

# **Town of Essex Conservation Reserve Fund Policy**

*Adopted by the Essex Selectboard January 2, 2018*

## **I. PURPOSE**

- (A) The Conservation Reserve Fund shall be used to further the permanent protection of land for the public good, particularly those parcels or portions thereof that prevent sprawl and contain or have the potential to support the resources identified below in Section II as particularly valuable to the Town. The Fund shall be adopted and administered by the Selectboard in accordance with 24 V.S.A. § 2804.

## **II. RESOURCES**

- (A) When considering proposals to use money from the Conservation Reserve Fund, the Selectboard shall ensure that the money will be used in furtherance of the conservation of land that contains or has the potential to support one of the following resources:

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|---|---|
| (1) Surface waters, including lakes, ponds, rivers, and streams | (6) Wetlands                            |
| (2) Wildlife habitat  | (7) Scenic views                        |
| (3) Public trails   | (8) Prevention of suburban/urban sprawl |
| (4) Neighborhood parks/green space                              | (9) Agriculture                         |
| (5) Floodplain areas  | (10) Forestry                           |
|   | (11) Historic features                  |

- (B) The Conservation and Trails Committee should undertake a survey of Town residents every five years for feedback on which resources the Conservation Fund should be used to protect. Following the survey, the Committee should produce a list of resources that may warrant Conservation Reserve Fund expenditures ("List").
- (C) The Selectboard may add or remove items to/from the List, at its discretion or upon a recommendation from the Conservation and Trails Committee.

## **III. CONTRIBUTIONS TO THE FUND**

- (A) Contributions to the Conservation Reserve Fund may be made through the following means:
- (1) An appropriation approved by voters at a town-wide meeting;

- (2) A line item transfer from the operating budget or general fund
- (3) A fund balance transfer
- (4) Voluntary contributions from residents or others;
- (5) Fund-raising activities organized by Town boards, commissions, or committees;
- (6) Grants from public or private sources;
- (7) Interest that accumulates on deposited funds.

#### **IV. USES**

The Fund may be used for the following purposes:

- (A) Grants to Essex landowners to help offset the legal costs of transferring permanently conserved land, permanent conservation easements, or multi-use non-motorized trail easements to the Town, an accredited land trust, a state or federal agency, or some other conservation organization; easements or conservation land required as a condition of Planning Commission development approvals shall not be eligible for Conservation Reserve Fund grants;
- (B) Matching funds or contributions to accredited land trusts, state or federal agencies, or other conservation organizations seeking to acquire land or easements for permanent conservation within the Town;
- (C) Purchases of land by the Town when the land will be permanently conserved for the public good;
- (D) Reimbursement for appraisals, surveys, or inventories of land that has been permanently conserved through one of the above methods, payable upon transfer of land or development rights;
- (E) Finance loans when a state, federal, or private foundation grant for a specific conservation project has been officially approved, but funds have not yet been received by the Town for the project;
- (F) Restoring a damaged natural resource on conserved or Town-owned land;
- (G) Preparing land management plans for conserved land;
- (H) Other land conservation opportunities deemed appropriate by the Selectboard.

## **V. ACCOUNT**

- (A) The Conservation Reserve Fund shall be held in an account separate from the General Fund per 24 V.S.A. § 2804.

## **VI. PROJECT REVIEW PROCESS**

- (A) Conservation Reserve Fund expenditures are within the discretion of the Selectboard. Proposals for the use of funds may be made in the form of Applications submitted by landowners and/or their agents. The Selectboard may also consider expenditures on its own initiative or on the recommendation of the Conservation and Trails Committee.
- (B) Applications for Conservation Reserve Fund monies shall be made to the Selectboard on an application form provided by the Town.
  - (1) The Conservation and Trails Committee, in conjunction with the Community Development Department, shall administer and maintain an application form for Conservation Reserve Fund requests.
- (C) The applicant shall submit a conservation plan map of the project to the Selectboard that shows the area(s) to be conserved.
- (D) The Selectboard should consult the Conservation and Trails Committee and may consult other Town boards, commissions, committees, departments, and residents when considering applications or other proposals. Comments from those parties shall be submitted to the Selectboard in writing and/or in person to help assess a project's suitability for Conservation Fund monies. Consideration should be given to the List when prioritizing Conservation Fund expenditures.
- (E) The Selectboard shall hold a duly-warned public hearing before approving any proposed use of the Fund, unless circumstances warrant an emergency hearing pursuant to 1 V.S.A. § 312(c)(3).

## **VII. CONFIDENTIALITY**

Nothing in this Policy shall be construed to limit the Selectboard's authority to protect confidentiality with regard to real estate transactions, and other protected matters, consistent with the Vermont's Open Meeting Law, 1 V.S.A. 310-314.