

A. Provide brief overview of the APR Program to ensure participants:

- 1) Are up to date on APR program “happenings”
- 2) Understand APR basics
- 3) Consider how land trust programs and APR can better align and partner with each other

B. Get land trust input on:

- Identifying areas in which we can improve partnership
- Implementing those ideas

- 1) Updates
- 2) Program Overview
- 3) How best to advance the conversation:

"How Might the APR Program Better Partner with Land Trusts?"

- Program Supervisor: Dave Viale (***New**)
- Acquisition Coordinator: Ron Hall
- Acquisition Planners:
 - Ron Hall (Hampshire County)
 - Michele Padula (Central Region)
 - Barbara Hopson (Western Region)
 - Ashley Davies (Eastern Region) (***New**)
 - TBD (***New**)
- Legal Team: Christine Smith (***New**)
- Admin Support
 - Dorothy Du, Boston
 - Jill Ward, Springfield (***New**)
- GIS: Evan Marshall (***New**)

Stewardship Planners: * Also see next slide for map
Field Staff

-Christine Chisholm (Northeast Region & Northern Franklin County) (***New**) Chris.Chisholm@mass.gov

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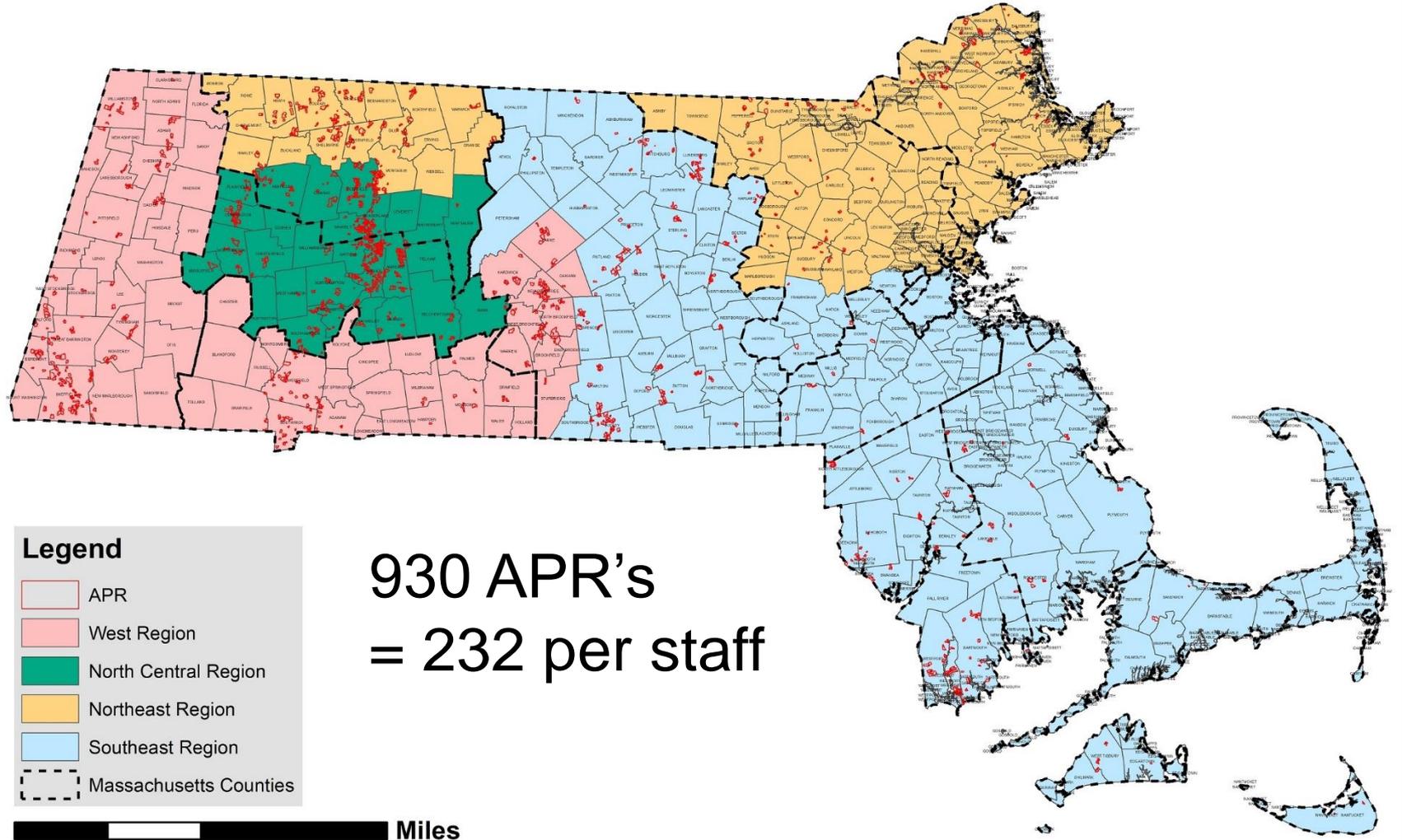
-Delia Delongchamp (Southeast Region & Worcester County)
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Office Assistance

-Julie Weiss (APR's with NRCS rights) (***New**)

-Taylor Arsenault (APR transfers, Approvals)

APR Stewardship Regions 2020



Legend

-  APR
-  West Region
-  North Central Region
-  Northeast Region
-  Southeast Region
-  Massachusetts Counties

930 APR's
= 232 per staff

0 12.5 25 50 Miles

Source: MassGIS

2018

- Legislation change: 1. Transfers 2. Approvals 3. Policy Review 4. ALPC
- Internal Review: 1. Transfers 2. Outreach & Education 3. Stewardship
- Listening Sessions

2019

- Regulations Updated
- Solar Policy Revised
- APR Application & Ranking Revised

2020

- Listening Sessions
- APR document updated
- Program Guide Released
- Additional Staff Hired
- New ALE Program Agreement Structure Implemented

AGRICULTURAL PRESERVATION RESTRICTION (APR)
APR PROGRAM GUIDE



[download \(mass.gov\)](https://www.mass.gov)

TABLE OF CONTENTS

INTRODUCTION

Commissioner's Letter 3
Overview 4
History 5
APR Benefits 6
APR Process Summary and Checklist 7
Case Study 8

APPLICATION

APR Program Eligibility 9
The Financials 11
The Application 12
File Your Application 13
Property Visit 14
Application Evaluation 15
Title and Appraisal 17
Offer from MDAR 17
Your Acceptance of the Offer 18
ALPC Final Vote 18
Survey Work, Title and APR Agreement 19
Baseline Documentation Report 19
Appraisal Update and NRCS Approval 20
Preparation for Closing 20
Receipt of Payment 20

LONG-TERM MANAGEMENT

Stewardship 21

CHANGE IN OWNERSHIP

Selling or Transferring Land 26

APPENDIX

Glossary 29
Additional Land Protection Resources 31



- Stewardship
 - Updating Applications for Approvals
 - Looking at Special Permit Policy
 - Looking at strategy for Monitoring
- Outreach/Communication
 - Website & Program Guide Updates
 - Regional Public Hearings & Outreach like this
 - Newsletters
- Policy & Procedure Review
 - Update every 3 years, in review for August 2022 update
- Acquisition Funding & Process
 - In review

- Updates
- Program Overview
- How best to advance the conversation:

"How Might the APR Program Better Partner with Land Trusts?"

- Pre-Application Planning Highly Encouraged!!!!
- **Applications Accepted at any time**
 - Most recently 1 application ranking & selection/year (June 30)
 - New Farm Bill has opportunity for 2 rankings or more (federal projects)
 - Non-federal projects on a case-by-case basis
- **Eligible:** [APR Regulation 330 CMR 22](#) = Land Actively devoted to Ag or horticulture as defined in [M.G.L. c. 61A](#)
 - 5+ contiguous acres
 - Devoted to Ag or Horticulture for at least the two immediately preceding tax years
 - Commercial gross sales \$500 for first 5 acres, \$5/acre after (farmland)
50 cents/acre woodland/wetland

- Held by Commonwealth
- No non-profit co-holder, but can have municipality
- Right of enforcement to NRCS (federal projects)
- OPAV (Option to Purchase at Agricultural Value)
- Affirmative Covenant for Commercial Ag
- No residential dwelling, but labor housing
- 2% Impervious Limitation (waiver if NRCS approves) 5% max (Program Policy)
- Special Permits for Non-Ag uses

- Funding equal to 50% Appraised Value leveraged from a non-MDAR source. (Programmatic approach)
 - Traditionally met via NRCS ACEP-ALE
 - Additional NRCS Eligibility Criteria
 - At least 50% Prime or Statewide important soils...
...or....(but not yet utilized by MDAR)
 - Locally Important Soils included in the 50% Prime
 - Furthers a state or local policy Consistent with purposes of ACEP
 - Protection of grazing uses & related conservation values
 - Historic or archaeological Resource (National/State Register)
 - Not more than 2/3 forest cover
 - Can also be met by another source:
 - Considered on case by case basis, can include due diligence

- Applications Evaluated & Ranked
 - Size
 - Intensity of Operation
 - Risk of Development
 - Proximity to other APR's
 - % Prime soils
 - % Open Ag use (field)
 - Ownership /succession
 - Right to Farm bylaw
- [Agricultural Lands Preservation Committee](#) (ALPC) Vote of Interest or No Interest (~3 month from application deadline)
- Title & Appraisal (MDAR usually pays for, LO gets copy)

Offer to Landowner (~6 month mark from application deadline)

- Based on the appraised value, but...
- \$10,000/acre cap
 - Can be exceeded if the property represents a critical agricultural resource (e.g. abuts an APR block, add-ons to an existing APR farm)
- 20% “Local Match” to Offer Value Required (Can be reduced)
Can be met via:
 - Town Contribution
 - Non-profit such as a land trust
 - Bargain Sales
 - *If a non-NRCS project, this Local Match is considered met by the local 50% contribution that makes up for what NRCS would normally cover.

- Historically, NRCS application is submitted ~8 months after application to APR. Funding awards from NRCS are confirmed ~15 months after application to APR.
- ALPC Final Vote ~16 months from application to APR.
- Complete Survey - 50% Survey Cost Share Requirement
 - Not needed if existing survey acceptable
 - Procurement process limited to vendors on state contract
 - Landowner can choose to pay 100% and procure own surveyor

- Update Appraisal (needed for acreage change OR expired date)
- Complete APR document
- BDR
- Closing Logistics

Total process summary:

- Application deadline to Offer: ~6 mths
- Offer to NRCS funding & Final Vote: ~9 mths
- Final vote to close (includes 90 days for NRCS approval): ~8 mths
- **Total time: ~2 years+**

- Updates
- Program Overview
- How best to advance the conversation:

"How Might the APR Program Better Partner with Land Trusts?"

- Reduce the time it takes to close
- Rolling Application vs. one ranking per year
- Expand Eligibility
- Explain process better
- Pre-Acquisitions
- Get more \$ for acquisitions
- Ranking changes
- Have a non-federal funding pathway
- State Farmland Protection Plan
- Support Disadvantaged Farmers
- Include Urban Agriculture

- Non-federal funding option
- More frequent application rankings
- Ranking & selection
- Pre-acquisitions
- Assistance on due diligence & project management
- State Farmland Action Plan
- Outreach & transparency
- APR document terms
- \$/acre cap
- Matching fund requirement
- Acquisition Priorities

Agricultural Preservation Restriction Program

www.mass.gov/apr

Thank You!

