

**Synopsis of New Georgia Community Greenspace Program Administrative Rules**  
**391-1-4-.30 through 391-1-4-.49.**

In 2002, the Georgia General Assembly amended the Georgia Community Greenspace Act to change the distribution formula for all counties that are eligible to receive more than \$500,000 during a fiscal year (SB 438 of the 2002 session, codified in O.C.G.A. § 36-22-4). For those counties, the Department of Natural Resources must offer 10% of the county's total grant award share as matching grants to participating cities. Entirely new administrative rules, appearing at paragraphs 391-1-4-.30 through 391-1-4-.49, assist in implementing this legislative amendment.

The rules govern the operation of the Georgia Community Greenspace Supplemental Fund for Matching Grants Program. Under this program, the Department each year identifies the counties that are eligible for greenspace awards exceeding \$500,000. For each such county, the Department calculates 90% of the award for the county and each grantee municipality and awards those grants when the Georgia Greenspace Commission has approved the county's program for funding. The Department reserves the remaining 10% for matching grants and informs the county and all its municipalities of the amount of funds available.

The municipalities, by March 15 of the fiscal year, inform the Department of the amount of funds they offer as match. The Department makes an award to each municipality in the following manner:

- (1) If the total of match funds just equals the funds reserved for matching grants, the Department awards a grant to each municipality that just equals its match. The county receives none of the reserved funds.
- (2) If the total of match funds exceeds the funds reserved for matching grants, the Department awards a grant to each municipality that is proportional to its match, but the total of such grants equals the funds reserved. The county receives none of the reserved funds.
- (3) If the total of match funds is less than the funds reserved for matching grants, the Department awards a grant to each municipality that just equals its match. The county receives the difference between the sum of funds matched and the total of funds reserved for matching grants.

A municipality may elect to receive the grant directly. If it does so, it must establish a Community Greenspace Trust Fund and deposit the funds therein. Alternatively, a municipality may elect to have the county retain the funds for use on behalf of the municipality. In this case, the county will deposit the funds in its Community Greenspace Trust Fund. All funds from supplemental grants must be used to acquire real property or interests therein, or for the costs of acquisition, for the permanent protection of greenspace within the county.