorandum of Understanding
- An application that utilizes Confidentiality Agreements in lieu of Purchase Agreements will not be evaluated.

LOCAL MATCH

Applicants are required to attach a statement signed by their Chief Financial Officer stating that the local revenues pledged as match for the project will be available on or before the earliest date listed in the project schedule.

The applicant also needs to provide award letters for funds coming from other funding sources. **Applications that do not include this documentation will not be evaluated by the NRAC.**

MINERAL RIGHTS / OIL & GAS LEASING

In accordance with OPWC policy, existing oil and gas leases, at the time District One NRAC approves a project, will be treated as pre-existing easements over which the applicant has little or no control. Project proposals that acquire and maintain available mineral, oil, gas and/or extraction rights, on properties with no active gas and oil wells, will be awarded the full 5 points.

Requests to engage in new oil and gas leasing on Clean Ohio Properties that have been acquired along with the mineral rights will be denied.

MINIMUM SCORE REQUIREMENT

District One NRAC requires a minimum score of 177 points, or 60% of total points available, for projects recommended for funding.

PERMANENT PROTECTION

Open Space Projects

- Requests for open space acquisition must include acquisition by land securement. Examples of types of land securements are listed and defined in the OPWC [Greenspace Glossary](#), and include:
 - Fee Simple
 - Conservation Easement
- Applications for open space acquisition that do not include land securement documentation will not be considered by the District One NRAC.
- Applications for Open Space Improvement projects that do not include land acquisition must include OPWC deed restrictions (see <https://publicworks.ohio.gov/programs/clean-ohio/admin-sitearea/2-administration> for Deed Restriction Language) and the recorded deed or conservation easement in order to be recommended for funding.
 - The *Use and Improvement* section of the draft deed restriction must explicitly state that any future plans, uses, or improvements will be in accordance with Clean Ohio program parameters.
- Open Space Improvement projects (on lands secured both through acquisition or through easements) can include construction, restoration or enhancement of sites or facilities that are necessary to make the acquired open space area accessible and useable by the public,

so long as those improvements have little to no impact on conservation.

- For properties acquired through past rounds of Clean Ohio funding, the application for Open Space Improvement projects should include one of the following forms of documentation from the original Clean Ohio Award:
 - The executed settlement statement.
 - The recorded deed and deed restrictions.
 - Any conservation easements.

Riparian Corridor Projects

- Applications for Riparian Corridor Improvement projects that do not include land acquisition must include OPWC deed restrictions (see <https://publicworks.ohio.gov/programs/clean-ohio/admin-sitearea/2-administration> for Deed Restriction Language) and the recorded deed or conservation easement in order to be recommended for funding.
 - The *Use and Improvement* section of the draft deed restriction must explicitly state that any future plans, uses, or improvements will be in accordance with Clean Ohio program parameters.

POST-ACQUISITION/IN-KIND ACTIVITY

All post-acquisition activities must be concluded within a two-year period from the date of acquisition unless a formal extension has been approved by the OPWC.

RECUSAL REQUIREMENTS

In accordance with Ohio's Ethics laws, District One NRAC Members will recuse themselves from discussion, participation in the project site visits, interviews, and scoring specific project applications submitted by, or on behalf, of their organization, or any applications prepared and submitted by their organization for Clean Ohio Green Space Conservation Funds. It is recommended to have someone else from the organization be present and address any questions from the NRAC members.

RESOLUTIONS OF SUPPORT or WRITTEN CORRESPONDENCE

In accordance with [ORC Sections 164.23\(B\) and 164.23\(C\)](#), District One NRAC requires the following:

- Park Districts or similar park authorities are responsible for consulting with the legislative authority of each political subdivision (be that Cuyahoga County, a municipal corporation, or a township) in which the proposed project is located.
 - In accordance with [OAC Section 164-2-14](#), Park districts and other similar park authorities must provide a copy of the written solicitation for comments sent to the local governments within their Clean Ohio application.
 - Any applications that do not contain this documentation shall be considered incomplete and not be scored by the natural resource assistance council.

- For all other applicants, except applicants that are political subdivisions (be that Cuyahoga County, a municipal corporation, or a township) and the proposed project falls entirely within that political subdivision, the following shall be required:
 - A copy of a resolution supporting the project from Cuyahoga County Council.
 - If the proposed project is within the boundaries of a single township or municipal corporation, then a resolution of support is required from that township or municipal corporation.
 - If the proposed project is within the boundaries of more than one, but fewer than five townships or municipal corporations, then a resolution of support is required from at least half, or 50%, of the total number of affected communities.
 - If the proposed project is within the boundaries of five or more townships or municipal corporations, then a resolution of support is required from at least three-fifths, or 60%, of the total number of affected communities.

RESTORATION

It is critical to District One NRAC that the open space selected for funding initiates or hastens the recovery of the ecosystem present on the land. To be eligible for points, restoration work must comprise a portion of the project scope, budget, or local match and supporting documentation must be included. Restoration projects should be designed to incorporate as many of the following as possible:

- Preventative conservation: Preservation of high-quality open space or important habitat to prevent degradation or development, avoiding the need for restoration.
- Preservation or rehabilitation of an open space to allow and/or advance natural succession.
- Assurance that any species (flora and fauna) introduced as part of the project are both native and resilient (can resist disturbance).
- Integration of a community's cultural heritage.
- Provision of opportunities for the public to appreciate and understand cultural and ecological relationships.
- Promotion of a common vision for greenspace for Cuyahoga County.

SITE IMPROVEMENTS

District One NRAC projects using Clean Ohio funds for restoration or site improvements must include with the application the itemized estimate of probable costs for all improvements. This cost estimate must be provided by an architect, landscape architect, or other qualified professional.

Open Space Improvement projects can include construction, restoration, enhancement, or demolition of facilities that are necessary to make the acquired open space area accessible and usable by the public, so long as those improvements have little to no impact on conservation.

Improvements within easements are permitted if improvements meet the criteria stated above and if both the easement holder and landowner are OPWC-eligible applicants.

STRUCTURES

District One allows the acquisition and/or demolition of existing structures. Existing structures are permitted to remain on the property if they serve as nature and/or outdoor education centers, venue space for programming and interpretive uses related to conservation, and/or support functions to conservation activities occurring on the property such as storage and administrative offices. Existing structures cannot be used as residences.

If there are existing structures on the property being acquired, the Applicant must provide the appraised value of the structure, the percentage value of the structure in relation to the overall property value, and the intended actions for the structures (e.g., demolition, re-use).

VIRTUAL MEETINGS

H.B. 257 grants permissive, conditional authority to certain public bodies to hold virtual meetings using “video conference technology” and “electronic equipment widely available to the general public.”

The District One NRAC allows for meetings to be held virtually at the discretion of the NRAC Chairperson, such that:

- 1) Any member of the NRAC attending a properly noticed and conducted virtual public meeting shall count toward the establishment of a quorum for that meeting;
- 2) Any action taken at a properly noticed and conducted virtual public meeting shall be effective as if it were taken at an in-person meeting;
- 3) The public is able to discern how each member voted, including any abstentions; and
- 4) If two or more members (or 10%) of the NRAC believe agenda items require an in-person meeting rather than a virtual meeting, any action on those items must be taken in person, provided that those NRAC members notify the NRAC Chair, in writing, 48 hours or before the meeting.

And so long as:

- 5) The public (including media and parties required to be notified) has at least 72-hours’ notice, accessible by reasonable methods, that lists the time, place, means to attend virtually, and purpose or agenda of the meeting, unless such meeting is an emergency meeting as defined in the Article 3.J. of the Bylaws;
- 6) Public access to the virtual meeting is provided such that members of the public can see and hear all aspects of the meeting, including participating NRAC members. Access will be made via Zoom, Microsoft Teams, or any other virtual meeting platform widely in use and shall be livestreamed on the internet, a cable channel, public broadcast, or other appropriate means of dissemination; and
- 7) NRAC members confirm their attendance at virtual meetings to the NRAC Chair and District Liaison at least 48 hours in advance.