

— 2007 Van Buren County PDR Application —

		FOR OFFICIAL USE ONLY
VAN BUREN COUNTY PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM	c/o VBC / Department of Land Services Attn: Ryan Miller 219 Paw Paw St. Suite 302 Paw Paw, MI 49079 Tel: (269) 657-8243 Ext 14	Application Number:
		APPLICATION DEADLINE: July 1, 2007

PURCHASE OF DEVELOPMENT RIGHTS (PDR) LANDOWNER APPLICATION

This information is required by authority of Van Buren County Farmland and Open Space Preservation Ordinance Number 2

MINIMUM REQUIREMENTS (All applications must meet these minimum requirements in order to apply.)

1. At least 51% of the land in the nominated parcel must be devoted to an agricultural use as defined in Part 362 of NREPA.
2. The owner of record must sign the application.
3. Mineral rights must be either owned by the landowner or must be subordinated when the development rights are acquired.
4. The nominated parcel must be at least 20 acres in size, unless the parcel is located adjacent to already preserved land or is a viable agricultural entity. (If the parcel is less than 20 acres in size, the landowner must provide written documentation that the land is in active agriculture. The Land Preservation Board (LPB) will review requests for consideration of parcels less than 20 acres in size on a case-by-case basis to determine if the development rights should be considered for purchase based on proximity to other preserved lands or the viability of the parcel for agricultural use.)

PART 1 - LANDOWNER INFORMATION

LANDOWNER: Please clearly print or type all information. **Be sure to complete the front and back sides of all pages.**

1. Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number			Business Name (if applicable)
City	State	Zip Code	Business Telephone Number
2. Township(s) Where Nominated Property Is Located:			
<p>More than one parcel may be submitted as one application if the parcels are owned by the same person(s) and are LESS THAN ½ MILE APART. For parcels more than ½ mile apart, a separate application must be completed.</p> <p>Tax Parcel Number(s) of Nominated Property:</p> <p>_____</p> <p>_____</p> <p>_____</p>			
3. Total Number of Acres Nominated in this Application		4. Total Number of Nominated Acres Devoted to Agriculture Use (see <i>Lands Eligible for Development Rights Purchase</i> , page 7)	
5. I own the nominated property by: <input type="checkbox"/> Deed		<input type="checkbox"/> Land Contract - Land contract seller's signature must appear on back page indicating agreement with this application.	
6. Ownership of Mineral Rights on the Nominated Property: Your land is eligible for consideration even if you do not own the mineral rights. However, the owners of the mineral rights must be willing to sign a subordination agreement. (Select only one)			
<input type="checkbox"/> I own all mineral rights.		<input type="checkbox"/> I do not own any mineral rights. Name the other party that owns the mineral rights: _____	
<input type="checkbox"/> I own some mineral rights. Name the other party that also owns some mineral rights: _____		<input type="checkbox"/> I do not know who owns the mineral rights.	
<input type="checkbox"/> I do not know who owns the mineral rights.		<input type="checkbox"/> I do not know who owns the mineral rights.	

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7. Is the nominated property already restricted from being developed? (i.e., Are there any restrictive covenants, leases or easements on the nominated property, such as land entered into the Federal Wetland Reserve Program (WRP), an existing conservation easement with a private conservancy, or a long-term lease that restricts the use of the land for agricultural purposes only?) No Yes If yes, please explain:

8. Please include an aerial photograph (available from www.vbco.org) and attach it to this application.

Please specify if you are **not** including the whole parcel described in the tax bill, deed, or land contract by drawing on the aerial photograph which part(s) of the parcel will be left out of the PDR Program with dimensions in feet. Existing building sites should be excluded from the legal description of the property offered in the application since the program will not pay for areas that have already been developed. A survey is not required for this application.

In addition, it is recommended that you consider excluding future home site(s), as only one new residence for someone essential to the farming operation is allowed on land once it is entered into a Purchase of Development Rights Easement. You need not provide a survey of the excluded areas when you submit this application, but you may be asked to do so if your land is selected. Once the property is officially surveyed, points for this application may be adjusted. New structures and/or improvements that are necessary to continue the farming operation are permitted on land entered into a PDR easement.

CERTIFICATION for PART 1

PLEASE NOTE: For Van Buren County to consider this application, **all** individuals who own an interest in the nominated property, including all Land Contract Sellers, must sign below.

I (we) certify that this application is voluntarily submitted and the statements made above are a true and accurate representation of the facts regarding the nominated parcel(s). It is understood that signature does not obligate sale of development rights but simply permits Van Buren County to consider purchase of the development rights. I (we) also understand this information will be subject to public record.

_____	_____	Subscribed and sworn before me this
Landowner's Signature	Date	
_____	_____	_____ day of _____, 20__
Landowner's Signature	Date	
_____	_____	_____
Landowner's Signature	Date	
_____	_____	Notary Public _____ County, Michigan
Landowner's Signature	Date	
_____	_____	_____
Land Contract Seller's Signature (If Applicable)	Date	Address
_____	_____	_____
Land Contract Seller's Signature (If Applicable)	Date	

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**PART 2 - PARCEL SCORING INFORMATION
FOR PDR APPLICATION PRIORITIZATION**

This information is required by authority of Van Buren County Farmland and Open Space Preservation Ordinance Number 2

The following section is based on the Van Buren County Land Preservation Board (LPB) scoring system. It is used by the LPB to evaluate and prioritize PDR applications by landowners interested in voluntarily protecting farmland from development. The objective of this rating system is to *help* prioritize farmland/open space parcels which should be preserved. After all parcels have been scored, the LPB will put together a recommendation for the County Board of Commissioners to consider in making the final decision for PDR. Final selections will be made by the LPB with approval from the County Board of Commissioners for submission to the state and/or federal governments for matching funds if applicable. As availability of funds plays a major role in the final decision, there can be no guarantee that having the highest score will assure your property will be purchased in a given year but your chances will be significantly improved.

The scoring system in its entirety is available online at <http://www.vbco.org/government576215.asp> or by contacting Van Buren County Department of Land Services at (269) 657-8243. Landowners are encouraged to review this document and to use a Scoring Criteria Worksheet. **Please note that certain sections of Part 2 require additional documentation.** Information requested in this section will be used by the LPB to calculate scores for each section. There are a total of 1,000 possible points for each application.

LANDOWNER: Please clearly print or type all information. **Be sure to complete the front and back sides of all pages.**

A) AGRICULTURAL PRODUCTIVITY - 190 possible points

Priority is placed on prime productive farmland and/or farmland that has unique or locally significant growing characteristics. Farmland can be considered prime or unique if it meets the USDA definition for prime and unique or locally significant soils as defined in the USDA Soil Conservation Service Soil Survey of Van Buren County, Michigan issued in September, 1986. Information defining prime productive soils is listed on Table 5 on page 97. Soil types mentioned in Table 7, page 101 are examples of locally significant soils suitable for growing specialty crops.

- The percentage of prime, unique, or locally significant farmland is the number of prime, unique, or locally significant acres divided by the total acres in the application.
- Points are determined by multiplying the % of prime, unique, or locally significant acres by 190 to receive a score between 0 and 190. Prime, unique, or locally significant acres to be verified by Natural Resource Conservation Service District Conservationist or Michigan State University Extension Educator.

Please enter the following:

Acres Prime or Unique Farmland: _____

Total Acres: _____

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B) CREATION OF BLOCKS OF PRESERVED LAND - 140 possible points

Emphasis is placed on protecting blocks of agricultural land and on farmland located in an area in which the potential for future development of surrounding farmland is restricted.

1. Proximity to permanently preserved land – 70 points

Parcel is near other permanently preserved farmland, publicly owned land, conservation land, or conservation easements, as follows: **(Check only one)**

- Parcel is directly adjacent to preserved land with at least..... 70 points
500 feet of shared boundary
- Parcel is not adjacent but within ½ mile of preserved land 40 points
- Parcel is not adjacent but between ½ to 2 miles of 20 points
preserved land

2. Parcel Size – 70 points

Priority is placed on larger parcels to help promote more economically viable agricultural production units. One point is awarded for every two acres over 20, with a maximum of 70 points for parcels 160 acres or larger in size.

Example: 80 acre parcel = 80(parcel size) – 20 (minimum parcel size) = 60 acres 60(acres)/2 = 30 points

Please enter parcel size: _____

C) MATCHING FUNDS - 110 possible points

Emphasis is placed on parcels that have matching funds. Matching funds may be money contributed by public, private or non-profit sources or can be via a proposal by the landowner to accept an offer less than the purchase value of the development rights and to donate the remaining portion of their development rights value. **A letter of commitment regarding matching funds must accompany this application.**

1.2 points will be awarded for every 1% in matching funds to a maximum of 110 points.

- Example:
- 1) 25% match = 30 points
 - 2) 50% match = 60 points
 - 3) 95% match = 110.0 points (95 x 1.2 = 114.0, capped at 110)

1. Do you plan to donate a portion of the development rights value as matching funds? Yes No

If yes, what percentage of development rights value? _____%

2. Do you have matching funds from sources other than yourself? Yes No

If yes, what percentage of development rights value? _____%

D) TYPE OF AG PRODUCTION/LOCAL ECONOMIC IMPACT - 220 possible points

Points are determined for items 1-4 by multiplying the % of the parcel (total acres divided by crop acres) currently in specialty crops, commodity crops, hay crops, or pasture per predominant production over the past 5 years times the total possible points assigned to each crop type and adding the products of each together to receive a score between 0 and 180. For land currently in the Conservation Reserve Program (CRP), predominant production for the 5 years preceding initiation into the CRP program shall be used for point determination. For land in other conservation programs, please consult with the Land Preservation Board.

Please fill in the total number of acres for which you are applying: _____

1. Specialty Crop – 180 points

A specialty crop (defined as a vegetable, tree fruit, grapes, or blueberries) is grown on the parcel.

How many acres of your property are specialty crops? _____

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2. Commodity Crop – 90 points

Commodity crops (defined as corn, soybeans, wheat, barley, oats, etc.) are grown on the parcel.

How many acres of your property are in commodity crops? _____

3. Hay Crops – 45 points

Hay crops (defined as alfalfa, timothy, grass, etc.) are grown on the parcel.

How many acres of your property are in hay crops? _____

4. Pasture – 30 points

Land in pasture on the parcel.

How many acres of your property are in pasture? _____

5. Crops produced that are locally processed – 40 points

An additional 40 points may be earned for parcels producing crops that are locally processed in Van Buren County or adjoining Michigan counties. Points are determined by multiplying the percent of the parcel on which a locally processed crop is grown (verified by the LPB), times 40 to receive a score between 0 and 40.

How many acres of your property grow crops that are processed locally? _____

E) DEVELOPMENT PRESSURE – 80 possible point

1. Road frontage (limited access freeways not considered) – 22 points (Check only one)

- No road frontage0 pts
- Road frontage less than ¼ mile6 pts
- Road frontage is ¼ mile or more but less than ½ mile 11 pts
- Road frontage is ½ mile or more, but less than ¾ of a mile 17 pts
- Road frontage is ¾ miles or more.....22 pts

2. Proximity to freeway interchange (public road distance) – 22 points (Check only one)

- Less than 1 mile.....0 pts
- 1 mile or more away but less than 5 miles.....22 pts
- 5 miles or more away 11 pts

For LPB use only:

3. New wells in township – 18 points

Townships are scored 1 through 18 using the number of well permits issued in the prior year with the lowest ranking given to the township having the least number of well permits. The nominated parcel is awarded points equal to the township score.

Township ranking = _____

4. Residential construction – 18 points

Townships are scored 1 through 18 by dividing the number of residential building starts in the most recent year by the total number of residential units constructed in the past 3 years in the particular township. The lowest score will be given to the township having the lowest growth rate. The nominated parcel is awarded points equal to the township score.

Township ranking = _____

F) CONSERVATION PRACTICES/VALUES – 170 possible points

Note: Points earned in item 4 supersede the point values earned in items 1 through 3

1. Conservation plan in place on parcel – 80 points

Applicant must attach documentation of a conservation plan on file with the USDA-NRCS to receive 80 points.

Do you have a documented conservation plan? Yes No

2. Unique Natural Resource and Open Space Features – 55 points

A parcel may earn up to 55 points for significant natural resource features, verified by GIS, including natural water bodies and water courses, sand dunes, wildlife habitat, wetlands, and other open space as follows. Do any of the following apply to your property? **(Check only one)**

- From 0 and up to 10% of the parcel0 pts
- From 10 and up to 20% of the parcel14 pts
- From 20 and up to 30% of the parcel28 pts
- From 30 and up to 40% of the parcel42 pts
- From 40 and up to 49% of the parcel55 pts

Applicant must attach evidence describing the natural feature (i.e., photographs, map, etc.)

3. Water Accessibility – 35 points

Does your parcel have any of the following? **(Check only one)**

- Frontage on a major stream that drains more than 640 acres35 pts
- Frontage on a minor stream that drains between 100 and 640 acres25 pts
- Frontage on a stream that drains less than 100 acres or has a year round spring, pond, or lake of 3 acres or more15 pts

4. Certified Endangered and/or Threatened Species – 170 points

Requires certified evidence, acceptable to the LPB, that a state endangered and/or threatened species inhabits the natural areas of the property and a management plan to protect such species has been developed.

Applicant must attach documentation describing the species.

Does your parcel have evidence of any endangered and/or threatened species? Yes No

G) PUBLIC ACCESS – 30 possible points

30 points are awarded for a farmland parcel that is enrolled in a state or locally recognized public access program [e.g., Michigan DNR Hunter Access Program (HAP)]. **Applicant must also attach evidence of enrollment.**

Is your parcel enrolled in a state public access program? Yes No

H) DISCRETIONARY – 60 possible points

The LPB may award additional points to each application based on additional characteristics which it considers additional values of the parcel or demonstrate additional efforts by the applicant to complement broader farmland preservation efforts. **The applicant shall provide additional information and documentation as necessary to make a case for discretionary points.** The LPB retains the right to withhold additional points but in awarding points will provide the basis for the additional points.

Check here if additional information or documentation is attached

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In awarding discretionary points, the LPB may consider:

1. Historical characteristics (i.e., centennial farm, state or federal historic nomination/designation)
2. Archeological characteristics
3. Geographical characteristics (i.e., scenic vistas, proximity to frontage on a major thoroughfare)
4. Enrollment in PA 116
5. Management practices consistent with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices
6. The extent to which the awarding of the grant will act as a demonstration project in the community to further the goals of farmland preservation
7. The extent to which the community has established a longer-term funding commitment to protect additional farmland in the future (e.g., bonds, millages, etc.)
8. Other extraordinary characteristics: please describe using additional pages if necessary and attach any additional documentation

Lands Eligible for Development Rights Purchase

A parcel of any size is eligible for consideration for development rights purchase, provided that at least 51% of the nominated property is currently devoted to an agricultural use. Agricultural use means substantially undeveloped land devoted to the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. Agricultural use includes use in a federal acreage set-aside program, a federal conservation reserve program, or a wetland reserve program. Agricultural use **does not** include the management and harvesting of a woodlot.