

Florida Department of Environmental Protection Application Instructions Guide for

Florida Communities Trust Parks and Open Space Grant

What is the Florida Communities Trust Parks and Open Space Program?

Florida Communities Trust (FCT) Parks and Open Space Florida Forever grant program is a state land acquisition grant program that provides funding to Local Governments and eligible Nonprofit Environmental Organizations for acquisition of community-based parks, open spaces, and greenways that further outdoor recreation and natural resource protection needs identified in Local Government comprehensive plans. The program was created by statutory authority in Chapter 380, Florida Statutes (F.S.) and is governed by Chapters 62-818 and 62-819, Florida Administrative Code (F.A.C.).

Pursuant to the above referenced Florida Statutes and Florida Administrative Codes, along with, Chapter 2020-111, Section 5, Laws of Florida, the Florida Legislature intends that FCT emphasize funding projects in low-income or otherwise disadvantaged communities and projects that provide areas for direct water access and water-dependent facilities that are open to the public and offer public access by vessels to waters of the state, including boat ramps and associated parking and other support facilities. Also emphasized is the acquisition of lands for recreational trail systems.

The FCT Application, Resources, Rules and Statutes are available for download at <https://floridadep.gov/lands/land-and-recreation-grants/content/parks-and-open-space-florida-forever-grant-program>.

Fiscal Year 2023-2024 Funding

The Legislature has appropriated \$15 million in funds for the 2023-2024 submission cycle. Under the provisions of subsection 62-818.003(7), F.A.C., the total amount of any award or combination of awards applied for by any local government or nonprofit environmental organization under any application(s) or partnership application(s) for any project(s) shall not exceed five million dollars during any one cycle.

Awards requested in a partnership application are divided equally among the partners for the purposes of calculating individual applicant limits. However, the project will not be funded if the Applicant has three or more active Grant Agreements at the time of project selection. The Applicant may close out active Grant Agreements prior to project selection to regain eligibility pursuant to subsection 62-818.003(5), F.A.C.

The application submission period is from October 10, 2023 – January 10, 2024.

Who may apply for FCT Parks and Open Space funds?

Eligible applicants for the FCT Parks and Open Space Florida Forever grant program include:

- Local Governments,
- Eligible Nonprofit Environmental Organizations, or
- A partnership between a Local Government and Nonprofit Environmental Organization.

Ineligible Applicants

If any applicant has three or more active Grant Agreements at the time of the project selection meeting, the Applicant is not eligible for additional grant Applications until the Applicant has closed out one or more of the active Grant Agreements so there are no more than two active Grant Agreements.

The Governing Board will not consider any applications submitted by an Applicant with an overdue stewardship report. A stewardship report is considered overdue when it has not been received or approved by the Trust within the one-year period immediately preceding the grant application deadline. Applicants may cure the overdue status if the overdue stewardship report is received and approved by the Trust at least 21 days prior to the scheduled Trust Governing Board project selection meeting.

How do I apply?

Applications for funding must be made on Application Form (Form FCT-5) following procedures outlined in subsection 62-818.003(1), F.A.C. This Guide contains instructions for completing Form FCT-5. Please review all instructions before preparing the application. Do not alter the application's original language or format. Do not separate pages. Type responses directly on the form using "insert" mode to prevent lines from shifting.

Applicants must submit four (4) complete sets of application materials. One set shall contain original text and non-text items. The remaining three sets shall contain legible copies of text and non-text items, unless otherwise specified in Form FCT-5.

Applicants must submit the completed application and all supporting documents during the announced submission period of **October 10, 2023 – January 10, 2024**. To facilitate review and scoring, FCT asks that applications be submitted in soft covered binders with all exhibits clearly tabbed. Applications must be received on or before the published application deadline, **BUT NO LATER THAN January 10, 2024, at 5 p.m. (EST)**. Please submit applications to:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
LAND AND RECREATION GRANTS SECTION
3900 COMMONWEALTH BOULEVARD, MAIL STATION 115
TALLAHASSEE, FLORIDA 32399-3000

Applications received after the published deadline shall be deemed late and will not be considered by the Trust.

The application must be transmitted with an original signature cover letter on Local Government or Nonprofit Environmental Organization letterhead that binds the applicant to fulfill commitments made in the application and identifies a key contact person. All partners to the application are required to provide an original signature letter including the binding statement. An Application Completeness Checklist and a Project Self-Score Check Sheet are available on the Application Preparation Resources webpage to assist applicants in reviewing the completed application prior to submitting: <https://floridadep.gov/lands/land-and-recreation-grants/content/parks-and-open-space-program-application-resources>.

If you plan to prepare this document by retyping or downloading it to your computer, the language and format used must exactly match this application. Form FCT-5 and the instructions for Fiscal Year 2023-24 submissions. Copies of the governing rule chapter may be obtained at <https://floridadep.gov/lands/land-and-recreation-grants/content/fct-governing-statutes-and-rules> or you may contact FCT staff via email at FloridaCommunitiesTrust@FloridaDEP.gov, by phone

850-245-2501, or by mail to Department of Environmental Protection, Land and Recreation Grants Program, 3900 Commonwealth Boulevard, Mail Station 115, Tallahassee, Florida 32399.

We understand that some recipients depend on consultants to assist with their projects. However, please understand that the Grantee/Recipient is responsible for the grant and all that it encompasses. The grant agreements are between the Grantee and the State of Florida - Department of Environmental Protection, so the Grantee is ultimately responsible for and will be held accountable for all project materials, communication and activities.

Acquisition Guide – Form FCT-5, page 2

Acquisition Types:

- **Pre-acquired:** Check this block if the entire Project Site has been acquired by the Applicant through a voluntarily negotiated transaction within 24 months prior to the application deadline. Provide copies of signed closing statements and recorded deed(s) for each parcel on page 4. If a closing statement is not available by the application deadline, include a copy of the contract for each parcel. FCT must receive copies of closing statements within 14 days after the application deadline.
- **Partial Pre-acquired:** Check this block if a portion of the Project Site has been acquired by the Applicant through a voluntarily negotiated transaction within 24 months prior to the application deadline. Provide copies of signed closing statements and recorded deed(s) for each parcel on page 4. If a closing statement is not available by the application deadline, include a copy of the contract for each parcel. FCT must receive copies of closing statements within 14 days after the application deadline pursuant to subsection 62-818.004(7)(p), F.A.C. If you check this block, please remember to check either the reimbursement or joint acquisition blocks depending on how the rest of the Project Site will be acquired.
- **Reimbursement Acquisition:** Check this block if the entire Project Site or remaining portion of the Project Site will be acquired by the Applicant through a voluntarily negotiated transaction after the application deadline and will request reimbursement from FCT after the acquisition is completed.
- **Joint:** Check this block if the entire Project Site or remaining un-acquired parcel(s) will be acquired by the Applicant and FCT together through a voluntarily negotiated transaction and provide the number of separate ownerships within the Project Site. Subsection 62-818.003(10)(b), F.A.C. requires the Applicant to act as the party responsible for acquisition activities for Project Sites that consist of 11 or more ownerships to be jointly acquired with FCT.

Required Due Diligence products – Form FCT-5, page 24

Due Diligence products are required for pre-acquired, partial pre-acquired and reimbursement acquisitions.

Estimated Project Costs – Form FCT-5, page 2

Identify the eligible costs associated with acquiring the Project Site as defined in subsection 62-818.002(33), F.A.C. While these costs may be estimates in some instances, they are the basis for the requested grant award amount and should be as realistic as possible. Consult with FCT staff or other knowledgeable persons for help with estimating these costs.

- a. **Land purchase price:** This is the actual or estimated purchase price for the site. FCT does not encourage an appraisal of joint acquisition project types at the time the application is submitted. Possible sources for this price include the local property appraiser's office, the applicant's acquisition staff, local appraisers or other real estate professionals. The final negotiated purchase price of non-pre-acquired will be based on market value appraisals.
- b. **Acquisition costs:**
 1. Cost of certified surveys: Sources of information for non-pre-acquired property include local surveyors, engineers, or applicant staff.
 2. Cost of appraisal(s): Sources of information for non-pre-acquired property include the Property Appraiser's Office, local appraisers or FCT staff. In addition, two appraisals are required if a parcel has a value equal to or greater than \$1,000,000.
 3. Cost of title report(s), title insurance commitment(s) and policy(ies): Sources of information for non-pre-acquired property include local title companies, a Local Government's real estate department or real estate professionals/attorneys. This estimate should be the promulgated title insurance rate based on the estimated purchase price of all parcels.
 4. Cost of environmental audit(s): Sources of information for non-pre-acquired property include environmental site assessment companies and engineers.
 5. Acquisition agent fees or commissions: Reasonable acquisition fees and commissions, not to exceed \$10,000, paid by the applicant are eligible project costs. Obtain estimates or information for non-pre-acquired property for these expected costs from FCT staff.
- c. **Total Project Costs:** Add the land purchase price and acquisition costs to obtain the total project costs.

Award Amount and Match – Form FCT-5, page 2

- **FCT grant award amount:** That portion of the total project costs requested from FCT (provide both the dollar amount and the percentage of total project costs). To calculate the percentage, divide the award amount requested from FCT by the total project costs. Carry out and round down to two decimal places.
- **Total Project Costs:** Add the FCT award amount to the match amount. This total must equal 100%. **Note:** The maximum reimbursement amount cannot exceed the highest appraised value of the property. Percentages should be round numbers, adjust the total project costs to eliminate fractional percentages.

Source(s) of Match – Form FCT-5, page 3

- Eligible sources of match, as defined by subsection 62-818.003(9), F.A.C., include funds from Local Governments, Nonprofit Environmental Organizations, state or federal grants, private cash donations, environmental mitigation funds, or value of real property donated by the landowner provided said property has been acquired in a documented bargain sale or by a Donation agreement.
- Any real property used as match must be included as part of the Project Site and will be subject to the same conditions as the entire Project Site at the time the FCT grant is awarded. Provide a copy of the Donation agreement. Label Exhibit C1.
- Indicate whether the applicant has applied, or plans to apply, to other federal, state, regional, county, or municipal land acquisition programs to buy land within the Project Site. Identify the date of application, the name of the land acquisition program, and

whether the Project Site has been selected for funding, if applicable. Outline the actual or estimated project funds provided by the applicant, funds provided by other sources and the appraised value, if known. If applicable, provide a letter from the agency clearly committing to the funds. Label Exhibit C2. Applicants may not use funds from the Florida Forever Trust Fund for any part of the Match.

Ownership and Acquisition Plan – Form FCT-5, page 4

An Acquisition Plan is required for project sites with multiple parcels or owners. The plan should identify the priority parcel(s) and the general acquisition order of the parcels to ensure that, in the event that all parcels cannot be acquired, the purposes of the project can be achieved.

List all property owners and parcel tax identification numbers for all parcels within the Project Site. If the project has been pre-acquired, provide the closing date and a copy of the signed closing statement. Label Exhibit E1. List the specific order in which the parcels in the project will be acquired. Acquisition of the Project Site will begin with the priority one parcel(s). Parcels may be grouped by priority and more than one parcel may be categorized as priority 1, 2, 3, etc.

Note: The use of **condemnation or the threat of condemnation** is not considered a Voluntarily Negotiated Transaction. Parcels acquired under these conditions **do not qualify** for Acquisition or Reimbursement under the FCT program.

Project Summary – Form FCT-5, page 5

The project summary provides an overview of the project site purpose. The summary should provide a discussion of the purposes of the project, existing and future uses, existing and proposed physical improvements, natural and historic resources, and resource protection and enhancement activities. The summary should include the size of any existing or proposed buildings and indicate if any easements, concessions, or leases exist or are proposed.

Phased Project – Form FCT-5, page 6 and 24

If the project site is part of a phased project, identify the project number of the previously funded FCT project and describe the phased nature of the project. Provide an exhibit that shows the project site and the parcel(s) that were previously acquired with FCT funds. Indicate parcels on Conceptual Site Plan to include FCT project number. Label Exhibit G.

Vegetative Enhancements – Form FCT-5, page 14

The supporting documents in **Exhibit G** should include the approximate area to be planted on the conceptual site plan. Provide photos of the disturbed area to be planted in **Exhibit J** (Label Native Vegetation area).

Project Excellence – Form FCT-5, page 22 and 28

The project excellence section provides the Applicant with an opportunity to further describe the project excellence based on matters not adequately addressed by the evaluation criteria, such as whether the proposed project exhibits strong community-based support, possesses exemplary characteristics, highlights regional coordination in the protection of natural resources, assists an otherwise disadvantaged community, or voluntarily helps resolve land use conflicts. Label Exhibit R.

Describe how the project provides for other community needs in a manner that was not adequately evaluated by the criteria established elsewhere in this application and as outlined in subsection 62-818.007(4), F.A.C. Include documentation if needed.

Required Exhibits and Supporting Documentation – Form FCT-5, page 23

Required exhibits and documentation are referenced within the application and must be submitted with the grant application. Provide a label and tab for each exhibit and ensure that all exhibits are legible and of an appropriate scale. If two or more exhibits are consolidated, make sure this is reflected on the exhibit label. If a specific exhibit is not applicable, include an exhibit page with a statement that it is “Not Applicable.” Include the exhibits behind the project evaluation criteria section of the application.

For More Information

For additional questions or concerns not addressed in this guide, please contact FCT staff via email at FloridaCommunitiesTrust@FloridaDEP.gov, by phone 850-245-2501, or by mail to the Department of Environmental Protection, Land and Recreation Grants Program, 3900 Commonwealth Boulevard, Mail Station 115, Tallahassee, Florida 32399.