

LeRay McAllister Working Farm and Ranch Fund

2025 Grant Manual

Administered by the Utah
Department of Agriculture
and Food
Division of Conservation
Land Conservation Program



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All applicants should read through this entire grant manual to become familiar with program specifics and requirements. Applicants are strongly encourage to contact UDAF before submitting their application.



Grant Program Overview

The LeRay McAllister Working Farm and Ranch Fund (the “Fund”) was established to preserve and restore working agricultural land in Utah for future food security, and to preserve the positive economic and social impacts that agriculture has on our state. The enabling statute for the fund is set out in UCA 4-46-301. The Fund is administered by the Utah Department of Agriculture and Food, through the LeRay McAllister Program (the “Program”).

The goal of the Program is to use voluntary, incentive-based approaches to permanently conserve productive farm and ranch properties that will provide food and other important farm products for future generations, whether on their own or as part of a broader working landscape.

The Program primarily uses funds that have been appropriated by the Utah Legislature to purchase conservation easements on private working lands. In some instances, the Fund may also provide small restoration grants to improve conserved land or fund the acquisition of small parcels of land in fee title under limited circumstances.

Land Conservation Board

The final funding decisions are made by the Land Conservation Board (the “Board”), an independent body appointed by the Governor. The enabling statute for the Board is found in UCA 4-46-201. UDAF Program staff provide administrative support to the Board and are responsible for application intake, technical assistance, and site visit coordination.

The Board generally meets on the 4th Tuesday of each month from 1-3 PM at the UDAF offices in Taylorsville, UT. Notice for all Board meetings are posted at least 24 hours in advance on the Utah Public Notice website. These meetings are open to the public and a virtual link is available for those wishing to attend remotely.

The Board is committed to responsibly balancing the State’s conservation and development interests. In fulfilling its fiduciary duty, the Board will authorize the use of state funds only when established standards are appropriately met. These standards are defined through two core principles, detailed implementation steps, and guiding intent language from the governing statute. Adherence to these principles ensures alignment with legislative intent and supports the Board’s goal of achieving a net gain in privately held conservation land across the state.





LeRay McAllister Fund Defining Principles

The Fund is focused on preserving working agricultural lands, with a secondary objective of preserving open space, historic areas, and natural wildlife habitat. Additionally, the Fund seeks to ensure that land is protected in all areas of the State. By using specific scoring criteria, the Board emphasizes providing grants to those lands identified as conservation priorities in the statute.

Applications may be submitted by qualified local entities (a county, city, or town), state agencies aligned with the program's mission, and a charitable organization that qualifies as being tax exempt under Section 501(c)(3), of the Internal Revenue Code.

The defining principles below will initially guide Board deliberations regarding the use of conservation fund monies by statute. As the application of these principles, and the associated implementation steps and intent language evolves, the Board may make revisions and suggest additional language be added to explicitly codify Board policies. Ultimately, it is up to the subjective discretion of the Board and program staff to determine whether a specific project meets the standards to receive funding.

Principle 1: Local Control

Funds may be used to acquire land or an easement only after the local land use authority, whose jurisdiction the subject property lies, has properly consented to the proposed easement acquisition.

Implementation: To obtain consent to a project, the person who is seeking money from the fund shall submit a request for consent to a project with the applicable land use authority. The land use authority may grant or deny consent. If the land use authority does not take action within 60 days from the day on which the request for consent is filed, the Board shall treat the project as having the consent of the land use authority.

Principle 2: Defining the Public Benefit

Funds may be used for the acquisition of easements or land only after the Board has prepared, reviewed, and adopted a Statement of Findings. This statement must demonstrate that the acquisition provides a unique, irreplaceable, or compelling public benefit.

A property may be deemed unique and irreplaceable if a reasonable person would conclude that, without its acquisition, a compelling public benefit – one not otherwise provided by existing public lands or easements – would be substantially and permanently lost.

Compelling public benefits may include, but are not limited to:

- Sustaining agricultural capacity and production
- Promoting public health and recreation
- Preserving cultural, scenic, or historical resources
- Protecting watersheds, wetlands, and wildlife habitat
- Supporting economic development
- Advancing other comparably significant public benefits

When a funding request involves acquiring fee title to land currently held in private ownership, the applicant must clearly demonstrate that the compelling public interest cannot be reasonably achieved through other means.

Implementation: To support this principle, the Board may appoint a Subcommittee comprised of Board members. This Subcommittee, in collaboration with Program staff and conservation planners, will apply the principles outlined herein to develop and review each Statement of Findings.

Illustrative Examples

Example #1: Unique and Irreplaceable

A specific watershed area may be deemed unique and irreplaceable (even if other watershed areas also serve the public) due to a particular watershed being essential for maintaining the adequacy of water supply to a designated area, such as the Great Salt Lake.

Example #2: Not Unique and Irreplaceable

Open space in an area where most of the land is already publicly owned and managed as open space does not qualify as unique and irreplaceable, unless it can be shown to offer a compelling benefit beyond being undeveloped, such as its agricultural viability.

Example #3: Alternative to Fee Title Acquisition

Farmer Brown owns 20 acres of fertile irrigated land, which also serves as a trail access point to adjacent public land. The local community desires a trail link across Farmer Brown's property. Rather than acquiring the entire 20-acre parcel, the local community should first try to acquire a trail easement from Farmer Brown. This would allow the remaining property to remain in the private ownership while still providing a public benefit.

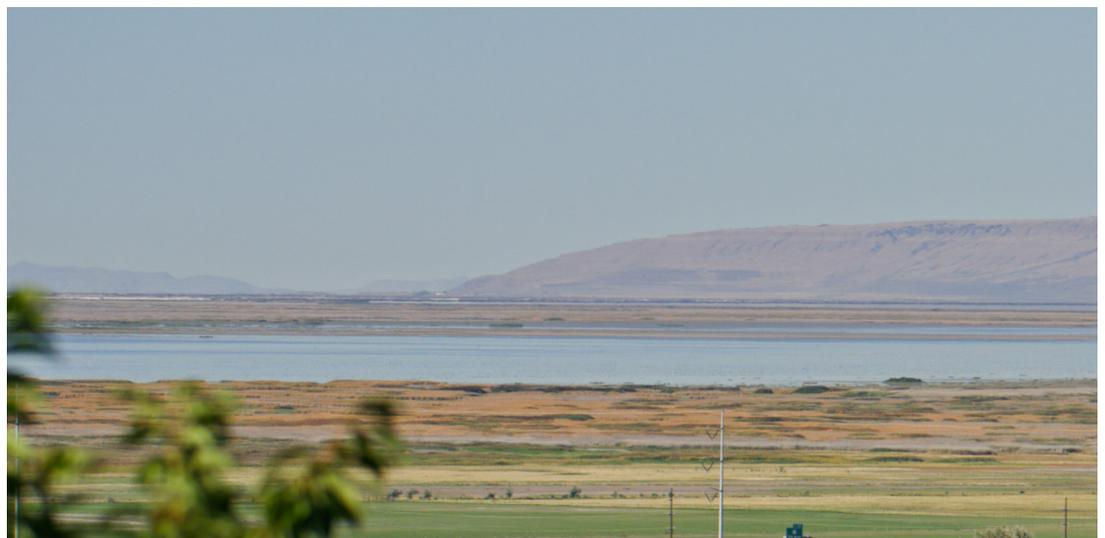
Application Deadlines (NEW for 2025)

Beginning in June of 2025, the Program will begin accepting applications year-round. Beginning in 2026, the Board will decide which projects to fund biannually, by utilizing a batching process model. This new model is intended to provide greater flexibility for applicants, encourage high-quality proposals, and allow for more thorough review and engagement by the Board and Program staff.

The Board will allocate approximately 50% of the annual Fund budget to each batch. Unused funds may be rolled into the next batch cycle or reallocated at the Board's discretion.

Applications may be submitted at any time during the calendar year through the UDAF Submittable Portal. Applications received will be reviewed by Program staff for completeness and accuracy. Any incomplete applications will be flagged for items missing and Program staff will reach out to the Applicant to gather the necessary information. As applications are received, Program staff will begin scheduling visits to proposed project sites. Program staff will preliminarily rank completed applications and report the rankings to the Board.

Each application will be reviewed by the Board during the next scheduled batch cycle, unless otherwise noted at the time of submission. The Board will award funds and set conditions for applicants based on recommendations of Board members and Program staff. Once the Board awards Fund money for a project, successful applicants will be notified of the pending grant award via email or other preferred method of contact stated in the application.



Batching Periods (NEW for 2025 & 2026)

- Fall Batch: Deadline August 31 (Beginning 2025)
- Spring Batch: Deadline March 31 (Beginning 2026)

Review & Award Timeline (NEW for 2025 & 2026)

- Batch Deadline → March 31 (2026) / Aug 31 (2025)
- Staff Review & Site Visit Window → April–May (2026) / Sept-Oct
- Board Review & Final Decision → June (2026) / November
- Award Notification → July 1 (2026) / December 1

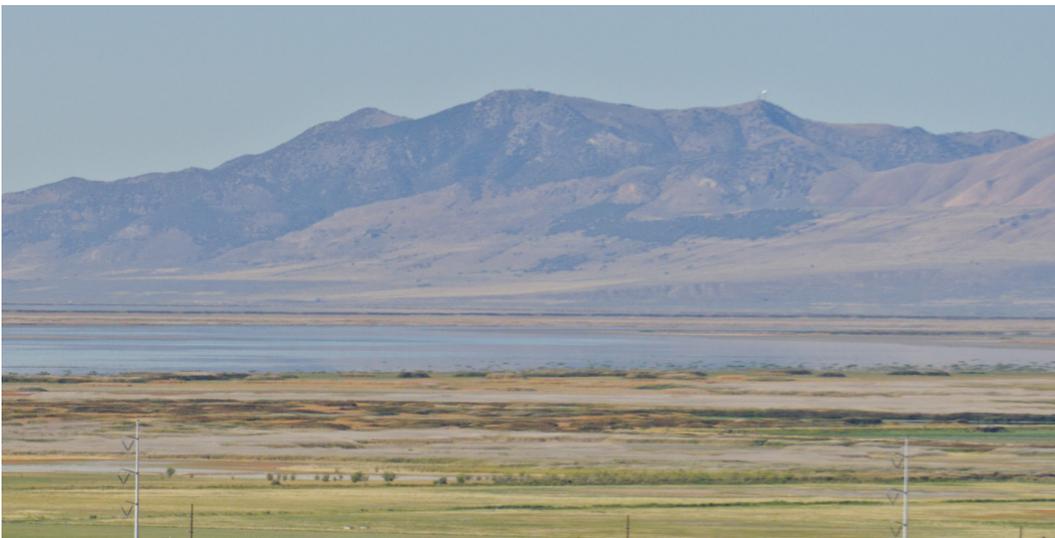
Eligibility & Program Priorities

Eligible Applicants:

- A qualified 501(c)(3) nonprofit organization, such as a land trust;
- A local governmental entity, including counties, cities, towns, or tribal governments;
- The Department of Natural Resources; or
- An entity within UDAF whose mission aligns with the goals of the Program.

Eligible Projects must align with program priorities and demonstrate:

- Long-term agricultural viability;
- Compelling public benefits, such as recreation, habitat, water quality, or cultural preservation;
- Project feasibility and readiness to proceed;
- Cost-effectiveness in achieving conservation outcomes; and
- Availability of matching funds to meet program requirements.



Application Ranking Criteria

Question	Ranked Application Question	Max Points
Questions related to social, political, and demographic factors		
46	Letters of support from local agricultural operations & businesses	50
47	Letters of support from political, tribal, and non-profit entities	20
48	Zoned for multi-family or affordable housing	10
49	Inclusion in city or county open land preservation plan	20
50	Neighboring protected properties	20
51	Proximity to non-neighboring protected properties	15
58	County population growth rate	20
65	Decrease in agricultural land in the county	15
66	Decrease in grassland, pasture, and rangeland in the county	15
	Total points for social, political, and demographic factors	185
Questions related to funding		
52	Requested LRM funding as a fraction of total easement value	20
53	Cost per acre of the total easement value	40
56	Land trust contribution as a fraction of total easement value	20
54	Committed NRCS funds as a fraction of total easement value	30
55	Landowner contribution as a fraction of total easement value	20
57	Local and county govt. contributions as a fraction of total easement value	20
	Total points for funding	150

Questions related to property characteristics and management		
59	Public access	5
60	Historical & cultural value	10
61	Water quality, wetlands, riparian habitat	10
62	Presence of endangered species	10
63	Presence of game species	10
73	Succession plan	30
74	Past participation in conservation programs	10
67	Prime, unique, or important soil	30
68	Classification of cropland (cropland only)	20
69	Precipitation zone (rangeland only)	20
70	Date of last conservation project	30
71	Type of water supply (cropland only)	20
72	Bodies of water (rangeland only)	20
64	Size of property	40
	Total points for the property's characteristics and management	265
	Total possible points	600

Important Program Information

- 1. Use of Funds:** Funds must be used for the preservation or restoration of working farms and ranch lands. Eligible applicants include qualified local entities, state agencies aligned with the Program's mission, and registered 501(c)(3) nonprofit organizations (e.g., land trusts) that meet the easement holder requirements in UCA § 4-46-302(1).
- 2. Conservation Easement Requirements:** Funded easements must be perpetual and made legally enforceable, recorded under Title 57, Chapter 18, Land Conservation Easement Act, or by other legally recognized methods of preserving open agricultural land.
- 3. Limitation on Fee Title Acquisitions:** Except as provided in UCA § 4-46-302(2)(b)(ii), Funds may not be used to purchase a fee title to real property.
- 4. Prohibition on Eminent Domain:** Applications that rely on eminent domain cannot be considered. UCA § 4-46-302(2)(B)(iii) prohibits the use of program funds for any property interest acquired through eminent domain. Additionally, parcels larger than 20 acres may not be divided into smaller parcels to circumvent this restriction.
- 5. Matching Funds Requirement:** All projects require a 1:1 match of funding (50% or more of total project cost). If matching funds are not fully secured at the time of application, a letter outlining the plan for securing those funds must be submitted along with the project application. (see Appendix C for a sample). Funds will not be disbursed until all matching funds are secured and documented by UDAF.

Acceptable sources of match funding include:

- Cash or pass-through grants from other funding sources.
- Donated property value in a bargain sale conservation easement.

- 6. Grant Funding Cap:** Applicants may request up to 50% of the appraised value of the easement, based on a qualified conservation easement appraisal.
- 7. Ineligible Costs:** Indirect costs are not reimbursable and cannot be used as matching funds. These ineligible costs include, but are not limited to: staff time, overhead, work provided pro bono, or maintenance or operating costs of lands and facilities.
- 8. Large Grant Reporting Requirement:** The Board may not approve any grant of funds that exceeds \$1,000,000 without first submitting a report on the proposed grant to the Legislative Management Committee, which may issue recommendations to the Board. However, such recommendations are not binding on the Board.

9. Local Land Use Authority Consent: The Board may not authorize funds for any project without the consent of the local land use authority. Applicants must submit a formal request for consent with the applicable land use authority. If the land use authority does not respond within 60 days, the Board shall treat the project as having the consent of the land use authority.

10. Legislative Notification: Applicants must notify their local elected officials, State Senator and State Representative, of their intent to pursue funding through the Program for a conservation easement. Evidence of this notification shall be included in the application package. Letters of support from elected officials are not required but may improve an application's ranking.

11. Funding Evaluation Criteria: Pursuant to UCA § 4-46-302(3), when evaluating applications, the Board shall consider:

- The nature and amount of open land and agricultural land proposed to be preserved or restored;
- The qualities of the open land and agricultural land proposed to be preserved or restored;
- The cost-effectiveness of the project to preserve or restore open land or agricultural land;
- The funds available;
- The number of actual and potential applications for financial assistance and the amount of money sought by those applications;
- The open land preservation plan of the local land use authority where the project is located, and the priority placed on the project by that authority;
- The effects on housing affordability and diversity; and
- Whether the project protects against the loss of private property ownership.

12. Water Resource Projects: For projects aimed at protecting critical watersheds, the Board shall require that the needs and quality of that project be verified by the State Engineer.

13. Easement Holders: All conservation easements funded by the Program must be held or co-held by UDAF or a qualified local entity as defined in UCA § 4-46-302(1). Entities seeking to hold conservation easements must provide documentation demonstrating they meet the requirements of the Utah Land Conservation Easement Act (UCA § 57-18-101 et seq.). The Board will determine the eligibility of any proposed easement holder. If UDAF is not a holder of a conservation easement, the easement deed must grant UDAF a "Right of Enforcement" and include annual monitoring report submissions.

14. Project Location Requirements: Projects must be site-specific and located entirely within the State of Utah. The underlying property must qualify as working agricultural land under the Conservation Coordination Act (UCA § 4-46-102). General or speculative proposals will not be considered.

- 15. Project Name & Public Disclosure:** Project names provided in the application will be used in public communications, including reports to the Governor and Legislature. Applicants seeking anonymity should contact UDAF before submitting an application
- 16. Riparian Buffer Requirement:** Projects involving water resources must include permanent vegetated riparian buffers. Grazing may be allowed within these buffers under an approved Grazing Management Plan, written by a certified planner. These provisions must be included in the recorded deed (see Appendix D for specific requirements).
- 17. Perpetual Protection Clause:** Funded conservation easements must include language in the recorded conservation easement deed which states that the property will be protected in perpetuity, in accordance with the Conservation Coordination Act (UCA § 46-16-102(9)(a)(b)). Further, the conservation easement deed must include language stating that this easement may only be extinguished as provided in the conservation easement deed or as otherwise allowed under state or federal law.
- 18. Extinguishment or Condemnation:** If a funded conservation easement is terminated, extinguished, or condemned, in whole or in part, by lawful proceedings, the Landowner must reimburse the Grantee a proportional share of the unencumbered fair market value, consistent with the grant agreement. This clause must be included in the recorded conservation easement deed.
- 19. Due Diligence Requirements:** All projects awarded funds must submit complete due diligence documentation as outlined in Appendix A before funds will be disbursed.
- 20. Legal and Tax Advisory:** Landowners are strongly encouraged to consult with their own legal and tax advisors early in the process. UDAF cannot provide legal or tax advice to landowners or applicants.
- 21. Consolidation of Ownership:** Any project involving multiple ownership entities must include a plan for consolidating ownership as part of the application. For projects awarded funding, ownership must be consolidated, if applicable, before the easement is executed and any funds are disbursed. Once a conservation easement is recorded, the entire property is treated as one indivisible piece of land that cannot be subdivided or sold in parts (unless otherwise specified in the Easement Deed and approved by UDAF). Because of this, UDAF requires that all parcels included in an easement be owned under a single, unified ownership structure before the easement is finalized.

Appraisal Policies

A qualified conservation easement appraisal is required before funding is released.

Funding cannot exceed 50% of the appraised value of the conservation easement.

A qualified statement or estimate of value may be accepted at the time of application. The Board can accept at the time of application a qualified estimate of value based on an accepted methodology, such as a sales comparison that considers the average diminution in value of other recently closed conservation easements with similar restrictions. However, a final conservation easement appraisal with an effective date no more than one year before closing will be required before any payment of funds.

The applicant is Responsible for the Estimate of Value. If a Broker Price Opinion or other qualified estimate of value is used, the applicant assumes all risks associated with the estimate of the land's value. The Board will not increase the requested amount because the appraised value increases. The Board will reduce the award if the appraised value is lower than the value estimated, or if the request is more than 50% of the total appraised value.

Applicants must prepare the project budget as accurately as possible. Due to limited funds, the Board discourages applicants from submitting requests for additional funds after a grant has been approved, although they retain the option to entertain an additional request if there is a compelling case. We want to be clear to applicants that it is highly unlikely for an additional funding request to be granted for a previously approved project. This does not mean that applicants are discouraged from submitting subsequent applications for new projects or planned phases of a project.

The Board may award less than requested. The Board reserves the right to reduce the actual amount awarded below the amount requested to improve the leverage, to fund additional projects, or for any other reason within their subjective discretion. Applicants should not assume that they will receive the amount requested and should have a contingency plan in case the award is less than the amount requested.

Grant Size and Duration:

- Typical grant range: \$100,000 - \$500,000.
- Projects must be ready to close within two years of the award date.

Maximum Funding Request Per Batch: To promote equitable access to funding, the program generally allocates 50% of its annual budget to each of the two funding batches and has established a **maximum request of \$500,000 per batch**. Applicants may be awarded less than the full requested amount.



Detailed Application Instructions

All applications must be submitted through the Utah Department of Agriculture and Food (UDAF) Submittable Application Portal.

All applicants MUST have a valid Utah ID login account to submit their application: <https://idhelp.utah.gov/account-creation.html>

1. Once you have your Utah ID Credentials, you are ready to begin filling out the application:

Link to Application: <https://udafgrants.utah.gov/submit/1ce31184-341c-40b5-baff-245e9a873503/2024-leray-mcallister-fund-grant-application/eligibility>

Click to “Create Your Account” in Submittable (or if you have one already, sign in). Sign in using your Utah ID Credentials. You may be asked to verify your email address.

2. Fill out the eligibility certification by clicking on the “Applicant Type” and checking the box to certify that the person filling out the application is authorized to do so. Eligible applicants for this grant opportunity include counties, cities, towns, and other local entities within Utah; the Department of Natural Resources (DNR) or an entity therein; the Utah Department of Agriculture and Food (UDAF); or a Land Trust or other recognized 501(c)(3) organization with operations in Utah.
3. You will automatically be redirected to the full application. The application questions are included in Appendix D for your reference.
4. It is advised that applicants work with an Easement Planner to compile all the necessary information and responses before beginning your submission. You will, however, be able to save and return to your application once it's in process. When you begin filling out your application, click the button at the top to “Manage Collaborators.” You may enter your Planner's contact email, and they will then be able to assist as needed in filling out the application.
5. If you need to save your application and continue later, scroll to the bottom and click “Save Draft.” When you log back into Submittable, you can click on the “Drafts” tab to resume your application in progress.
6. Once your application is submitted, you should receive an email acknowledgment from the Program. The application period will be open for approximately 60 days. During this time, UDAF staff will reach out to you for additional information and to schedule a site visit for staff and members of the Board.

Requirements for Grant Recipients

Grant Agreements:

Within a few weeks of email notification of a grant award, a grant agreement will be emailed to the grant recipient to sign and return the document. After all signatures are received, a copy of the fully executed agreement will be provided to the grant recipient.

Grants are made for two years to allow the necessary due diligence activities to take place before the funds are sent to escrow for closing. Administrative extensions of up to one year at a time may be granted upon circumstances documented by the grant recipient.

Periodic Status Report:

Grant recipients will report on the status of the project at a minimum of twice per year.

Final Steps and Closing:

All documents on the application checklist must be provided to and approved by the Board at least 60 days before the funds are disbursed. These documents are listed in Appendix A.

Under no circumstances will LeRay McAllister funds be disbursed until all required documents have been provided, reviewed, and approved by the Board and all required deeds are ready to be recorded.

UDAF Contacts

If you have questions or need assistance filling out the application form, one of our qualified Easement Planners is happy to assist you. Please reach out and they will help ensure you have all the information you need to fill the application out correctly

John Kurecka
385-285-2115
jkurecka@utah.gov

Michael Pleimling
801-385-4567
michaelpleimling@utah.gov

Appendix A - Grant Specifications

For an application to the LeRay McAllister Program to be considered, the following documents must be submitted as part of the application package:

1. Signed **Purchase or Option Agreement** for the entire proposed easement.
2. A **preliminary appraisal** of the conservation easement, broker price opinion, or **other qualified estimate of value** of the underlying property.
3. **Letters of support** from the local government/land use authority, and evidence of notification to the State Senator and State Rep of the district that the property is in.
4. If UDAF will hold or co-hold the easement, the applicant must submit a **preliminary co-holder agreement**.
5. **Site map, legal description, or other parcel description** for the area to be encumbered by the easement.

The following documents **MUST** be submitted and approved by UDAF at their subjective discretion before funds are disbursed:

1. **Final conservation easement appraisal** that meets USPAP or UASFLA Standards
2. **Holder Agreement**
3. **Final Project Budget** & proof of matching funds
4. **Recorded Survey & Legal Description** prepared by a Utah licensed surveyor that meets Utah Minimum Standards and Procedures for Land Boundary Survey Practice.
5. **Final Conservation Easement Deed** – must be submitted to UDAF for final review at least 60 days before closing.
6. **Final Title Commitment** (if UDAF will hold the easement, must receive a copy of Title Insurance Policy issued at closing).

Appendix B - Example Match Letter

Land Conservation Board
c/o Land Conservation Program Manager

Utah Department of Agriculture and Food
4315 South 2700 South, TSOB South Bldg., Floor 2
Taylorsville, UT 84129-2128

PO Box 146500
Salt Lake City, UT 84114-6500

RE: LeRay McAllister Working Farm and Ranch Fund (LRM Fund) grant application from _____ for the _____ project.

Dear Mr. Christensen:

In the grant application submitted by our organization for the LRM Fund for the 2024 grant round, our project budget included a total match amount of \$_____ of which \$_____ is to be obtained through grant funding that is not yet committed by a granting agency. We understand the LRM Fund will not grant funds for a project whose match is uncertain, and we agree that, if this project is funded through LRM, we will commit our organization's resources to complete the project within the two-year time frame required by the LRM program.

Sincerely,

Organization
Title

Appendix C - Required Property Protections and Vegetated Riparian Buffer Information

To safeguard water quality and the conservation value of land conservation projects, the following protections are to be included in all LeRay McAllister Working Farm and Ranch Fund (Fund) projects:

- 1. Limitations on placement of utilities:** Existing or planned utilities that serve permitted structures (including those reserved in the easement for future development) on the subject property are allowed. Utilities that do not serve permitted structures on the subject property require the grantee's review and prior written determination that the construction and maintenance of such utilities will not impair the conservation value of the property.
- 2. Agricultural Conservation Plan:** If the property contains agricultural production, then a written agricultural conservation plan shall be developed or in place that stipulates the use of best management practices for water quality protection (such as proper nutrient management, utilization of cover crops, and stabilization of highly erodible lands). This plan shall be developed in consultation with the local Conservation District or the Natural Resources Conservation Service and shall be implemented and periodically updated by the landowner for as long as the property remains in agricultural production.
- 3. Vegetated Riparian Buffers:** An area of land where natural vegetation shall be maintained and determined on a case-by-case basis be specified in an approved grazing plan along a river, shoreline, or stream, or body of water that has outflow and a riparian community. Additional requirements for vegetated riparian buffers are:
 - a. Buffer size:
 - i. The buffer must be a minimum of 35 feet, although a 100-foot buffer is preferred.
 - ii. The required width for a specific project will depend on the size and flow capacity of the body of water on the property.
 - b. Livestock access and grazing:
 - i. Livestock may be allowed in the buffer area and associated water bodies if their presence is compatible with other resource protections. In such cases, then a written riparian conservation plan or grazing management plan shall be developed. This plan should:
 - Include best management practices (BMPs) for protecting vegetation and water quality
 - Be developed in consultation with the local Conservation District or the Natural Resources Conservation Service, and
 - Be maintained and periodically updated by the landowner as long as the property remains in agricultural use.
 - ii. Grazing must be restricted to protect the riparian ecosystem.

- c. Prohibited and permitted activities
 - i. Generally prohibited activities:
 - Earth-disturbing activities
 - Plowing
 - Dumping
 - ii. Generally permitted activities:
 - Tree planting
 - Streambank restoration
 - Forest management
 - Archaeological investigations
 - Restoration, reconstruction, and maintenance of documented historic landscapes on historic properties

- 4. The following structures, activities, and landscapes may be allowed within the required vegetated riparian buffers on Funded projects:
 - a. Pre-existing development:
 - Buildings, structures, roads, or other impervious surfaces that existed before the grant award are allowed.
 - No additions or expansions of these structures are permitted within the buffer.

 - b. Water-dependent structures:
 - A limited number and size of water-dependent features - such as docks or boat launches – may be permitted.
 - Approval of such structures depends on the length and reach of the shoreline.

 - c. Stream crossings:
 - A limited number of stream crossings for livestock, pedestrians, or vehicles may be allowed (e.g., one crossing per 1,320 feet of shoreline).
 - Livestock crossings must be addressed in a written conservation plan that outlines measures to protect vegetation and water quality.
 - Where possible, off-site watering for livestock is preferred.
 - Access to bodies of water shall remain highly restricted.

 - d. Access points:
 - Designated access points may be permitted to reach allowed water-dependent structures or the water itself.

 - e. Lawns associated with residents:
 - Lawns up to 50 feet wide may be allowed within the buffer if:
 - They are associated with a primary residence,
 - The site is not prone to severe erosion, and
 - The diminished buffer is offset by nearby buffers that are wider than 35 feet.

Appendix D - 2025 Grant Application Questions

* Indicates a required response

1. Project Name*
Limit: 300 characters
2. Property Address*
3. Property County*
4. Property Legal Description*
5. Parcel ID #s/ Tax ID #s for all parcels in consideration (even if less than the entire parcel will be encumbered)*

Upload Site Maps*

Acceptable file types: .csv, .doc, .docx, .odt, .pdf, .rtf, .txt, .wpd, .wps, .gif, .jpg, .jpeg, .png, .svg, .tif, .tiff

Please indicate legal access to the property on maps. Please include section, township, and range identifiers.

Upload Current Survey

Acceptable file types: .csv, .doc, .docx, .odt, .pdf, .rtf, .txt, .wpd, .wps, .gif, .jpg, .jpeg, .png, .svg, .tif, .tiff

If available

6. Applicant Entity Name*
7. Applicant Entity EIN (if applicable)
If not applicable, please type in zeroes.
8. Applicant Entity UEI Number (if applicable)
If not applicable, please type in zeroes.
9. Authorized Applicant on behalf of Entity*
Person authorized to submit this application on behalf of the above entity.
10. Applicant Title/Position *
11. Applicant Contact Email*
12. Applicant Contact Phone*
13. Applicant Entity Mailing Address*

Upload IRS Letter (if applicant entity is a recognized 501(c)(3))

Acceptable file types: .csv, .doc, .docx, .odt, .pdf, .rtf, .txt, .wpd, .wps, .gif, .jpg, .jpeg, .png, .svg, .tif, .tiff

14. Proposed Easement Holder/Grantee*

Upload Signed letter of intent, option, purchase or Easement Holder agreement*

15. Is the Landowner an entity?*

If the landowner is an entity, the applicant will be required to submit evidence of signatory authority for all controlling members or shareholders.

16. Landowner/Controlling Entity Name*

This person must have the authority to sign this application as the Landowner, or as an authorized signer for the entity that owns the land that will be encumbered by the proposed easement.

17. Ownership Percentage*

18. Landowner/Controlling Entity Mailing Address*

19. How long has the landowner or entity owned the property?*

20. Are there additional owners of record?*

21. Have all other owners and interested parties been contacted about this proposed easement?*

If multiple owners, you will need to furnish documentation showing signatory authority.

22. Is the title to the property under cloud or dispute? If yes, please explain the situation and how it will be rectified.*

23. What is the total acreage to be protected under the proposed easement?*

More than 1,000 acres

500 to 1,000 acres

100 to 500 acres

50 to 100 acres

Less than 50 acres

24. Land Eligibility - Is the land being offered for easement predominantly:*

Cropland

Rangeland

Pastureland

Grassland

Grassland containing forbs

Shrubland for which grazing is the predominant use

Located in an area that has been historically dominated by grassland, forbs, or shrubs that could provide habitat for plant and/or animal populations of significant ecological value

Non-industrial private forest that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development

25. How will this project contribute to local food security, support the agricultural economy, or preserve the heritage of the surrounding area, now and in the future?*
26. Is there legal, physical access to all parts of the offered easement area?*
- Yes, directly from a public roadway
 - Yes, legally recorded ROW across private lands
 - Yes, legally recorded ROW across public lands
 - No, an access agreement will need to be secured before closing
- Please select all that apply. The applicant will be required to submit documentation of their legal access.
27. Are there water rights associated with the property? Are your water rights adjudicated? From what river, what ditch, and what is the point of diversion? Please describe as completely and accurately as possible.*
28. If water rights are necessary to accomplish the conservation purposes of the project, i.e. to maintain agricultural production or important habitats, the Grantee must assure that the necessary water rights will be encumbered by the easement and will be retained with the land and not be leased, severed, abandoned or sold. Please check the box to acknowledge.*
29. Besides agriculture, what public or community benefit(s) would conserving the property offer? Check all that apply.*
- Wildlife habitats
 - Public access, including land or trails used for outdoor recreation by, or for the education of, the general public
 - Watershed, wetland, or riparian areas
 - Important scenic open space/viewsheds
 - Historically important land area or certified historic structure
30. Is the property currently under pressure from development? Please explain.*
31. Has the property ever been used for industrial or commercial use? e.g. shooting range, processing, handling, management, disposal, storage, manufacture, or transportation of hazardous substances or petroleum products, such as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photographic developing laboratory, methamphetamine laboratory, junkyard, bone yard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility). If yes, describe the activities and provide the time frames, types, locations, and quantities of hazardous substance use and storage.*
32. Does the past or present agricultural operation of the property involve the use or storage of chemicals such as pesticides, fertilizers, and or solvents? If yes, describe and provide locations and the type, quantity, duration of use, and management practices.*

Upload Environmental/Hazardous Materials Disclosure or Phase 1 EIS if available.

33. Has the property been appraised within the past 24 months?*
34. Are there any mortgages or other liens on the property?*

35. Does the surface owner also own the mineral rights for the property?*
36. Is the proposed conservation easement being contemplated as part of a planned development or through a regulatory process, or in order to receive development permits or other planning approval?*
37. Have you been in contact with any other organizations (such as a Land Trust) about the preservation of this property? If so, please list.*

38. What continued uses/reserved rights does the landowner want to maintain or establish on the subject property? Check all that apply.*

- Grazing of livestock or other ranching activities
- Additional house / cabin site
- Public access
- Motorized vehicle use for agriculture & property maintenance needs
- Farming or other cultivated land uses
- Motorized vehicle use for recreation (i.e. dirt bike trails, rock crawling)
- Hunting / Fishing
- Timber harvest
- Resource improvement/restoration
- Commercial use
- Industrial use
- Additional outbuildings
- Relocation, renovation of existing improvements
- Fencing

Upload Draft Easement Deed if available, or upload a template that will be substantially similar.

39. Amount Requested from LeRay McAllister Grant Fund (must not exceed 50% of total estimated easement value)*

Must be based on a preliminary conservation easement appraisal or qualified estimate of value

Upload Preliminary Appraisal or Qualified Estimate of Value*

Appraisal requirements can be found here (linked in online form)

40. Intended Use of Requested Funds*

- Purchase a conservation easement on the subject property
- Purchase fee title to the subject property
- Restoration of the subject property

41. Matching Fund Sources*

Non-State matching funds are required. Please indicate the amount, and whether the funds are secured, pending, or yet to be identified in the project budget. Landowner donation qualifies as a match.

Upload Project Budget*

Please provide details of matching funds and expected costs.

42. Does the Landowner intend to make a donation of a portion of the easement value and claim a Federal Tax Deduction?*

43. Landowner Donation (in USD and as % of the total easement value)*

44. Projected Estimated Closing Date*

Must be within 2 years of award date (Oct 2024).

45. Has the project received the following required approvals?*

Land use authority (City, County) under which the subject property is governed
Regional planning and development commission

Please provide letters of support with your application. Projects without the necessary approvals will not be considered. Must check with the regional planning and development commission for any prior approved roads or developments that would interfere with the conservation easement.

Upload Required Letters of Support*

Must include support from the local land use authority.

46. How many additional letters of support from local businesses, farms, ranches, food processors, etc. are you able you provide in support of the application?*

- None
- One
- Two
- Three
- Four
- Five

47. Please list all partners and their interest/role with this project (e.g. organizations who are providing financial, technical or other support)*

48. Have other entities (planning commission, wildlife group, conservation organization, etc) expressed official support for the project?*

- One
- Two
- Three
- Four or more
- N/A

49. What effect will this project have on housing affordability or access in the surrounding area?*

Parcel is in residential zoning that allows multi-family or affordable housing units.
Parcel is NOT in a residential zone that allows multi-family or affordable housing units AND the project has received a letter of support or resolution from the local land use authority stating that it will not significantly impact the housing affordability of the area.

Projects located in a residential zone that allows multi-family or affordable housing will lose 100 pts. Projects that receive an affirmative resolution from the local land use authority that the project will NOT impact housing affordability in the area, will receive 10 pts.

50. Is the property located within an area that is identified as open space in the general plan or zoning map of the local community?*
- The parcel is included in a city or county preservation plan
 - The parcel is included in a city or county preservation plan, and is included in a state or federal preservation plan (such as a wildlife corridor, watershed protection area, etc.)
 - There is a written parcel-specific preservation plan supported by the local entity
 - N/A
51. Is the project contiguous with other lands that are protected from development, such as another conservation easement, State or National Park, etc? What percentage of the property boundary is shared with other protected properties?*
- None
 - Less than 25%
 - 25% to 50%
 - More than 50%
52. Is the property in immediate proximity to other protected lands, such as a compatible military base, federal, state or tribally owned lands, other lands under conservation easement, lands within an agricultural protection area or other lands conserved for agriculture, open space, or wildlife?*
- Easement boundary is greater than 3 miles in proximity to other protected lands
 - Easement boundary is greater than or equal to 1 mile but less than 3 miles in proximity
 - Easement boundary is less than 1 mile in proximity
 - Easement is within a designated boundary (Great Salt Lake Sentinel Landscape etc)
53. Based on the projected budget, what percentage of the total acquisition or restoration costs would be covered by the McAllister Fund?*
- More than 20%
 - 11% to 20%
 - Less than 10%
54. What is the cost per acre (CPA) of the easement and/or restoration project?*
- Less than \$5,000
 - \$5,000 to \$10,000
 - \$10,000 to \$15,000
 - \$15,000 to \$25,000
 - More than \$25,000
55. Has the project been awarded any Federal funding (ACEP-ALE/ WRE, RCPP, REPI)?*
- Didn't apply or was rejected.
 - Awarded funding for less than 20% of the total value.
 - Awarded funding for 20% to 50% of the total value.
 - Awarded funding for 50% or more of the total value.

56. What percentage of the total easement value is the Landowner contributing as a donation?*
- 0%
 - 1% to 5%
 - 6% to 10%
 - 11% to 15%
 - 16% to 20%
 - More than 21%
57. What percentage of the total easement value is the Applicant Entity contributing from its own funding?*
- 0%
 - 1% to 10%
 - 10% to 20%
 - More than 20%
58. What percentage of the total easement value is the local and county government contributing?*
- 0%
 - 1% to 10%
 - 10% to 20%
 - More than 20%
59. What is the level of development pressure that the property is experiencing?*
- Percent of population growth in the county as documented by the most recent United States Census less than one times the state growth rate.
 - Percent of population growth in the county as documented by the most recent United States Census is > 1 and < 2 times the growth rate of the state growth rate.
 - Percent of population growth in the county as documented by the most recent United States Census is more than two times the State growth rate.
 - Parcel has an active purchase agreement or option to develop the property.
 - You can find the relevant data on population growth here.
60. Will the project include public access?*
- No public access will be permitted.
 - Public will have access to the protected lands via trail easement, walk-in access, or other means.
61. Does the parcel contain significant cultural or historical values?*
- Parcel (whether included in easement boundary or not) contains structures on the national historic registry.
 - Parcel is a designated Century Farm.
 - Project has received a letter of support noting historic valley to city or county.
 - Includes lands of significant value to indigenous tribes.
 - N/A
- Please note that any of the positive answers gives the maximum points for this question. Select any one that applies.

62. Does the proposed easement property contain surface water/wetlands/riparian habitat?*

More than 50% of the parcel is located in an aquifer recharge zone.

The parcel contains functioning wetlands that are hydrologically connected and upstream from another waterbody (includes both jurisdictional wetlands and waters of the State).

Habitat will be conserved for the benefit of migratory birds and wetland-dependent wildlife, including the diversity of wildlife that will be benefitted or lifecycle needs that will be addressed.

The parcel contains a perennial stream/surface water and/or contains native riparian vegetation.

For parcels adjacent to a perennial stream, a minimum buffer of no less than 50 feet (15 m) from the stream banks will remain in native riparian vegetation such as willows, cottonwoods, etc.

N/A

Please note that any of the positive answers gives the maximum points for this question. Select any one that applies.

63. Will the proposed easement protect habitat for critical conservation species?*

Habitat for species identified in the current Utah Wildlife Action Plan as Conservation Status S1, S2, or S3.

Habitat for species identified in the current Utah Wildlife Action Plan as Conservation Status S4 or S5.

N/A

You can find the Utah Wildlife Action Plan here (linked in online form).

64. Will this proposed easement benefit Utah's high-interest game species?*

Habitat for species identified in the List of High-Interest Game Species as rank 1 or 2.

Habitat for species identified in the List of High-Interest Game Species as rank 3 or 4

N/A

You can find the List of High-Interest Game Species here (linked in online form).

65. For cropland - how much has the total agricultural land in the county in which the parcel is located decreased between the last two USDA Census of Agriculture reports?*

Decrease of 0% or increase or property is not cropland

Decrease of 0% to 5%

Decrease of 5% to 10%

Decrease of 10% to 15%

Decrease of more than 15%

You can find the USDA Census of Agriculture here (linked in online form).

66. For rangeland - what was the decrease in the percentage of acreage of permanent grassland, pasture, and rangeland, other than cropland and woodland pasture, in the county in which the parcel is located between the last two USDA Census of Agriculture reports?*

Decrease of 0% or increase or property is not rangeland

Decrease of 0% to 5%

Decrease of 5% to 10%

Decrease of 10% to 15%

Decrease of more than 15%

You can find the USDA Census of Agriculture here (linked in online form).

67. Percent of prime, unique, and important soils in the parcel to be protected:*

- Less than 50%
- 50% to 60%.
- 60% to 70%.
- 70% to 80%.
- More than 80%.

If > 50%, provide a map from **Web Soil Survey**. If Prime Irrigated or Prime Drained soil proof provided on water availability section and demonstrated on the map.

Click here and select “Utah” and scroll down to “Soils” section (linked in online form).

68. For cropland - Is 50% or more of the parcel a soil land capability classification of:*

- Class I
- Class II
- Class III

Above Class III or property is not cropland.

For Web Soil Survey click here (linked in online form).

1. Create an Area of Interest (AOI) that covers the parcel.
2. Select the “Soil Data Explorer” tab.
3. Select the “Suitability and Limitations for Use” tab.
4. Expand the “Land Classifications” section.
5. Select “Irrigated Capability Class” and select the “View Ratings” button to generate a map and table. The soil classification will be in the “Rating” column if available.

69. For rangeland - Is the proposed grassland parcel in an annual precipitation zone of:*

- < 8 inches or property is not rangeland
- 8 - 12 inches
- 13 - 16 inches
- > 16 inches

You can find the annual precipitation zone here (linked in online form).

70. Has the landowner implemented new vegetative or structural conservation-based projects or improvements on the property?*

- None.
- Within the last nine years.
- Within the last six years.
- Within the last three years.

71. On cropland - Is the water supply:*

- A non-dependable or non-assured depleting groundwater source or property is not cropland.
- Annually determined based on stored water supplies and/or marginally depleting groundwater aquifer.
- Assured long-term delivery of irrigation system and/or non-depleting groundwater aquifer.

72. On Rangeland - Is there a source of perennial or intermittent streams, lands or ponds within the easement area? *

- None or property is not rangeland
- Has intermittent rivers and streams, seasonal lakes and other seasonal water bodies.
- Has perennial rivers and streams, permanent lakes and other permanent water bodies.

Please include **photos** with application.

73. Is there existence of a farm or ranch succession plan or similar plan established to address farm viability for future generations? *

- No plan
- Plan
- Plan documented and performed by industry professionals.

Please include documentation in the application attachments.

74. Has the landowner recently participated in affiliate state programs with UDAF, DNR, DEQ, FSA, or NRCS? *

- Participated in past 5 years or currently enrolled
- Application to an affiliation program has been submitted and is being considered.
- None of the above

Please include relevant documentation.

Affiliate programs include but are not limited to: (Ag VIP, Ag Water Optimization, Hunter/Angler Access Program, CWMP, GIP, Soil Health program, WRI, CRP, Catastrophic Wildfire Reduction, and Farm Bill Programs.) Other programs may be considered at the Fund's discretion.

Upload Other documentation

Please upload any additional supporting documents, such as a succession plan, farm/ranch management plan, access agreements, photos, etc. If any files fail to upload, please contact michaelpleimling@utah.gov or jkurecka@utah.gov.

Appendix E - Definitions

“Agricultural land” means “land in agricultural use,” as defined in UCA Section 59-2-502.

“Board” means the Land Conservation Board established in Section 4-46-201.

“Conservation Commission” means the Conservation Commission created in Section 4-18-104.

“Conservation District” means a limited-purpose local government entity created under Title 17D, Chapter 3, Conservation District Act.

“Director” means the director of the Division of Conservation.

“Division” means the Division of Conservation created in Section 4-46-401.

“Fund” means the LeRay McAllister Working Farm and Ranch Fund created in Section 4-46-301.

“Land use authority” means: (a) a land use authority, as defined in Section 10-9a-103, of a municipality; or (b) a land use authority, as defined in Section 17-27a-103, of a county.

“Local entity” means a county, city, or town.

“Open land” means land that is:

Preserved in or restored to a predominantly natural, open, and undeveloped condition;
and

Used for:

wildlife habitat;

cultural or recreational use;

watershed protection; or

another use consistent with the preservation of the land in, or restoration of the land to, a predominantly natural, open, and undeveloped condition.

“Open land” includes land described in Subsection (10)(a) that contains facilities, including trails, waterways, and grassy areas, that:

Enhance the natural, scenic, or aesthetic qualities of the land; or

Facilitate the public’s access to or use of the land for the enjoyment of the land’s natural, scenic, or aesthetic qualities and for compatible recreational activities.

“Open land” does not include land whose predominant use is as a developed facility for active recreational activities, including baseball, tennis, soccer, golf, or other sporting or similar activities.

“State conservation efforts” include:

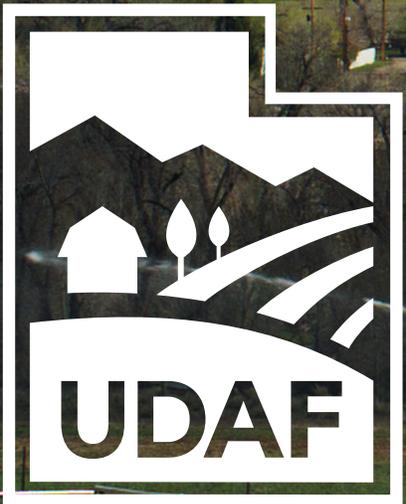
Efforts to optimize and preserve the uses of land for the benefit of the state’s agricultural industry and natural resources; and

Conservation of working landscapes that if conserved, preserves the state’s agricultural industry and natural resources, such as working agricultural land.

“State conservation efforts” do not include the purpose of opening private property to public access without the consent of the owner of the private property.

“Working agricultural land” means agricultural land for which an owner or producer engages in the activity of producing for commercial purposes crops, orchards, livestock, poultry, aquaculture, livestock products, or poultry products and the facilities, equipment, and property used to facilitate the activity.

“Working agricultural land” includes an agricultural protection area established under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas.



UTAH DEPARTMENT OF
AGRICULTURE AND FOOD