



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND
ENVIRONMENTAL AFFAIRS

Department of Agricultural Resources

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MEMO

Date: 11/19/08

To: APR Staff, Legal Services, Municipalities and Land Organizations

From: Ronald Hall, APR Program Coordinator, and
Scott Soares, Assistant Commissioner – Chief of Staff

Re: Interim Guidance Document for APR-Municipal (APR-Muni) Grants on revised Financial Match Requirement

New Conditions Relative to Match Requirement

This Interim Guidance Document is being implemented in response to current economic conditions confronting local municipalities and non-government organizations that work with the Agricultural Preservation Restriction Program. The information contained in this document is intended as guidance and will be in effect until further notice from the Massachusetts Department of Agricultural Resources (MDAR).

History of the Match

MDAR's APR-Muni has traditionally required a 20% financial match that can be achieved exclusively or through a combination of municipal contribution, non-profit contribution, landowner bargain sale, or in-kind contributions that reduce costs associated with restriction acquisition such as appraisal, survey, or other acceptable means to save the Commonwealth costs towards acquiring an Agricultural Preservation Restriction (APR). The program has also offered match reductions up to 15% for those communities that have demonstrated a "commitment" towards the local agricultural economy's by implementing one or more of the following principles: 1) establishing an agricultural commission, 2) enacting a town right-to farm bylaw and 3) implementing a tracking system that prevents the issuance of local permits for unauthorized construction upon protected farmland. Each of these measures carries a potential 5% discount from the 20% target.

Communities that have been able to maintain a larger match up to the full 20% due to CPA funds or other appropriations for APR support have been asked to maintain that level of support going forward, even if they do qualify for the above discounts. These communities help the APR program to stretch its investment and to access additional Federal dollars.

Changes as Result of the Economic Downturn

MDAR will be temporarily waiving the historical requirements and implementing the following interim schedule:

1. The policy will continue that communities with no historical ability to provide a financial match can receive a 5% discount for implementing each of the above APR –Muni principles listed above from the target 20% financial match.
2. Additionally, communities that have an average historical municipal match percentage for three (3) or more fiscal years can reduce this match by 5%. Communities that have an average % historical match for the past three or more years and can demonstrate multiple APR project closings in one-fiscal-year, or multiple projects over several recent fiscal-years (allowing only one-fiscal-year which there is \leq one project closing) can consider a reduced match based on the following sliding scale:

<u>APR Project Closing with in the Current or Consecutive Fiscal Years</u>	<u>Financial Match Requirement (cannot reduce below 5%)</u>
First Project	Historical Financial Match minus 5%
Second Project	Historical Financial Match minus 10%
Third (+) Project(s)	5% Financial Match

(NOTE: Communities implementing this waiver shall have implemented the above mention priority APR-Muni principles.)

This temporary waiver will be reviewed annual and may be cancelled should MDAR determine that it's necessary to obtain APR program goals and objectives.