



Legislation Details (With Text)

<b>File #:</b>	18-1339	<b>Version:</b>	1	<b>Name:</b>	8/23/18 ACEP Grant Application for Russell Property
<b>Type:</b>	Resolution	<b>Status:</b>			Passed
<b>File created:</b>	8/23/2018	<b>In control:</b>			City Council
<b>On agenda:</b>	8/23/2018	<b>Final action:</b>			8/23/2018
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**Title:** Resolution to Authorize a Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for the Purchase of a Conservation Easement on the Russell Property in Lodi Township

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Russell Aerial Map.pdf, 2. Russell Protected Map\_2018.pdf

Date	Ver.	Action By	Action	Result
8/23/2018	1	City Council	Approved	Pass

Resolution to Authorize a Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for the Purchase of a Conservation Easement on the Russell Property in Lodi Township

This resolution authorizes a grant application to the USDA Natural Resource Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP) for the purchase of a conservation easement on the Russell property located in Lodi Township.

Applications to the NRCS-ACEP program are for funds up to 50% of the appraised fair market value of the conservation easement, up to a maximum of \$5,000 per acre. The ACEP Program is voluntary and provides matching funds for local governments to acquire conservation easements on farmland. The landowners retain the right to use their property for agriculture. ACEP applications may be submitted year-round, but while the application deadline for FY 2019 ACEP funds has not been announced yet, it may be as early as January 2019. It is anticipated that a request for acceptance of grants, if awarded, will be presented to City Council in September of 2019.

The Greenbelt Advisory Commission recommended submission of the grant application for the Russell Property in Lodi Township at its July 12, 2018 meeting.

This resolution also approves a Pending Offer Agreement for purchase of an agricultural conservation easement on the farm, which is required for the ACEP application. The agreement provides that the purchase is contingent on the following:

- a. Establishment of a fair market price for the conservation easement to be determined by an appraisal and approved by the City and the ACEP Program;
- b. Conveyance of good and marketable title via conservation easement;
- c. Acceptable environmental site assessment of property; and
- d. Acceptance of the conservation easement by City Council and ACEP.

An appraisal will be completed for the property and, if awarded grant funds, a complete budget along with a purchase agreement will be submitted to City Council for review and action.

Matching grant funds are through the USDA-NRCS's ACEP Program. The City's share is from the Open Space and Parkland Preservation Millage proceeds. The ACEP Program is voluntary and provides matching funds for local governments to acquire agricultural conservation easements on farmland. The landowner retains the right to use the property for agriculture.

### **John Russell Farm, Lodi Township**

The property consists of approximately 151 acres, is located along Textile and South Zeeb Roads in Lodi Township, and is owned by John Russell. The farm is considered large enough to sustain agricultural production and is in a location that will encourage additional farmland and agricultural preservation activities. The property scored in the top 15% of applications received to date by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The property is mostly agricultural and contains approximately 90 tillable acres in several fields separated by tree rows, 6 acres of wetlands, 5 acres of woodlands, a stream, and 50 acres of shrub- and grasslands, and is located within the River Raisin watershed. It is adjacent to the Schumacher Conservation Easement and within 1 mile of the Guenther (West) and Lindemann-Weidmayer Conservation Easements, all of which were purchased with funds from the Open Space and Parkland Preservation Millage and with ACEP funding. It is also adjacent to the Rogers property, which was approved for purchase of development rights by City Council in February 2018, and which was also awarded ACEP funding. The Greenbelt Advisory Commission considers this parcel a priority for acquisition due to the quality of the agricultural features, proximity to other protected properties, and possibility to leverage funds with federal and other local sources of funding. The Commission recommended applying for ACEP funds at their July 12, 2018 meeting. The property also meets the priorities for both the Greenbelt and ACEP Programs.

The purpose of the acquisition of the conservation easement on the property is for open space and agricultural land preservation.

Approval of this resolution is recommended by staff.

Prepared by: Ruth Thornton, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator

Christopher Frost, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt District and enables the City to purchase conservation easements on property within the district;

Whereas, Chapter 42 of The Ann Arbor City Code authorizes the purchase of conservation easements with Open Space and Parkland Preservation Millage proceeds, of which there are sufficient funds for this purchase;

Whereas, The USDA Agricultural Conservation Easement Program (ACEP) program has matching grant funds available for up to 50% of purchase of a conservation easement on eligible agricultural land, not to exceed \$5,000.00 per acre;

Whereas, Limited funds are available through the County Natural Area Preservation Program and Township land preservation funds;

Whereas, The Greenbelt Advisory Commission's goal is to leverage the City's millage funds to protect as much land as possible throughout the 30-year life of the millage;

Whereas, The owner of the John Russell Farm property has expressed a willingness to grant a conservation easement on the property that conforms to standards established by the City of Ann Arbor and the Natural Resources Conservation Service; and

Whereas, The Greenbelt Advisory Commission approved a motion recommending approval of this application at its July 12, 2018 meeting;

RESOLVED, That City Council authorize a grant application to the Agricultural Conservation Easement Program for matching grant funds for the purchase of a conservation easement on the John Russell Farm property; and

RESOLVED, That the City Administrator be authorized to take all appropriate actions to implement this resolution.