

## **WQIP Land Acquisition Projects for Source Water Protection Frequently Asked Questions**

**Q: Can donated property be used as match?**

A: Yes, donated property can be used as match.

**Q: Does a municipality need to send a municipal notification letter if property is being purchased in another municipality's jurisdiction?**

A: No. Not-for-profits are the only applicants who are required to send a municipal notification letter.

**Q: Are there appraisal and survey standards?**

A: Yes. These standards can be found on DEC's [WQIP Land Acquisition Projects for Source Water Protection Toolkit](#) webpage.

**Q: Can a NYS Certified Residential Real Estate Appraiser complete the appraisals?**

A: No. Appraisals must be completed by a Certified General Appraiser.

**Q: Does DEC require review of initial appraisals?**

A: No. DEC only requires non-restricted (full narrative) appraisal reports that meet DEC's Appraisal Standards. However, an awardee can choose to submit initial appraisals for review if they would like. These standards can be found on DEC's [WQIP Land Acquisition Projects for Source Water Protection Toolkit](#) webpage.

**Q: Is there a Conservation Easement Template for easement acquisitions?**

A: Yes. DEC has created a Conservation Easement Template that can be found on DEC's [WQIP Land Acquisition Projects for Source Water Protection Toolkit](#) webpage.

**Q: How long does DEC have to review land acquisition documents?**

A: DEC has a minimum of 120 days to review all land acquisition documents.

**Q: Once the property is acquired, can it be turned over to another municipality or not-for-profit? Can that happen within the three-year grant term or would it need to happen after the term is completed?**

A: Upon approval by DEC, an applicant who acquired an interest in real property using this grant funding may sell, lease, exchange, or donate the real property to a not-for-profit or municipality, who will continue to use the real property for the same public purpose, without an express act of the New York State Legislature. Any sale, lease, exchange or donation which will result in the real property no longer having a public

purpose must be approved by an express act of the New York State legislature. There are no time constraints on when the transfer has to happen.

**Q: Can property be eligible for approval/reimbursement before a contract is executed?**

A: Yes, **but** at the awardees own risk. There is no guarantee DEC will approve the property or reimbursement if it was acquired before the awardees contract was executed.

**Q: If the property has already been purchased before the contract is executed, do the documents outlined in the soon to be executed contract need to be submitted?**

A: Yes. All projects funded through WQIP Land Acquisition Projects for Source Water Protection must complete and submit all the necessary documents outlined in the contract in order to receive approval and reimbursement.

**Q: Can expenses incurred before the contract is executed be eligible for reimbursement?**

A: For expenses to be eligible for reimbursement, they must be incurred within the start and end date of the contract period. The start date of the contract period can be no earlier than May 1st, 2017 for Round 14, May 1st, 2018 for Round 15, and May 1st, 2019 for Round 16.

**Q: If a property was identified in the application and/or work plan but negotiations fall through, can this property be replaced with another?**

A: Upon approval by DEC, a property previously identified can be replaced with another property of equal or greater source water protection value if extenuating circumstances arise.

**Q: When must land acquisition documents (e.g. appraisals, surveys, environmental assessment reports) be submitted?**

A: The required documents should be submitted prior to the closing of a parcel to allow DEC to review and approve or disapprove the parcel and associated land acquisition documents.

**Q: Where should questions regarding WQIP Land Acquisition Projects for Source Water Protection be directed to?**

A: [WQIPsourcewater@dec.ny.gov](mailto:WQIPsourcewater@dec.ny.gov)