



GEORGIA CONSERVATION TAX CREDIT PROGRAM

Georgia Department of Natural Resources
Wildlife Resources Division
2065 U.S. Highway 278 S.E.
Social Circle, GA 30025-4743
(770) 918-6411



APPLICATION FOR: PRE-CERTIFICATION OR CERTIFICATION (circle one)

Landowner/Donor Information

Landowner/Donor

Mailing Address City Zip

Phone #(s) Email

Contact Person (if different from above)

Contact Name Organization / Title

Mailing Address City Zip County

Phone #(s) Fax Email

Please indicate where to send certification letter: ___ Landowner ___ Contact Person

Recipient or Easement Holder

Organization Contact Name/Title

Mailing Address City Zip

Phone #(s) Email

Currently certified as a qualified organization by DNR? ** Yes ___ No ___

****If a non-profit charitable organization, the easement holder must be certified by DNR. If not, attach a completed Qualifying Organization Application Form and the required documentation. Those organizations currently certified can be found on the web at www.glcp.ga.gov/taxcredit.**

Property Location**

Size (Acres)	County
--------------	--------

Street Address of tract(s)	City	Zip
----------------------------	------	-----

General driving directions to site from nearest town or highway: **(Please indicate if there are any special instructions or contact information needed for a site visit).**

****ATTACH A USGS QUAD/TOPOGRAPHIC MAP, COUNTY TAX MAP, OR OTHER MAP DEPICTING THE BOUNDARIES OF THE SUBJECT PROPERTY.**

Property Information

1. Is the property already protected from development under any local government regulations or ordinances (e.g., stream buffers or scenic setbacks)? Yes ____ No ____

If Yes, explain: _____

2. Has the land been set-aside in order to increase building density levels (e.g., dedicated "greenspace" within conservation subdivisions or cluster developments)? Yes ____ No ____

3. Is the land planned for or used for golf courses, soccer fields, softball fields, or other types of intensively managed recreational uses? Yes ____ No ____

4. Is this property part of a larger parcel under the same ownership in which another donation has been made with the last two years? Yes ____ No ____

If Yes, explain: _____

5. Briefly describe the past and current uses of the subject property, including zoning and any existing protections on the property.

6. Describe the lands adjacent to the subject property, including current protection status (if any) or land use. Include proximity to nearby conservation lands (if known).

7. Describe any unique or significant features of this tract, including natural, historic, and archaeological resources of interest. **(Refer to baseline document, photographs, or maps of these unique or significant features as appropriate).**

Conservation Purposes

8. Indicate which of the following Conservation Purposes will be met by the donation of the subject property (check all that apply):

___ **Protection of water quality** through the conservation of land containing streams, rivers, natural wetlands, or floodplains and which have a minimum 100' permanently protected vegetated buffer

___ **Erosion reduction** through the protection of steep slopes of greater than 25%

___ **Wildlife habitat protection** through the conservation of high priority plants, animals, and habitats as defined in Georgia's Comprehensive Wildlife Conservation Strategy

___ **Maintenance of prime farm and forestry lands** managed according to Best Management Practices. Properties must consist of a minimum of ten (10) contiguous acres and be used for production of timber products, crops, or livestock

___ **Creation of nature-based outdoor recreation opportunities** open to the general public

___ **Providing connectivity** through the protection of land adjacent to existing conservation lands

___ **Protection of land with significant archaeological and/or historic sites**, listed in or eligible for the Georgia Register of Historic Places either individually, or as a contributing building or land area within a historic district.

9. Describe how the property will support each of the above-indicated Conservation Purposes. **(Attach additional sheets as necessary; Refer to baseline document or other documents as appropriate).**

10. How is/will the property be permanently protected to maintain the Conservation Purposes?

___ Perpetual conservation easement - **provide a description or copy of draft conservation easement (pre-certification) or copy of recorded document (certification).**

___ Fee simple donation protected by a permanent restrictive covenant - **provide a description or copy of draft deed restriction (pre-certification) or copy of executed document (certification).** Describe what public uses will be allowed on the property (requirement of subsection (c) of O.C.G.A. 44-5-60), what activities will be prohibited, and how the land will be permanently protected and managed.

REFER TO EXHIBIT A FOR REQUIREMENTS OF CONSERVATION EASEMENTS AND RESTRICTIVE COVENANTS UNDER THIS PROGRAM.

11. Briefly describe how the property will be managed and by whom, to maintain the conservation values being protected. **If available, provide a copy of the forest or agricultural management plan.**

To be signed by Applicant (Landowner/Donor or Legal Representative):

I endorse the accuracy of the information provided in this application. I affirm that the donated property is not dedicated open space by local governmental regulation or ordinance, or has been dedicated to increase building density levels under such regulations or ordinances. Further, I certify that the donor of the subject property is a Georgia taxpayer that possesses good and clear title to the premises to be donated, and that any liens or mortgages have been subordinated.

I agree to provide additional documentation requested by the Georgia Department of Natural Resources to complete this application. Further, I authorize the Georgia Department of Natural Resources to enter the property to conduct on-site investigations for making the conservation purposes determination. In the case of a conservation easement, I am aware that annual site inspections will be required to ensure that my land is being used in a manner consistent with the conservation easement agreement.

Signature of Owner or Individual with Power of Attorney for Other Owners of Interest	Date
-OR-	Printed Name
Signature(s) of Owners of Interest Where No One Has Power of Attorney	Date
	Printed Name
	Date
	Printed Name
	Date
	Printed Name

To be signed by Recipient/Easement Holder:

I certify that our organization meets the criteria of a Qualified Organization as defined by the Georgia Conservation Tax Credit Program, and as an official representative of this Qualifying Organization, I have the authority to accept donation of the subject property in fee simple or by conservation easement. I certify that our Organization has the capacity to manage the land if we retain title, or annually monitor and enforce the terms of the conservation easement.

Signature(s) of Recipient/Easement Holder	Date
Printed Name	Title

Pre-Certification Application checklist:

- Is the application signed by the landowner and recipient/easement holder?
- Does the application package include all supporting documentation for identification of the property and its natural, historic, or archaeological resources, including but not limited to maps, photos, baseline document, survey plats, historical data, etc.
- Does the application package include a description and documentation of the Conservation Purposes supported by the donation?
- If the site is protected by conservation easement or permanent restrictive covenant, does the conservation easement or restrictive covenant document meet all applicable requirements (**See Exhibit A**)?

Certification Application checklist - In addition to the above items, please attach:

- Copy of Recorded Easement or Restrictive Covenant with book and page number and date
- Copy of completed Baseline Documentation Report (for conservation easements)
- Evidence of clear title to property (e.g. title policy, title abstract, attorney's opinion of title)

Questions? Please call (770) 918-6411

Mail Completed Application to:

**Georgia Conservation Tax Credit Program
Georgia Department of Natural Resources
2065 U.S. Hwy. 278, SE
Social Circle, GA 30025-4743**

NOTE: Completed Pre-Certification Applications will be reviewed within 60 days. Final certification applications will be reviewed within 90 days.

Exhibit A - Requirements for Conservation Easements and Restrictive Covenants

The following are required components of conservation easements accepted under the Georgia Conservation Tax Credit Program (GCTCP).

For All Conservation Easements:

- A baseline documentation report that provides a detailed description of the condition of the land at the time the conservation easement is placed on the property, as well as a forest or agricultural management plan if the property warrants such a plan.
- A provision stating that no amendments shall be made to the conservation easement without the approval of the Department. The Department shall have 90 days to comment on any requested amendment; and
- A provision in the conservation easement that identifies the donation's Conservation Purposes;
- A provision in the conservation easement that states that the conservation restrictions run with the land in perpetuity and that any reserved use shall be consistent with the Conservation Purposes;
- A provision in the conservation easement that prohibits the Grantee from subsequently transferring the interest in land unless the transfer is to another public or private conservation agency that will maintain the Conservation Purposes for which the donation was originally intended;
- A provision in the conservation easement that provides that the donation of the less-than-fee interest is a property right, immediately vested in the public or private conservation agency receiving the donation, and provides that the less-than-fee interest has a fair market value that is at least equal to the proportionate value that the conservation restriction at the time of the donation bears to the property as a whole at that time; the provision shall further provide that if subsequent unexpected changes in the conditions surrounding the property make impossible or impractical the property's continued use for Conservation Purposes and judicial proceedings extinguish the easement or restrictions then the Grantee is entitled to a portion of the proceeds from the property's subsequent sale, exchange, or involuntary conversion at least equal to the perpetual conservation restriction's proportionate value.
- All provisions or restrictions pertaining to mineral rights must be consistent with the provisions of IRC Section 1.170A-14.

Conservation Easements for Historic Resources:

- If the Conservation Purpose is for the preservation of a archaeological site, historic resource, or historically important land area, include documentation, in the form of the nomination or determination of eligibility for the Georgia Register of Historic Places. These resources may include an independently significant land area that meets the Georgia Register criteria for evaluation in Georgia Code 391-5-10, a land area within a registered historic district that can reasonably be considered as contributing to the district's significance, and a land area adjacent to a property listed individually in the Georgia Register of Historic Places where the land area's physical or environmental features contribute to the property's historic or cultural integrity.
- For Historic buildings, easements must protect the entire facade of the building and the associated land from alteration.

For Fee Simple Donations with Restrictive Covenants:

Eligible conservation land includes property owned by a Qualified Organization and protected in perpetuity through a permanent restrictive covenant as provided in subsection (c) of Georgia Code Section 44-5-60. Note: under Georgia Code, the land must be open to public use to qualify as permanently protected. For a restrictive covenant to meet GCTCP objectives, at a minimum the deed or restrictive covenant document must include the following:

- A description of the Conservation Purpose(s) of the property that qualified it for this program;
- A statement that the property is permanently protected as conservation land; and,
- A statement that the land shall be used and managed only for purposes compatible with the conservation purposes