

TRM GRANT PROPERTY ACQUISITION - FEE TITLE OR EASEMENT

Disclaimer: This document contains a summary of the administrative rule requirements. Where discrepancies exist the provisions of the rule will govern.

Applicability

Property acquisition is eligible for funding within the context of TRM projects. However, applicants requesting funds for Fee Title or Easement purchase with their grant application must submit an acquisition proposal as described below. The proposal must be reviewed and followed before you submit your application.

Eligibility Requirements

Land may be purchased in fee title or easement through a TRM project to support structural urban BMPs, including detention basins, wet basins, infiltration basins and trenches, and wetland basins. Land may also be purchased in fee title or easement for land which is contributing or will contribute nonpoint source pollution. This includes property acquisition to support BMPs such as critical area stabilization, riparian buffers, wetland restoration and the abandonment or relocation of animal feeding operations.

Property Ownership In Fee Title Or Easement

A governmental unit which is sponsoring a TRM project will hold title to the property and assume all the implied responsibilities in perpetuity (permanently) once the property or easement is purchased through a TRM grant.

Appraisal Requirements

All land properties must be appraised in accordance with s. NR 153.25(6)(b) to be eligible for reimbursement. Appraisals are not required until after the grant has been awarded. All appraisals used for easement or fee title acquisition for a TRM project must be reviewed by the DNR, prior to any negotiations with the landowner. Contact the Regional NPS Coordinator to arrange for a review.

When ordering the appraisal for the acquisition project, **please request that your appraiser contact DNR's Review Appraiser before completing the appraisal report.** All appraisals need to be reviewed; this consultation between appraiser and reviewer can help expedite that review process.

Appraisers should contact:

Greg Hicks, DNR Review Appraiser
Gregory.Hicks@wisconsin.gov
608-640-7241

DNR Real Estate Contract and Appraisal Report Guidelines

<https://dnr.wisconsin.gov/sites/default/files/topic/Aid/grants/CF0015.pdf>

Important note: If you are applying for a grant to offset the cost of real estate purchased before January of the grant year and that purchase was based upon a valuation that does not comply

with these requirements, then the property must be re-valued and the new appraisal must be approved by the DNR before the DNR will issue the reimbursement under the grant.

Eligible Acquisition Costs & Cost Share Rates

Eligible acquisition costs include the cost of appraisals, land surveys, relocation payments, title evidence, recording fees, historical and cultural assessments as required by the DNR and environmental inspections and assessments. Eligible cost-share rates are as follows.

1. Fee Title: Purchase of land in agricultural TRM projects will be funded at up to 70% of the appraised value. Purchase of land in urban TRM projects will be funded at up to 50% of the appraised value.
2. Easements: Agricultural easements purchased through a TRM project will be funded at up to 70% of the appraised value. Urban easements purchased through a TRM project will be funded at up to 50% of the appraised value.

Timing

If you are applying for funds for property acquisition, you may apply for funds to cover a purchase to be made during the project period or to cover a purchase made prior to the project period. In either case, funding will only be granted in the event that funding for BMP construction is also granted. Funding will not be granted solely for the acquisition of easements or fee title purchase of property.

Acquisition Proposal Required

If you are requesting funds for property acquisition (fee title or easement), you must submit a property acquisition proposal to the Regional Nonpoint Source Coordinator prior to submitting your application materials. The acquisition proposal must include the following information:

1. Maps showing the proposed acquisition:
 - a. County map.
 - b. Site map showing Township, Range, Section, quarter-section, quarter-quarter section.
 - c. Project or land use planning map.
2. The Minor Civil Division name, parcel number and ownership.
3. The purpose of the property acquisition and how it will help meet project goals. Identify the best management practice that will be constructed on the property.
4. General time frame for property acquisition - describe why you are reasonably sure that you will be offered an opportunity to acquire the property.

More Information & Next Steps

If you have any questions about this section of the TRM grant application, or about the procedures for the purchase of easements or land through the TRM Grant Program, contact the Regional NPS Coordinator for your part of the state as listed at <https://dnr.wi.gov/topic/nonpoint/NPScontacts.html>.

If the project is offered funding, you should review the publication, titled "[Land Acquisition Guidelines for Local Governments](https://dnr.wisconsin.gov/sites/default/files/topic/Aid/grants/CF0015.pdf)" (January 2007) at <https://dnr.wisconsin.gov/sites/default/files/topic/Aid/grants/CF0015.pdf>.