

LCHIP

Land & Community Heritage Investment Program



Guidance Document: Final Documentation Package

- 1. Final Execution Copy of Legal Documents** The **final, clean** executable version of the legal documents, including the LCHIP Grant Agreement. These are the versions that will be printed and signed by LCHIP, and delivered to the closing attorney.
- 2. Appraisal** Submit an appraisal completed no more than twelve months prior to the date the property or easement (the "Resource") is to be acquired (closing date), by an appraiser licensed in the State of NH with at least two years' experience with property or easement appraisals and in accordance with the most recently updated Uniform Standards of Professional Appraisal Practices (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation.
- 3. Recordable Survey** Submit an electronic copy of a recordable survey describing the Resource to be acquired and completed by a surveyor licensed in the State of NH, and completed in accordance with the NH Office of Licensure and Certification, Board of Land Surveyors Rules, Lan 503.03-09 as may be amended or revised. Said survey shall minimally adhere to the standards of a "standard property survey" as defined by Lan 503.02 (t). The survey must also include the method and accuracy of the survey, show monumentation at all turning points as "set" or "found", and document the existence of blazing (axe cut/paint, or paint only) through forested areas unless otherwise documented in the Baseline Documentation Report or Property Conditions Report. LCHIP reserves the right to request a full-size paper copy of the survey. The survey should be recorded at or before the time of acquisition. If the survey is to be recorded coincident with acquisition, an electronic (digital) copy of the final recorded survey must be submitted to LCHIP prior to or with the initial annual monitoring report.
- 4. Title Insurance Commitment and Title Examination** Title insurance must be secured for all acquisition projects. Submit a valid title insurance commitment showing a policy amount at least equivalent to the LCHIP grant award, and listing the Recipient as the proposed insured.

A Title Examination should also be completed at least thirty days prior to acquisition by an attorney licensed to practice law in the State of NH. The title examination must be completed in accordance with the NH title examination standards of the NH Bar Association, as may be amended or revised and should be updated not more than five days prior to acquisition. Any issues that could constitute a cloud on title, or any unpaid mortgages, liens or other encumbrances that could result in the extinguishment of the restrictions to be conveyed or undermine the resource values to be protected must be resolved to the satisfaction of the LCHIP executive director prior to acquisition. LCHIP generally does not need to review the full Title Examination, but reserves the right to request full or partial documentation.

- 5. Baseline Documentation Report (BDR) or Property Conditions Report (PCR)** Submit a Baseline Documentation Report (for easements) or Property Conditions Report (for fee properties) documenting the condition of the Resource and the specific conservation or preservation attributes extant at the time the restrictions are conveyed. LCHIP will provide guidance documents describing the required reports to Grant Recipients.

6. **Environmental Assessment (Phase I ESA, or ESR)** Prior to acquisition of a fee or easement interest, an evaluation of the Property's environmental conditions must be conducted to determine the existence or presence of any solid waste, hazardous or toxic contaminants or other pollutants.

- **Phase 1 Environmental Site Assessment** ("Phase 1") is required for:
 - acquisition of any property in fee
 - acquisition of an easement interest in any building or structure, or in property on which buildings or structures exist or are known to have existed
 - acquisition of an easement interest in property with known commercial or industrial uses, current or historic, including commercial farms

The Phase 1 must conform to American Society for Testing Materials (ASTM) Designation E 1527 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment process" as may be amended or revised and prepared by an environmental professional as defined therein.

- **Environmental Site Review** For easement acquisitions without current or prior structures, or current or prior commercial or agricultural use, either a Phase 1 or an Environmental Site Review must be submitted. A Guidance Document outlining the required components of the Environmental Site Review will be provided to Grantees.

Any recognized environmental or other concerning conditions known by the parties to exist must be disclosed to LCHIP and resolved to the satisfaction of the LCHIP executive director, or a credible plan for remediation must be submitted to and approved by the LCHIP executive director, prior to the release of grant funds.

7. **Final Project Budget** Submit the final project budget using the excel "Acquisitions Final Project Budget" spreadsheet provided by LCHIP.

8. **Property Management Plan or Stewardship Policies**

- **Property Management Plan** (fee acquisitions) A plan addressing how property management and overall stewardship of the Property will be undertaken over the long-term must be submitted. The plan must be sufficient to guide future management activities and decisions. The PCR Guidance Document contains a description of the required components of the Property Management Plan. The LCHIP executive director may accept a draft plan prior to acquisition subject to a requirement that the final plan be submitted with, or prior to, the initial annual monitoring report.
- **Stewardship Policies** (easement acquisitions) Documentation of the stewarding entity's easement enforcement program, including a detailed description of the annual monitoring and inspection process and written documentation of trespass, encroachment, and/or violation response procedures demonstrating the stewarding entities capacity to enforce the restrictions conveyed must be submitted to LCHIP. Land trusts accredited by the Land Trust Alliance are exempt from this requirement.

9. **Order LCHIP Sign** Request the size and quantity of the LCHIP sign(s) to be displayed on the property.

10. **Publicity** Embargoed press release announcing completion of project, with acknowledgment of LCHIP support, approved for distribution following closing.

11. **Shapefile Package** A complete shapefile package showing final exterior boundaries of the protected property (polygon) and any excluded or special management areas. Prior to submission, this should be test for compatibility with UNH's GRANITView.

Questions? Contact LCHIP at (603) 224-4113