

Questions asked during the September 29 and 30, 2022 Green Acres Stakeholder Meetings

Q1: What are the dates of the upcoming funding round?

A1: The next funding round will open on October 31, 2022 and the deadline will be on February 3, 2023.

Q2: Are unspent funds carried over into future funding rounds?

A2: Yes. Green Acres uses funding from previously approved (but later canceled, withdrawn, or completed) projects during open funding rounds.

Q3: How will the public engagement process take into consideration the need for confidentiality in early land acquisition negotiations?

A3: For our Planning Incentive projects, applicants had public hearings/engagement as part of the preparation of the required Open Space and Recreation Plan, so site-specific information doesn't need to be mentioned at the time of request for additional Planning Incentive funding. If it is a Site-Specific or Urban Aid acquisition application, the property needs to be identified. While we understand the need for confidentiality, there is no way to engage with the public and inform them of a proposed park/public open space without giving location information.

Q4: Please describe “only one parcel at a time”. In the application, if a property is multiple property parcels, is that considered one project or one parcel?

A4: Green Acres has seen an increasing demand on our appraisal review staff in recent years. One reason for this is that many project sponsors are embarking on several appraisals at the same time, possibly unsure of which deal will come to fruition. This has created a backlog of requests for Green Acres appraisal staff attention and has led to appraisals becoming outdated while project sponsors move forward with their top priority acquisitions. In other cases, Green Acres has reviewed appraisals for properties that the project sponsor decides to acquire on its own, without Green Acres funding. Also, some sponsors appraise properties whose value far exceeds available funding, which limits success. Finally, applicants often ask to begin appraisals on new parcels when there are properties already acquired through Green Acres for which we can still provide additional reimbursement,

Our experience has shown that most towns, counties, and nonprofits aren't closing on multiple properties at the same time. For that reason, Green Acres needs to limit the number of appraisals that one project sponsor can undertake at the same time. We cannot provide an appraisal review service for properties that we will not be asked to fund in the short- or long-term, especially if they have to rely on supplemental funding. Also, we want to reimburse any “ready to pay” properties before starting due diligence on a new property.

A unified group of parcels is “a project”. If there are separate owners, separate appraisals are required. If there are multiple appraisals in “a project”, proceeding all at one time presents

challenges. However, this doesn't mean that you cannot start on a new parcel until you've closed on something else. We're mostly looking at your success rate and pace. As you're making significant progress, then due diligence on the next property can begin.

Q5: Are Planning Incentives limited to one parcel at a time?

A5: Planning Incentives ARE limited to one parcel at a time UNLESS we can see from your track record that you are acquiring parcels in an expeditious manner. This doesn't mean you can't start on a new parcel until another one closes. As discussed above, we will take into consideration how much significant progress is being made. We understand that having land values helps you negotiate, but we can't provide a review service to you for a project that may never come to fruition. Many project sponsors have come to rely on us for our Certification of Market Value, and then they might buy it on their own or do something else. We're trying to focus you what's most time sensitive. If you keep moving, you can go to the next one as the funding allows. It's really based on how quickly you can close and make progress. Your project manager will help you keep moving, so your multiple parcels can proceed.

Q6: For planning incentive grant supplemental funding requests, will applicants still need to identify individual near-term projects? If there are 3 or 4 parcels that we're in various stages of discussion with the landowner, will we list all of them on the supplemental request form, or will we only list the one that we think is most likely to move forward?

A6: In order for Green Acres to evaluate whether an applicant needs additional funding (and how much) before the next funding round, we need to know what you are actively working on. You should list on the Supplemental Funding Request Form everything you have in the pipeline to help us see whether the balance that you currently have is enough for the properties you will be able to acquire before the next funding round. The form separates properties into those you have already closed (but are eligible for reimbursement), those that are under contract, being appraised, and just being considered.

Q7: We can have appraisals done at our own risk to help us negotiate or set a target for fundraising, you just don't want us to submit them to you, correct?

A7: We provide an At-Risk Authorization when an applicant or project sponsor needs to move ahead on an acquisition project, out of sequence or ahead of time. We provide procedural guidance so that, when (and if) you come back to us, the appraisals and other due diligence were done correctly. Regarding appraisals, providing instructions requires staff review time as they are prepared based on the unique circumstances of the property. Currently we only have one full-time appraiser who is preparing all instructions and doing appraisal reviews, but we are bringing on a second full-time appraiser and are trying to get more hourly appraisers. Your project pace will determine how we handle your At-Risk Authorization requests and your need for instructions or appraisal reviews. Please work with your project manager if this need presents itself.

Q8: Where can I find information about the new tree removal policies?

A8: The policies will be included in the new applications.

Q9: Are the new tree removal policies only applicable to new acquisitions or will they apply to all Green Acres funded properties, including those owned by the State?

A9: The new tree removal policies discussed during the stakeholder meeting will be applicable to new Green Acres park development and stewardship projects. It is not applicable to acquisition projects (where there is no tree removal) or to state-owned lands (which are managed by other agencies in the Department).

Q10: Would dead trees be considered tree removal?

A10: We understand that dead/dying trees can be hazardous and may need to be removed if it is unavoidable. The health/condition of trees proposed for removal is part of the justification we will be requesting. We are trying to avoid funding the removal of trees when there are alternatives, such as supporting a weak tree or redesigning the facility to avoid the trees. During the stakeholder meeting, we described the true example of trees proposed for removal because they were in the way of a straight walkway. We would want to know why the walkway could not meander around the trees. The justification is not just required for proposals to clear cut large swaths of trees. We recently received strong public opposition to the removal of a few old trees that were being removed from an urban park, but they were the only trees. Through carbon sequestration, trees play an importance role in climate resilience. As part of the Department of Environmental Protection, we need to make sure our funding supports this and other priorities of the Department and the State.

Q11: Where can I find information about the Jake's Law pilot program?

A11: Information about the Jake's Law pilot program will included in the new applications.

Q12: Regarding ineligible applicants who have three or more open projects: Does that mean projects that have been awarded (but not started yet), or does that just mean projects that have shovel to the ground but aren't completed yet? When we partner with a nonprofit, do the nonprofit projects count towards local government applicants overall project number?

A12: Open projects are those that are not complete (land not acquired or park not developed) and/or have a balance in the Green Acres funding award. Or, if a project is "complete" on your end, if you have not submitted the documents required for Green Acres to release payment and close the project, it is still considered "open." Regarding cooperative projects, we count the projects by funded applicant, even if you are working with a partner.

Q13: When will ineligibility letters be sent out and can project coordinators be copied?

A13: The letters were to mayors on October 6, 2022. The Green Acres project managers sent copies to the designated project contact.

Q14: Can I apply for supplemental funding for a Planning Incentive Project AND a Stewardship Project during the same funding round?

A14: Yes. Stewardship grants come from a specific set-aside of Green Acres funding so a Stewardship request can be submitted in addition to a request for either an acquisition or park development project.

Q15: Where can I find the most current definition of "conservation" for Green Acres purposes?

A15: The definition of "recreation and conservation purposes" is included in the Green Acres Rules www.njgreenacres.org. The rules do not contain a specific definition for the term "conservation."

Q16: Is there a way to acquire excess NJDOT properties without having to secure funding?

A16: The requirements for buying state-owned land vary based on the Department that holds the land. You would need to reach out to NJDO to determine their policies.

Q17. In regard to the traditional public hearing, in the past there has been a requirement to host public hearings in the evening (after 6pm). We've found this to create confusion with the public since our regular Commissioner meetings are at 5:30pm. Is Green Acres considering allowing for more flexibility for when public hearings are held to maximize participation?

A17: In this instance, we recommend starting the meeting at the regular time but holding the Green Acres public hearing at 6:00 during the meeting. The advertisements for the Green Acres public hearing should mention the 6:00 start time. Our experience has shown that holding meetings after the typical workday has ended – or on the weekend - is most fair/convenient for the public.

Q18: Will the three-month application window work for applicants to advertise and hold a public meeting and produce minutes for the application?

A18: If needed, applicants can submit unofficial minutes from the public hearing and then submit the approved minutes as soon as they are ready. Now that you know the February 3, 2023 deadline, you can plan the public hearing accordingly. If the established governing body meeting schedule does not work, many applicants hold special hearings in advance of the deadline. To clarify, however, public engagement meetings during the planning period can start right away. They are not reliant on the schedule of the governing body meetings. The public hearing is generally held later in the process to inform the public what is being proposed and address comments before submitting the application.

Q19: Can you just use a court reporter transcript for the public hearing minutes, instead of waiting for meeting minutes?

A19: Yes.

Q20: How many public engagement meetings are required?

A20: We are not specifying the type, number, or frequency of public engagement sessions, just that they must be widely/proactively advertised, geared to the potential user groups, convenient for the public, and transparent. The number/format will depend on your community. The more varied the types of outreach, the better chance of getting meaningful public input. If there is only going to be one meeting, there must be another method of sharing/receiving comments/ideas.

Q21: What are the maximum grants to nonprofits in both the Green Acres and Urban Parks categories?

A21: To clarify, nonprofits are not eligible for the Urban Parks grants. That said, Urban Parks awards to local governments are capped at \$500,000 in the form of a 100% grant.

For Green Acres awards, our maximum grants (funding round caps) vary from round to round. In this year's applications, we will list the range of approvals from recent funding rounds. For example, in the past a typical nonprofit award was \$250,000, but in the 2021 funding round, the average was \$500,000. For awards to municipalities and counties, we have a multiplier system based on population. We establish a base award each year. Municipalities with lower populations receive the base award. Highly/Densely populated municipalities get 1 ½ x the base award. Urban Aid municipalities 2 x the base award. On the county level, the more rural counties will get 2 x the base award, Highly Populated counties will get 2 ½ x the base award, and the counties that have the highest number of people (Densely Populated counties) will get 3 x the base award. This objective system has resulted in more projects in areas that need them the most.

Definitions:

- Highly/Densely Populated Municipality: population > or =35,000 OR density > or = 5,000 people/square mile
- Highly Populated County: > or = 1,000 people/square mile
- Densely Populated County: > or = 5,000 people/square mile

Q22: How will we find out what the funding awards amounts will be before we apply?

A22: We will include in this year's application what the awards have been in recent rounds. That will give you an idea of what it might be, although we cannot guarantee anything. It all depends on supply and demand so we won't know exactly what will be until we review and rank all of the requests.

Q23: Can counties apply for Urban Parks Grant funding for a project within one of the eligible areas?

A23: Yes. A county can apply for an Urban Parks grant if the project site is located in, or directly serves (within a ¼ mile, with no major obstacles), the Adversely Stressed Overburdened Community.

Q24: Is it true that nonprofit grants tend to be less than grants awarded to municipalities?

A24: Yes, because there is less nonprofit money than what is available to local governments. That said, the available funding increased when the apportionment of the Corporate Business Tax ratios recently changed. So, we were able to increase our overall nonprofit awards last year and make larger grants.

Q25: Is there a possibility for pre-application calls and review of the proposed project?

A25: Yes, and we encourage those. Please reach out to your project manager listed on the Green Acres website.

Q26: Do nonprofits need to submit a letter agreeing to enter into a lease or management agreement with the landowner in the application in order to be eligible for funding?

A26: Yes. An applicant for a park development or stewardship project must either own the land or have the legal right to do the project. While a lease is not required at the time of application (and it must be pre-approved by Green Acres when/if it is needed), we will require a letter from the landowner saying that, if approved, they will enter into a 25-year lease with the applicant to allow the project. In some instances, a different type of legal document may be considered, such as a management or use agreement. Please discuss with Green Acres any instances when a project is desired on land not owned by the applicant.