



MEETING AGENDA
CLALLAM COUNTY
CONSERVATION FUTURES PROGRAM
ADVISORY BOARD
223 East 4th Street, Room 160
Port Angeles, Washington
June 9, 2021 – 1 p.m.

****ATTENTION****

In response to the current Governor's order Clallam County has moved to Phase 3 of the Healthy Washington Roadmap to Recovery Plan. To be in compliance with the Healthy Washington Roadmap to Recovery Plan the following general requirements for COVID safety for meetings held in the Board of Commissioners Board Room are as follows:

1. All attendees are encouraged to provide contact information on a sign in sheet which will be retained for 28 days for contact tracing purposes.
2. Public seating areas and Board member seating must be arranged to ensure physical distancing is maintained.
3. Meeting attendees must wear a proper face covering and maintain six feet of physical distance between other persons.
4. No food or drink should be consumed in the BOCC Board Room.
5. Meeting organizers shall clean or arrange to have cleaned high-touch surfaces before and after each meeting.
6. Hand sanitizing stations will be available in the BOCC Board Room.
7. Keep doors and windows open where possible to improve ventilation.
8. The Chair of the meeting shall ensure masking and social distancing practices are enforced and practices by all event attendees.

This meeting can be viewed on a live stream at this link:

<http://www.clallam.net/features/meetings.html>

If you would like to participate in the meeting via zoom audio only, call 253-215-8782 and use meeting ID: 875 561 7844 and passcode: 12345

If you would like to participate in the meeting via zoom video conference, visit <https://zoom.us/j/8755617844> and use meeting ID: 875 561 7844 and passcode: 12345

Public comment and questions can be directed to the Clerk of the Board at 360-417-2256 or agores@co.clallam.wa.us

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

PUBLIC COMMENT – Please limit comments to three minutes

APPROVAL OF MINUTES

- Minutes May 19, 2021

REPORTS AND PRESENTATIONS

- Chair report

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BUSINESS ITEMS

- Establish evaluation criteria for prospective Conservation Futures Grants.

PUBLIC COMMENT – Please limit comments to three minutes

ADJOURNMENT

Conservation Futures 2021 meeting dates:

- July 14, 2021
- August 11, 2021
- September 8, 2021
- October 5, 2021
- November 10, 2021
- December 8, 2021

Draft Minutes – May 19, 2021



CLALLAM COUNTY CONSERVATION FUTURES PROGRAM ADVISORY BOARD MINUTES of May 19, 2021

MEETING OF THE CONSERVATION FUTURES PROGRAM ADVISORY BOARD

Chair Ricardo Fleischfresser called the special meeting to order at 1:01 p.m., Wednesday, May 19, 2021. Also present were Ruth Jenkins (video), Myles Cowan, Susan Bliven, Tom Sanford, Diane Chung, Clea Rome (video) and Cathy Lear (video). Mike Auguer was absent.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: Fleischfresser moved to adopt the agenda as presented, no objections, motion carried.

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on Financial Officer's briefing and approval of bylaws

APPROVAL OF MINUTES

Clerk Gores requested to correct the following names Tom Sanford, Myles Cowan and Susan Bliven

ACTION TAKEN: Fleischfresser moved to approve as modified, no objections; motion carried

BUSINESS ITEMS

- Webpage discussion

Clerk Gores made a presentation of the webpage. Members discussed items they want on the webpage; meetings, agendas, notices, and application packets.

- Open Public Meetings Act and Public Records Act presentation

Elizabeth Stanley, Chief Civil Deputy Prosecuting Attorney, made presentation.

- Funding report

Mark Lane, Chief Financial Officer, gave funding report.

- Agricultural vision for Clallam County

Clea Rome, Washington State University Extension Director, made presentation.

- Presentation on how Conservation Futures funds can be used to leverage other external funding Sources

Tom Sanford, North Olympic Land Trust, made presentation.

- Bylaws

- Service terms – determine staggering terms

Clerk Gores explained the purpose of staggering terms. Members discussed process to determine terms and made the following recommendations:

<u>REPRESENTING</u>	<u>MEMBER</u>	<u>TERM</u>
District I	Susan Bliven	12/31/2023
District II	Robert Myles Cowan	12/31/2024
District III	Ricardo Fleischfresser	12/31/2022
At-large	Diane Chung	12/31/2022
At-large	Ruth Jenkins	12/31/2023

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- Rules discussion
Members discussed briefly. Topic to be carried over to next meeting.
- Bylaws review and approval
Clerk Gores stated the bylaws can be approved without the rules at this time.

Sanford recommended modifying the bylaws by amending Article IV – Purpose of Conservation Futures Program, paragraph 1, line 1, “interest and/or rights”; paragraph 2, line 1, “interest and/or rights”; paragraph 3, line 2, “interest and/or rights”

ACTION TAKEN: Sanford moved to approve the bylaws as modified, Chang seconded, motion carried.

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on public comment opportunities during meeting, bylaws, conflict of interest, Clallam County Treasurer’s webpage, and Chief Financial Officer, and trust lands.

NEXT MEETING – June 9, 2021 at 1 p.m.

ADJOURNMENT

Meeting concluded at 4:23 p.m.

Washington Wildlife and Recreation Program Packet – Clea Rome

Manual 10f

Washington Wildlife and Recreation Program

Farmland Preservation Category

May 2020

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At a Glance

Washington Wildlife and Recreation Program's Farmland Preservation Category

Purpose	The program provides money to acquire development rights on farmland in Washington to ensure the land remains available for agricultural practices.
Who may apply?	• Cities and towns • Counties • Nonprofit nature conservancies • Washington State Conservation Commission
Is a plan required?	No
What types of projects are eligible?	• Acquisition of property rights through a conservation easement • Combination of acquisition with either restoration or enhancement
What are the grant limits?	None
What must I contribute?	• 50 percent for local agencies and nonprofits • No match required for the state agency
How is my project evaluated?	An advisory committee hears an in-person, virtual presentation and scores the project.
When are applications due	June 1, 2020
When are grants awarded?	July 2021
What's new this year?	• Changed PRISM Online to make applications easier • Will conduct online review and evaluation meetings only • Renumbered the evaluation criteria to clearly show the bonus questions

Section 1: Introduction

In this section, you'll learn about the following:

- ✓ The Washington Wildlife and Recreation Program
- ✓ The Recreation and Conservation Funding Board
- ✓ Where to get information
- ✓ Grant process and timeline

The Washington Wildlife and Recreation Program

The Washington State Legislature created the Washington Wildlife and Recreation Program (WWRP)¹ in 1990 to accomplish two goals: acquire valuable recreation and habitat lands before they were lost to other uses and develop recreation areas for a growing population.

In 2005, the Legislature expanded the land protection goal by creating the Farmland Preservation Category within the larger WWRP to protect the state's valuable agricultural land for future farming.

Today, WWRP provides funding for a broad range of projects that conserve wildlife habitat, forestland, and farmland; buy land for parks and trails; and develop outdoor recreational facilities. This landmark legislation and subsequent funding have come about through the support of the Governor, Legislature, and groups such as the many organizations comprising the Washington Wildlife and Recreation Coalition.

¹Enabling legislation is in Revised Code of Washington 79A.15.

Accounts and Categories

State law² divides WWRP funding into three accounts. Appendix A illustrates the distribution of funding into those accounts. The accounts are divided further into categories with unique funding priorities. The accounts and categories are listed below.

Farm and Forest Account

- Farmland Preservation Category
- Forestland Preservation Category

Habitat Conservation Account

- Critical Habitat Category
- Natural Areas Category
- Riparian Protection Category
- State Lands Restoration and Enhancement Category
- Urban Wildlife Habitat Category

Outdoor Recreation Account

- Local Parks Category
- State Lands Development and Renovation Category
- State Parks Category
- Trails Category
- Water Access Category

Each WWRP account and category receives a specified percentage of the money appropriated by the Legislature. While state law requires that these minimum percentages be met over the life of the program, it is the Recreation and Conservation Funding Board's intent generally to meet them, by category, each biennium. The board may forego the statutory minimums in any one biennium should circumstances warrant. The board's intent is to award grants to projects meeting the greatest need and with the potential to achieve the greatest benefit.

²Revised Code of Washington 79A.15

Choosing a Grant Category

A grant applicant submits a proposal to a specific WWRP category. An applicant should attempt to find a grant category that best fits the project, considering the goals and evaluation criteria. RCO staff reviews the applicant's choice and recommends any changes. An applicant may appeal staff's decision to change categories to RCO's director and, if necessary, the Recreation and Conservation Funding Board.

A WWRP project will be evaluated only in one category. At the applicant's discretion, a project appropriate to more than one category may be divided into stand-alone projects and submitted separately. An applicant must determine the best category for the project by the technical completion deadline, unless otherwise authorized by the director. See RCO Web site for WWRP [manuals about other accounts and grant categories](#).

Recreation and Conservation Funding Board

WWRP is administered by the Recreation and Conservation Funding Board, which is a governor-appointed board composed of five citizens and the directors (or designees) of three state agencies—Department of Fish and Wildlife, Department of Natural Resources, and Washington State Parks and Recreation Commission.

The Recreation and Conservation Office (RCO) supports the board. RCO is a small state agency that manages multiple grant programs to create outdoor recreation opportunities, protect the best of the state's wildlife habitat and working farms and forests, and help return salmon from near extinction.

Manual Authority

This manual is created under the authority granted to Recreation and Conservation Funding Board in WWRP's enabling legislation and Revised Code of Washington 79A.15 and 79A.25 and Title 286 of the Washington Administrative Code. The Recreation and Conservation Funding Board adopted these policies in a public meeting.

Who Makes Decisions

The Recreation and Conservation Funding Board makes the final decisions for funding, policies, and project changes, although some decisions it has delegated to the agency director.

Board Decisions

The following list summarizes many project decisions made by the Recreation and Conservation Funding Board in public meetings or by subcommittees of the board. Each is in accord with statutes, rules, and board policies.

- Initial grant approval.
- A "conversion" that changes the project site or how the site is used from that described in the grant agreement, Deed of Right, Assignment of Rights, or conservation easement. See RCO's *Manual 7: Long-term Obligations*.
- A significant reduction in the project's scope after receiving a grant. Typically, the board will make decisions about scope reductions if the RCO director thinks the project's evaluation score would have been different with the reduced scope. Not included are changes that do not modify significantly the way the public uses a facility, the intended opportunity, or restoration objective funded.
- Changes in policy; for example, establishing new grant limits or eligible expenditures.
- Time extensions beyond 4 years of the initial board or director grant approval date.

Director Decisions

The RCO director or designee makes many project decisions based on rules and board policies. The decisions range from authorizing payments, to approving cost increases, to approving payment of charges in excess of lower bids, to terminating projects.

A project sponsor may request that the Recreation and Conservation Funding Board reconsider a decision made by the director. To request reconsideration, the project sponsor must send a letter to the board chair at least 60 calendar days before a board meeting. The request is added to the board's meeting agenda and the project sponsor then may address the board at the meeting. The board's decision is final.

Not a Public Hearings Board

The Recreation and Conservation Funding Board is not a public hearings board and does not decide land use issues. To the extent possible, all project proposals should demonstrate adequate public notification and review and have the support of the public body applying for the grant.

Where to Get Information

Recreation and Conservation Office
Natural Resources Building
1111 Washington Street
Olympia, WA 98501
E-mail: info@rco.wa.gov

Telephone: (360) 902-3000
FAX: (360) 902-3026
Hearing Impaired Relay Service: (800) 833-6388
[Web site](#)

Mailing Address

PO Box 40917

Olympia, WA 98504-0917

RCO grants managers are available to answer questions about this manual and grant program. Please feel free to call. In addition, manuals, forms, and most other materials referenced in this manual are available on RCO's Web site on the [farmland preservation grant page](#).

Other Grant Manuals Needed

The manuals below provide additional information and are available on the [grant manual page](#) of RCO Web site. Each can be made available in an alternative format.

- *Manual 3: Acquisition Projects*
- *Manual 5: Restoration Projects*
- *Manual 7: Long-term Obligations*
- *Manual 8: Reimbursements*

Grant Process and Timeline

RCO offers grants in even-numbered years in conjunction with the state budget. The grant process, from application to grant award, spans 18 months and is outlined below. While the order of the steps in this process remains consistent, visit the RCO Web site for precise dates.

Even-numbered Years

Webinars. RCO conducts a Webinar (an online meeting) in the winter or early spring to provide information about the grant programs offered that year.

Entering Applications. RCO strongly encourages applicants to start the online application early. PRISM Online is usually open by March 1. Applicants log into PRISM Online and select the "+New Application" button to enter grant application information. RCO uses this information to assign an outdoor grants manager. This manager guides applicants through the process, reviews application materials, helps determine whether proposals are eligible, and may visit the project sites to discuss site-specific details. Visit the RCO Web site to learn more about [PRISM's components and technical requirements](#).

Applications Due. Applications are due in early May of even-numbered years.³ This year the deadline has been extended to June 1, 2020. The application includes the data entered into PRISM and all required attachments. Applicants should “submit” the application before the deadline. The Check Application for Errors button on the Submit Application screen will indicate which pages are incomplete. Incomplete applications and applications received after the deadline will be rejected unless RCO’s director has approved a late submission in advance. Follow the requirements in the Applicant’s To-Do List online.

Technical Reviews. Applicants are encouraged to attend a technical review meeting, where they present their projects to the WWRP advisory committee and RCO staff, who review projects to ensure they are eligible, identify any issues of concern, and provide feedback on the strengths and weaknesses of each proposal. Applicants make oral presentations, illustrated with maps, graphics, and photographs using PowerPoint.[®] Grants managers will review the applications also and send comments to applicants. Applicants then may make changes to improve the projects, if needed. Applicants must complete all changes and resubmit their applications by the technical completion deadline.

Technical Completion Deadline. RCO establishes a technical completion deadline by which applications must be in their final form. After this date, applicants will not be able to make any more changes. RCO will score applicable evaluation criteria as of this date.

Board Submits Biennial Budget Request. The Recreation and Conservation Funding Board sends to the Governor a recommended funding amount for WWRP for the next biennium.

Project Evaluation. Applicants make oral presentations, illustrated with maps, graphics, and photographs in PowerPoint[®] to the advisory committee, which scores each proposal against a set of criteria approved by the Recreation and Conservation Funding Board.

Post-Evaluation Conference. After project evaluations, RCO staff tabulate the scores and share the results with the advisory committee. The committee discusses the preliminary ranked list and the application and evaluation processes. The public may join this advisory committee conference call; however, to ensure a fair and equitable process, guests may not testify. Shortly after the conference call, staff post the preliminary ranked lists on RCO’s Web site. The resulting ranked list of projects is the basis for the funding recommendation to the board.

Board Approves Project List. In an open public meeting, the Recreation and Conservation Funding Board considers the recommendations of the advisory committee,

³Applications are due at least 4 months before the Recreation and Conservation Funding Board approves funding (Washington Administrative Code 286-13-040).

written public comments submitted before the meeting, and public testimony at the meeting. The board then approves the list of projects for submittal to the Governor by November 1.

When considering a list of projects for submittal, the board will use both anticipated available funding and project evaluation results to determine the length of the list. This list normally will exceed anticipated funding and will include alternate projects. Applicants are cautioned that the board's recommendation of project lists to the Governor is not the same as funding approval.

More projects are recommended than requested funding so that alternate projects can be ready if projects higher on the list fail or use less money than requested.

Projects that, because of their relative ranking, are beyond available funding levels are known as "alternate projects." Alternate projects are submitted in an amount equal to 50 percent of the dollar amount requested for each category. When possible, no fewer than six alternate projects are submitted.

Governor Approves Projects. Typically, the Governor's capital budget request to the Legislature includes funding for WWRP. The Governor may remove projects from the list recommended by the board but may not re-rank or add projects to the list.

Odd-numbered Years

Legislature Approves Projects. When it develops the state capital budget, the Legislature generally considers the project list submitted by the Governor. The Legislature may remove projects from the list submitted by the Governor but may not re-rank or add projects to the list.

Project lists approved by the Legislature in any one biennium are to be completed, to the fullest extent possible within that biennium. Biennial project lists are active until all the funding is used or no feasible projects remain. If a biennial list is completed and money remains, it may be awarded to projects in future years.

Proof of Matching Funds. Applicants with match included in their applications must provide proof of the availability of matching funds by the match certification deadline, which is at least 1 calendar month before board approval of funding.⁴

Board Awards Grants. After the Legislature and Governor approve the capital budget, the board makes the final grant awards, again in a public meeting. Applicants are encouraged, but not required, to attend.

⁴Washington Administrative Code 286-13-040(3)

Grant Agreement Materials. After grant awards, applicants have 2 calendar months⁵ to submit pre-agreement documents (checklist provided by grants managers.) RCO staff then prepare and issue grant agreements. Applicants must return the signed agreements within 3 calendar months.⁶ Once the agreements are signed, the applicants, now referred to as project sponsors, may begin their projects, according to the terms of the grant agreements. Each agreement will be written and monitored for compliance by RCO staff. See *Manual 7: Long-term Obligations* for more information.

Successful Applicants' Webinar. After the board approves funding, RCO publishes online a recorded workshop for successful grant applicants. This workshop covers sponsors' responsibilities to comply with the grant agreement, issues that might come up when implementing the project, billing procedures, amendments for changes and time extensions, closing project procedures, and long-term compliance.

Ongoing

Project Implementation. Sponsors must complete projects promptly. To help ensure reasonable and timely project completion, accountability, and the proper use of funds, applicants will do the following:

- Develop milestones for project implementation that ensures timely completion of projects as follows:
 - Acquisition projects 2 years
 - Combination projects 2-3½ years
 - Exceptionally complex projects 3½ years

RCO may terminate projects that do not meet critical milestones established in the grant agreement.

- Begin project implementation quickly and aggressively to show measurable progress towards meeting project milestones.
- Submit reimbursement request at least once a year.⁷
- Submit progress reports at intervals designated by the RCO grant agreement.
- If a time extension is needed, the sponsor must submit a written request at least 60 days before expiration of the grant agreement.

⁵Washington Administrative Code 286-13-040(4)

⁶Washington Administrative Code 286-13-040(5)

⁷Washington Administrative Code 286-13-040

By June 1 of each year, RCO reviews the status of projects that are incomplete 3 or more years from the date of funding approval. RCO will ask sponsors to provide assurances that their projects will be completed on time, such as the following:

- Executed purchase and sale agreements
- Proof of permitting approvals
- Awarded construction contracts
- Progress on other significant milestones listed in the grant agreement

If satisfactory assurances are not provided, the director may terminate the project.

Project Completion. When a project is completed, sponsors must submit the final bill, final report, and supporting documents needed to close the project as specified in the agreement.⁸ If the bill and documentation are not submitted within 6 months of the end date within the agreement, the Recreation and Conservation Funding Board may terminate the agreement without payment.

⁸Washington Administrative Code 286.13.040(7)

Section 2: Policies

In this section, you'll learn about the following:

- ✓ Eligible farms
- ✓ Eligible applicants
- ✓ Eligible project types and activities
- ✓ Environmental requirements
- ✓ Property requirements
- ✓ Other requirements and things to know
- ✓ Project area stewardship and ongoing obligations

Eligible Farms⁹

The purpose of the Farmland Preservation Category is to acquire and preserve opportunities for agricultural activity on farmland.¹⁰

State law defines "Farmland" in WWRP¹¹ the same as "Farm and Agricultural Land" or "Farm and Agricultural Conservation Land" in the Open Space Tax Act.¹²

Applicants must provide documentation that each parcel in a grant application is classified as farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act by the application due date. Acceptable forms of documentation are a written document from the county assessor, a current property tax notice, or a recent title report that shows the classification as an encumbrance on the property. The RCO director relies on documentation provided by the applicant to make a determination of eligibility.

⁹Recreation and Conservation Funding Board Resolution 2016-14

¹⁰Revised Code of Washington 79A.15.130

¹¹Revised Code of Washington 79A.15.010

¹²Revised Code of Washington 84.34.020(2) and (8)

If a parcel is not classified as farm and agricultural land or farm and agricultural conservation land, an applicant may seek an informal or preliminary determination from the county assessor that the parcel could be classified as farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act. Acceptable documentation are a letter from the county assessor or the county assessor's approval of an application for farm and agricultural land classification.

The landowner is not required to participate in the Open Space Tax Act. However, meeting the definition of farm and agricultural land or farm and agricultural conservation land is required for the life of the conservation easement.

The RCO director may extend the deadline for demonstrating that the land meets the definition of farm and agricultural land or farm and agricultural conservation land up until the date of the Recreation and Conservation Funding Board meeting when it approves the ranked list of projects.

Eligible Applicants

Eligible Applicants¹³

- Cities
- Counties
- Nonprofit nature conservancies
- State Conservation Commission

Applicant Requirements

Nonprofit Nature Conservancies¹⁴

Nonprofit nature conservancies must meet all the following eligibility requirements:

- Be registered in the State of Washington as a nonprofit as defined by Revised Code of Washington 84.34.250.
- Consistent with Revised Codes of Washington 24.03.220, 24.03.225, and 24.03.230, identify a successor organization fully qualified to ensure management continuity of any WWRP grants received by the corporation or association.

¹³Revised Code of Washington 79A.15.130(4)

¹⁴Revised Code of Washington 79A.15.010(10) and Recreation and Conservation Funding Board Resolution 2010-08

- Demonstrate at least 3 years' activity in managing projects relevant to the types of projects eligible for funding in the applicable WWRP category. "Activity in managing projects" means the tasks necessary to manage an on-the-ground riparian or farmland project, such as negotiating for acquisition of property rights, closing on an acquisition, developing and implementing management plans, designing and implementing projects, securing and managing the necessary funds regardless of fund source, and other tasks.
- Provide a copy of articles of incorporation and by-laws including any amendments.

Other Requirements

Farmland category applicants also must demonstrate the following:

- The preservation of agricultural lands is a priority of the organization.
- A proven ability to draft, acquire, monitor, and enforce conservation easements.

Legal Opinion for First-time Applicants¹⁵

The Recreation and Conservation Funding Board requires all organizations wishing to apply for a grant for the first time to submit a legal opinion that the applicant is eligible to do the activities below. The legal opinion is required only once to establish eligibility.

- Contract with the State of Washington and/or the United States of America.
- Meet any statutory definitions required for Recreation and Conservation Funding Board grant programs.
- Receive and spend public funds including funds from the Recreation and Conservation Funding Board.
- Acquire and manage interests in real property for conservation or outdoor recreation purposes.
- Develop and/or provide stewardship for structures or facilities eligible under board rules or policies.
- Undertake planning activities incidental thereto.
- Commit the applicant to statements made in any grant proposal.

¹⁵Recreation and Conservation Funding Board Resolution 2010-08

Eligible Project Types

Acquisition Projects

A farmland category acquisition project purchases or receives a donation of less-than-free interests in real property. These interests include, but are not limited to, conservation easements, access/trail easements, covenants, water rights, leases, and mineral rights.

Incidental and administrative costs related to acquisitions are eligible including a baseline inventory and a farm stewardship plan as described below. Additional policies for property acquisition are in *Manual 3: Acquisition Projects*.

The following projects are eligible:

- **Acquisition of development rights** via an agricultural conservation easement. Proposals that include acquisition of development rights in perpetuity will receive preference during evaluation. Less than perpetual acquisitions (term easements) must be for at least 25 years.
- **Acquisition of a lease.** Leases are contracts with limited duration between a landowner and a sponsor. Leases provide a way for a sponsor to buy a possessory interest in a parcel's development rights. To be eligible, leases must be for at least 25 years and be recorded at the county auditor's office where the land is located. Leases may not be revocable at will.

Agricultural easement templates may be found in the [Acquisition Tool Kit](#) on RCO's Web site.

Multiple Parcels¹⁶

Applications may include one or more parcels in the Farmland Preservation Category.

- All parcels proposed for acquisition must be identified in the grant application by the technical completion deadline.
- Each parcel must be identified on a map in the application and with a county parcel number.
- All parcels must be contiguous or within the same ownership.¹⁷ For purposes of this policy, "ownership" means the individual, individuals, or businesses that hold title to a parcel of land. "Contiguous" means two or more parcels that physically

¹⁶Recreation and Conservation Funding Board Resolution 2015-23

¹⁷Revised Code of Washington 84.34.020(6)(b)(i) and (ii)

touch one another along a boundary or a point. Land divided by a public road, but otherwise an integral part of a farming operation, is considered contiguous.

Value of Acquisitions

Sponsors may seek reimbursement from RCO for the value of the easement or lease based on the appraised value of the easement or lease, not including the underlying ownership of the land.¹⁸

Before applying for a grant, applicants are strongly encouraged to review *Manual 3: Acquisition Projects*, which provides details on acquisition procedures and requirements. Some important highlights are listed below.

- **Appraisals:** Must be performed by licensed appraisers, must value the exact property rights being acquired, and must be reviewed by a second licensed appraiser. Sponsors should direct their appraisers to follow the requirements in Manual 3 to ensure the resulting report (and easement value) is acceptable for the purpose of RCO reimbursement. If the match for the project is coming from a federal source, RCO's Manual 3 requirements still apply, including the requirement to obtain an appraisal review. However, if the federal funding source requires the applicant to follow the Uniform Appraisal Standards for Federal Land Acquisitions (aka Yellow Book), RCO will accept appraisals prepared to these standards in place of the Manual 3 appraisal requirements.
- **Procedures:** Sponsors must follow the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970. See Manual 3 for details.
- **Conversions:** To protect the investment of public funds, the Recreation and Conservation Funding Board prohibits the conversion of funded projects to ineligible uses. Therefore, property rights acquired with farmland preservation grants must be protected by language in the lease or easement that describes how property value will be recovered if the property is converted from farmland during the term of the easement or lease. The RCO farmland easement template includes this language. Recreation and Conservation Funding Board grants cannot be used to remedy a conversion.
- **Documents:** Because appraisals must reflect the property rights as conveyed, sponsors should provide copies of any proposed easements or leases to the appraisers as part of the appraisal instructions. The board has developed a model farmland conservation easement that is recommended but not required for use. If sponsors choose not to use this model easement, or to use only portions of it, sponsors must demonstrate that their easement language addresses each

¹⁸Recreation and Conservation Funding Board Resolution 2008-027

applicable element of the model easement and is consistent with the intent of each element, with this manual, and with Washington State laws. Sponsors must send draft easements to RCO for review.

Ineligible Acquisition Projects and Costs

The following elements are ineligible:

- Acquisition of rights for a term of less than 25 years.
- Farms producing cultivated marine or freshwater aquatic products or marijuana.
- Land already owned by an applicant or sponsor described in Revised Code of Washington 79A.15.130(4) except as allowed by other board policy.
- Land already owned by a government agency. Limited exceptions may apply so check with a RCO grants manager.
- Lands that primarily serve as a commercial feedlot.
- Multi-site projects.
- Organizational operating expenses or overhead
- Properties acquired by a condemnation action of any kind.¹⁹ The value of parcels acquired by condemnation may not be used as part of the matching share.
- Transfer of development rights. Development rights acquired under this program may not be transferred to other property.

Combination Projects²⁰

Combination projects involve land acquisition and restoration or enhancement. To help ensure timely completion of projects, applicants must secure the property at least 1 month before the Recreation and Conservation Funding Board considers funding by using one of the methods listed below.

- Acquisition under Waiver of Retroactivity policies outlined in *Manual 3: Acquisition Projects*.
- Have property in escrow pending board grant award. Closing must occur within 90 days after the funding meeting.

¹⁹Revised Code of Washington 79A.15.090

²⁰Recreation and Conservation Funding Board Resolution 2004-08

- Obtain an option on the property that extends past the board funding meeting. Execution of the option must occur within 90 days after the board funding meeting.

If property rights were not already acquired via a Waiver of Retroactivity, then applicants also must provide draft copies of all leases or easements to RCO staff for review. Execution of the leases or easements must occur within 90 days after the funding meeting.

For the acquisitions to remain eligible, sponsors must follow all the requirements and procedures outlined in *Manual 3: Acquisition Projects*.

Other Considerations

Phased Projects

The Recreation and Conservation Funding Board recommends that applicants discuss phasing very expensive and large-scale projects with RCO staff. Phased projects are subject to the following conditions:

- Approval of any single phase is limited to that phase. No approval or endorsement is given or implied toward future phases.
- Each phase must stand on its merits as a viable project and not be dependent on the completion of future phases or work.
- Each phase must be submitted as a separate application.

The Recreation and Conservation Funding Board may consider progress and sponsor performance on previous grants when making decisions on current project proposals.

If two or more projects are ranked equally through the evaluation process, the Recreation and Conservation Funding Board will give preference to a project that has had a previous phase funded by the board.²¹

Eligible Project Activities

Acquiring Easements

- Purchasing or receiving a donation of less-than-fee interest in real property.
- Incidental and administrative costs related to acquisitions are eligible.

²¹Recreation and Conservation Funding Board Resolution 2007-27

Additional rules for land acquisition are in *Manual 3: Acquisition Projects*.

Acquiring and Restoring Property (Combination Projects)

For combination projects, in addition to the costs for acquiring property, preliminary costs necessary to get a project ready for the construction phase (i.e. architecture and engineering, permits) are allowable for reimbursement. The sponsor may not incur any construction cost before the period of performance in the agreement, unless approved by the Recreation and Conservation Funding Board.

Incurring Pre-agreement Costs²²

RCO may reimburse sponsors for certain allowable expenses incurred before the start date of a grant agreement. However, any costs associated with the preparation or presentation of the application are ineligible.

For acquisition projects, most incidental costs incurred before an RCO grant agreement may be reimbursed. Land costs are not allowable as a pre-agreement cost unless a Waiver of Retroactivity has been approved. See *Manual 3: Acquisition Projects*.

For restoration projects, preliminary costs necessary to get a project ready for construction (i.e. architecture and engineering, permits) may be reimbursed. No construction costs may be incurred before the period of performance in the agreement, unless approved by the Recreation and Conservation Funding Board. See *Manual 5: Restoration Projects* for further information.

Preparing a Baseline Inventory

A baseline inventory is required. A baseline inventory records and characterizes the condition of the property at the time of the easement acquisition. The inventory provides the basis for future easement monitoring and, if necessary, enforcement. See Manual 3, Appendix F for baseline inventory requirements.

The baseline inventory must be prepared before closing and signed by the landowner and easement holder at closing. In the event of poor seasonal conditions for documenting all conservation values, an interim baseline with a completion schedule must be signed at closing. If the baseline has been completed and a significant amount of time has elapsed before the easement is transferred, it should be reviewed and possibly updated before closing.

²²Washington Administrative Code 286-13-085

Preparing a Farm Stewardship Plan

A farm stewardship plan is an eligible cost activity. The maximum allowable cost for development of a site stewardship plan is \$10,000.

An outline of the proposed stewardship plan must be submitted with the grant application and contain the following elements at a minimum:

- Long-term stewardship goals and objectives
- Monitoring goals and objectives
- Restoration goals and objectives (if applicable)
- Short-term, land management goals and objectives
- Description of the project site, to include the following (the first four of which may be incorporated by reference to the baseline documentation that outlines current site conditions):
 - U.S. Geological Survey quad map and county assessor's parcel map
 - Map showing all human-made and natural features
 - Narrative description of the property
 - Photographs taken at permanent photograph points
- A detailed stewardship plan implementation budget that identifies the source of funding.

Enhancement and Restoration Activities²³

Enhancement or restoration activities within a project must further the ecological functions of the farmland. Examples of eligible activities include fencing livestock out of riparian areas, replanting native vegetation on erosion-prone land or along streams, restoring historic water runoff patterns, improving irrigation efficiency, and removing fish passage barriers. Drilled wells are allowed when the purpose is to enhance ecological functions or agricultural values, such as to reduce diversions from streams or to facilitate fencing livestock out of streams. Wells may not be drilled for additional domestic hook-up or urban use.

²³Revised Code of Washington RCW 79A.15.130(11)

Enhancement or restoration activities must be less than 50 percent of the acquisition cost of the project including any in-kind contribution by any party. For example, if the total acquisition cost is \$200,000, restoration costs may not exceed \$100,000, for a total project cost of \$300,000. Total project cost includes the grant amount and sponsor's matching share.

Restoration activities should be based on accepted methods of achieving beneficial enhancement or restoration results. Proposed activities based on experimental or unproven methods will receive fewer points in the evaluation.

Ineligible Enhancement and Restoration Activities and Costs

The following elements are not eligible:

- Animal species introduction or propagation, other than biological controls for invasive species, etc.
- Consumable supplies such as fuel, fertilizers, pesticides, or herbicides, except as one-time applications if they are necessary parts of eligible restoration activities.
- Cost not directly related to implementing the project such as indirect and overhead charges.
- Crop plantings.
- Elements that cannot be defined as fixtures or capital items.
- Environmental cleanup of illegal activities (i.e. meth labs).
- Indoor facilities.
- Multi-site projects.
- Organizational operating expenses or overhead costs.
- Purchase of maintenance equipment, tools, or supplies.
- Restoration work done before a grant agreement is signed between the applicant and the Recreation and Conservation Funding Board. This work also cannot be used as match.
- Routine operation and maintenance costs.
- Utility payments such as monthly water or electric bills.

Environmental Requirements

Cultural Resources Review

[Governor's Executive Order 21-02](#), Archaeological and Cultural Resources, directs state agencies to review all acquisition and construction projects for potential impacts to cultural resources²⁴ to ensure that reasonable action is taken to avoid, minimize, or mitigate adverse effects to these resources. The federal government, through Section 106 of the National Historic Preservation Act, requires the same compliance for projects with federal involvement, for example, projects on federal lands, with federal funds, or those that require a federal permit.

Review Process

RCO facilitates review under the Governor's executive order. The appropriate lead federal agency facilitates review under the National Historic Preservation Act. If the federal review covers the entire RCO project area, there is no additional review needed to meet state requirements. Both processes require review, analysis, and consultation with the Washington Department of Archaeology and Historic Preservation and affected Native American tribes.

After the initial consultation, a funded project may be required to complete further cultural resources review and continue the consultation process to determine next steps. Costs for cultural resources review (survey, monitoring, etc.) are eligible for reimbursement and should be included in the grant application.

Sponsors must complete the consultation process and satisfy all requirements before beginning any ground-disturbing activities (including demolition). Ground disturbance or demolition started without approval will be considered a breach of the grant agreement. Typically, cultural resources approval will be authorized as part of the notice to proceed.

For acquisition projects, cultural resources requirements must be completed before final reimbursement will be made.

See RCO Manuals 3 and 5 for additional details on the cultural resource review process.

Invasive Species

The Washington Invasive Species Council developed [protocols](#) for preventing the spread of invasive species while working in the field. The Recreation and Conservation Funding Board encourages sponsors to consider how their projects may spread invasive species,

²⁴Cultural resources are archeological and historical sites and artifacts, and traditional tribal areas or items of religious, ceremonial, and social uses.

and work to reduce that possibility. Invasive species can be spread unintentionally during construction, maintenance, and restoration activities. Here is how it could happen:

- Driving a car or truck to a field site and moving soil embedded with seeds or fragments of invasive plants in the vehicle's tires to another site. New infestations can begin miles away as the seeds and fragments drop off the tires and the undercarriage of the vehicle.
- Moving water or sediment infested with invasive plants, animals, or pathogens via boots, nets, sampling equipment, or boats from one stream to another.
- Moving weed-infested hay, gravel or dirt to a new site, carrying the weed seeds along with it, during restoration and construction activities. Before long, the seeds germinate and infest the new site.

The key to preventing the introduction and spread of invasive species is twofold: Use materials that are known to be free of invasive plants or animals in the project and clean equipment both before and after the job. Equipment to clean should include, but not be limited to, footwear, gloves, angling equipment, sampling equipment, boats and their trailers, and vehicles and tires.

Sustainability²⁵

The Recreation and Conservation Funding Board encourages grant sponsors to design and build sustainable projects to maximize the useful life of what they build and do the least amount of damage to the environment.

The board encourages sponsors to use sustainable design, practices, and elements in their projects. Examples may include use of recycled materials; native plants in landscaping; pervious surfacing material for circulation paths and access routes, trails, and parking areas; energy efficient fixtures; onsite recycling stations; and composting.

Property Requirements

Reviewing the Project with the Local Jurisdiction²⁶

Before applying for a grant to acquire property, an applicant must review the proposed project with the county or city with jurisdiction over the project area. The applicant then must provide documentation that the applicant has conferred with the local county or city officials. The jurisdiction's legislative authority may submit a letter to the Recreation and Conservation Funding Board stating its support of, or opposition to, the project. The

²⁵Recreation and Conservation Funding Board Resolution 2011-22

²⁶Revised Code of Washington 79A.15.110

board shall make the letter available to the Governor and the Legislature when submitting its prioritized project list as part of RCO's biennial capital budget request. The applicant must complete this local review for each new application even if resubmitting a project from a previous grant cycle.

To meet this requirement, the applicant must demonstrate that the conferral²⁷ process has begun by providing each member of the county commission or city council with a packet including all the following information:

- A cover letter referencing Revised Code of Washington 79A.15.110 along with a request to confer with city or county officials about the project. The letter must state the option for the county or city to send a letter to the Recreation and Conservation Funding Board stating its position on the project. A sample letter is available in the [Acquisition Tool Kit](#) for grant sponsors on the RCO Web site.
- The project description as it will be submitted in the grant application.
- A location map.
- A parcel map of the proposed acquisition properties.

A copy of the packet must be attached to the project application in PRISM before the application deadline.

The applicant also must document that the conferral process took place. The documentation must be attached to the project application in PRISM before the technical completion deadline and must include all the following:

- Conferral dates
- Name and title of each person participating in the conferral process and their relevant organizations
- A list or map of acquisition properties under consideration
- A list of the county or city official's key questions or concerns
- A description of any project revisions resulting from the conferral process
- A summary of any relevant follow-up actions

²⁷"Confer" is defined as a dialogue between project sponsors and local county or city officials with the purpose of early review of potential projects. The dialogue may include any matter relevant to a particular project, which may include but need not be limited to project purpose and scope, project elements, estimated project cost, costs and benefits to the community, plans for project management and maintenance, and public access.

A sample documentation form is available in the [Acquisition Tool Kit](#) for grant sponsors on the RCO Web site.

A local government proposing to acquire property within its own political boundaries meets this requirement by submitting the adopted resolution that is required with the RCO grant application before the application deadline. A local government proposing to purchase property outside its jurisdiction (e.g. a city acquiring land outside its city limits or a county acquiring land within a city's limits) must comply with the conferral requirement.

Landowner Acknowledgement for Acquisition Projects

As part of any grant application for acquisition of real property, the project sponsor must demonstrate that the landowner is aware of the project sponsor's interest in purchasing an easement. Applicants may meet this requirement by completing one of four options detailed in RCO's *Manual 3: Acquisition Projects*.

Preference for Community Priorities²⁸

The Recreation and Conservation Funding Board recognizes that interest and commitment to preserve farmlands will vary by community. Communities may exhibit their commitment to farmland preservation through a variety of mechanisms including agricultural zoning, right-to-farm ordinances, adopted strategies for farmland preservation, and dedicated funds to purchase development rights on land in agricultural zones.

Consistency with community priorities is one element within the evaluation criteria. To assist evaluators, applicants may submit any combination of the following to RCO:

- Letters of endorsement or support from local governments, chambers of commerce, and other organizations
- A copy of the applicant's current capital facilities plan or capital improvement program in which the project is listed by name or by type
- A copy of results of a needs assessment or community survey
- A copy of a survey or plan for preserving farmlands with a resulting priority list of acquisitions
- Documented results of a series of community meetings that may have resulted in consensus for farmland preservation

²⁸Recreation and Conservation Funding Board Resolution 2006-06

Buildings and Impervious Surfaces²⁹

Building Envelopes

The concept of a building envelope is common in agricultural conservation easements. Building envelopes identify the footprint within which buildings are located or may be constructed in the future. Sponsors should work closely with landowners to identify appropriate locations for these envelopes to minimize disruption to the farm's agricultural values. For example, if a building envelope is in the middle of a cultivated field to take greatest advantage of a view, this not only will constrain agricultural practices, but also will encourage estate-type development thereby creating a property value reflective of an estate rather than a farm. In general, the Recreation and Conservation Funding Board encourages building envelopes to be near property edges and roads, where they won't degrade long-term viability of the farm.

If there are no buildings, the sponsor should consider whether or not reserving the right to develop a future home site or agricultural buildings would increase the long-term viability of the farm and reserve the rights needed to allow such development. The appraisal must reflect the number and type of reserved rights. If there is an existing home site that will remain, at least one development right must be retained to allow the home site to continue to exist.

The sponsor must identify in the agricultural conservation easement the locations of building envelopes and allowed improvements. The sponsor should identify general locations by the time the project is evaluated so evaluators can consider their impacts to the long-term viability of the farm. It also will be important for the appraiser to be made aware of building envelopes to factor that into the market value analysis. Building envelopes must be identified, preferably by survey, on a site map that will become an exhibit to the easement.

Impervious Surfaces

Impervious surface is defined as all hard surface areas that either prevent or retard water absorption into the soil and have the effect of removing soil from cultivation. The maximum percent of land in the farmland conservation easement area allowed to be impervious surface is as follows:

²⁹Recreation and Conservation Funding Board Resolution 2015-23

Size of the Easement Area	Percent of Land Allowed to be Impervious Surface
50 acres or less	6 percent or more
51-100 acres	6 percent
101-200 acres	5 percent
201-500 acres	4 percent
501-1,000 acres	3 percent
1,001+ acres	2 percent

EXCEPTION: When the Natural Resources Conservation Service provides matching funds to a WWRP Farmland Preservation Category easement, the director may use the definition of impervious surface used by the Natural Resources Conservation Service as long as it does not exceed the maximum amount as described in the table above.

EXCEPTION: The director may approve a higher percentage of land as impervious surface on an individual project basis.

Other Requirements and Things to Know

Number of Grant Proposal Allowed

In general, RCO does not limit the number of grant proposals from a single applicant during the biennial grant cycle. However, each proposal must be for a different scope of work.

A grant proposal for the same project or scope of work may be submitted to another RCO grant program only if it is being used as match. Each proposal must identify the other RCO matching grant proposal. RCO recommends applicants contact staff to discuss options for phasing costly, interrelated, or complex project proposals.

Public Access in a Farmland Conservation Easement³⁰

This policy applies to each farmland conservation easement in the WWRP Farmland Preservation Category.

By state law, the acquisition of property does not provide a right of access to the property unless it is stated explicitly as a permitted use by the landowner in the farmland conservation easement.³¹

If a property owner, or future property owner, of the farmland conservation easement and the sponsor agree to allow public access in the conservation easement area, such

³⁰Recreation and Conservation Funding Board Resolution 2015-23

³¹Revised Code of Washington 79A.15.130(6)

use shall be identified as a permitted use and included in the farmland conservation easement or amended into the easement at a later date. Examples of public access may include walking, public trails, water access sites, and areas for wildlife viewing, hunting, and fishing.

By state law, acquisition priorities for the WWRP Farmland Preservation Category shall consider whether a farmland conservation easement is consistent with a regional or statewide recreation plan.³² Evaluators shall give consideration to applications that are consistent with such plans when scoring the other benefits in the Benefits to the Community evaluation question.

Advisory Committee Reviews All Requests to Change a Parcel³³

This policy applies during the grant agreement period of performance when a sponsor requests to add or remove parcels from the grant agreement.

The WWRP Farmland Advisory Committee will review all requests to add or remove a parcel to the scope of a project. The committee will determine whether the change would result in less, more, or similar farmland conservation values as those presented in the application and inform the RCO director of its assessment.

Any request to change a parcel must comply with the board's policy on scope changes as described in *Manual 3: Acquisition Projects*.

Public Disclosure Rules

RCO records and files are public records that are subject to the Public Records Act.³⁴ More information about the [RCO's disclosure practices](#) is available on the Web site.

Administrative Rule Exceptions³⁵

The following Washington Administrative Codes do not apply to projects funded in the Farmland Preservation Category:

- Washington Administrative Code 286-13-110 Income, use of income.
- Washington Administrative Code 286-13-120 Permanent project signs.
- Washington Administrative Code 286-13-035 Planning requirement.

³²Revised Code of Washington 79A.15.130(10(d))

³³Recreation and Conservation Funding Board Resolution 2015-23

³⁴Revised Code of Washington 42.56

³⁵Recreation and Conservation Funding Board Resolution 2006-06

Project Area Stewardship and Ongoing Obligations

An RCO grant comes with long-term obligations to maintain and protect the project area³⁶ after a project is complete. The long-term obligations are in state law³⁷ and the RCO grant agreement. A [sample grant agreement](#) may be found on RCO's Web site.

RCO recognizes that changes occur over time and that some facilities may become obsolete or the land needed for something else. The law discourages casual discards of land and facilities by ensuring that grant sponsors replace the lost value when changes or conversions of use take place.

In general, the project area funded with an RCO grant must remain dedicated to the use as originally funded, such as farmland preservation, for as long as defined in the grant agreement. For acquisition projects, the period is determined by the rights that are acquired.

A conversion occurs when the project area acquired, developed, or restored with RCO grants is used for purposes other than what it was funded for originally. See *RCO Manual 7: Long-term Obligations* for a discussion of conversions and the process required for replacement of the public investment. Non-compliance with the long-term obligations for an RCO grant may jeopardize an organization's ability to obtain future RCO grants.

After a project is complete (that is, after RCO's final reimbursement and acceptance of the project), RCO documents that were signed by the sponsor continue to govern the project area described in the boundary map for which funds have been granted.

Changes may be made only with the prior approval of the board. If a compliance issue arises, RCO staff works with sponsors to resolve the issue. Unresolved, identified issues could result in restrictions on applying for or receiving future grants.

Easement Compliance

The model agricultural conservation easement template requires that each easement include a provision to provide access to the project sponsor and RCO to conduct a general inspection of the easement area and to monitor compliance with the easement terms. Project sponsors must develop and implement a plan to monitor RCO-funded conservation easements.³⁸

³⁶Washington Administrative Code 286-04-010(19). "Project area" is the geographic area that delineates a grant-assisted site which is subject to application and grant agreement requirements.

³⁷Revised Code of Washington 79A.15.030(9) and Washington Administrative Code 286-13-160

³⁸Recreation and Conservation Funding Board Resolution 2010-34

Due to the complexity of the agricultural conservation easement and the long-term implications for the landowner, RCO advises sponsors to strongly encourage landowners to consult with attorneys before granting an easement.

Easements and leases must be recorded through the assessor's office in the county where the land lies. The easement or lease will be between the landowner and the sponsor. Partners, such as the Natural Resources Conservation Service, or another eligible co-grantee also may be named as parties to the easement. RCO must be named as a third-party beneficiary and its director must sign the easement before closing.

Section 3:

Money Matters

In this section, you'll learn about:

- ✓ Grant limits
- ✓ Match requirements
- ✓ Types of match
- ✓ Federal rules
- ✓ Records and reimbursements

Grant Limits

Grant limits for farmland projects are as follows:

- There is no minimum or maximum grant amount.³⁹
- The restoration total shall not exceed more than half of the total acquisition costs, including match toward acquisition.
- WWRP funds will not exceed 50 percent of a project's total cost, except for grants to the State Conservation Commission.

Administration, Architecture, Engineering Costs

- Direct administrative costs for acquisition of real property are limited to no more than 5 percent of the total acquisition cost.
- Architecture and engineering costs for restoration are limited to 20 percent of the total restoration costs.

³⁹Recreation and Conservation Funding Board Resolution 2007-22

Additional information about eligibility and reimbursement maximums for these elements is contained in *Manual 3: Acquisition Projects* (administration costs) and *Manual 5: Restoration Projects*, (architectural and engineering costs).

Cost Increases Not Allowed

Cost increases are not allowed. This means the grant amount will not be increased once the project has been evaluated. Project cost overruns become the responsibility of the sponsor.

Match Requirements

Matching Share

Match is the applicant's contribution to a project. By requiring a match for grants, the Recreation and Conservation Funding Board intends to foster and demonstrate local commitment to the projects and to spread the money from the grant program to a greater number of projects.⁴⁰

Cities, Counties, and Nonprofit Conservancies

By statute, cities, counties, and nonprofit nature conservancies must contribute matching resources at least equal to the amount of the grant requested.⁴¹ For example, if an applicant requests a \$250,000 grant, the applicant must contribute \$250,000 for a total project cost of \$500,000. This is called providing a 50 percent or one-to-one matching share.

Applicants must provide a minimum of 10 percent of the total cost of a project in the form of a local contribution, not from a state or federal source. For example, if a total project cost is \$500,000, the applicant must provide \$50,000 in matching share from a local source such as local government appropriation, cash, grants, or in-kind donations.

Matching shares of more than 50 percent are encouraged. Applications that include a higher match than the required minimum receive additional points in the evaluation.

State Conservation Commission

The State Conservation Commission is not required to provide a matching share. However, all applicants are encouraged to contribute matching shares and reduce government cost. If the commission partners with another eligible applicant, the match requirement does apply.

⁴⁰Washington Administrative Code 286-13-045(2)

⁴¹Revised Code of Washington 79A.15.130(9)

Eligible Match

Applicant resources used to match board funds must be eligible in the grant program. Sources of matching resources include, but are not limited to, the following:

- Appropriations and cash (see Types of Match section below)
- Bonds—council or voter
- Conservation futures
- Corrections labor
- Value of the sponsor's expenses for labor, materials, and equipment (see Types of Match section below)
- Value of donated cash, equipment use, materials, labor, real property, and services (see Types of Match section below)
- Grants, except those from the same grant program administered by the board⁴² (see Types of Match section below)

Not Allowed as Match

- Existing sponsor assets such as real property or developments.
- Costs that are double counted. (A cost incurred by a sponsor in a project that has been reimbursed by RCO shall not be used as a match on another RCO project.)
- Cost that are not eligible for grant assistance.
- Cost that are not an integral part of the project scope.
- Cost associated with meeting a mitigation requirement unrelated to the funded project.

Recreation and Conservation Funding Board Match Requirements

Recreation and Conservation Funding Board grants are intended to be the last source of funding for a project. In other words, before the board awards the grant, the required match must be secured so the project can move forward. Board grants also are intended

⁴²Washington Administrative Code 286-13-045(3)(d)

to supplement the existing capacity of a sponsor, not to replace existing funding that would have been used for a project without grant funding.⁴³

All matching resources must meet the following criteria:

- Be an integral and necessary part of the approved project.
- Be part of the work identified in the application and grant agreement.
- Be for eligible work types or elements.
- Be committed to the project.

RCO rules governing projects apply to the grant applicant's match. For example, if a grant applicant uses donated land as a match, RCO rules requiring the land to remain in conservation use forever apply to the donated land as well.

Except for grant applications submitted within the same biennium, matching resources or board grants committed in one board-funded project must not be used as match in another board-funded project.

The board may require the applicant to provide a portion of its matching resources in local resources.⁴⁴

Match Availability and Certification

To help ensure Recreation and Conservation Funding Board projects are ready for implementation upon approval, applicants must have matching funds available for expenditure before the board approves funding. All applicants are required to sign and submit a Certification of Match Form to ensure their projects are included in the funding recommendations. Applicants are advised to plan ahead for projects whose match depends on citizen votes or passage of ballot measures. This certification is due at least 1 calendar month before Recreation and Conservation Funding Board action.⁴⁵ The forms and deadlines for certifying match are on the RCO Web site.

RCO may declare projects ineligible if there are no guarantees that matching funds are available and those projects may be passed over in favor of projects with the match in place. Such decisions are based on the Recreation and Conservation Funding Board's confidence in the applicant's ability to have the match in place when required.

⁴³Washington Administrative Code 286-13-045(6)

⁴⁴Washington Administrative Code 286-13-045(4)

⁴⁵Washington Administrative Code 286-13-040(3)

Types of Match

Donations

Donations are eligible only as matching funds and are not reimbursable. This means RCO will not pay more than the sponsor's out-of-pocket expenses. Valuing donations of equipment, labor (including inmate or community service labor), and material is discussed in *Manual 8: Reimbursements*. RCO strongly encourages applicants to secure written confirmation of all donations they plan to use as match and attach the donation letters to the PRISM Online application.

Donated property rights must expand existing farmland or stand on their own as a viable farm. Review *Manual 3: Acquisition Projects* before taking title to property that will be donated and used as match. Manual 3 outlines the requirements for valuing the property and for securing a donation statement from the seller.

Force Account

Force account refers to use of a sponsor's staff (labor), equipment, or materials. These contributions are treated as expenditures.

Other Grants

In some cases, a sponsor may use funds awarded from a separate grant program as its match. For example, federal Agricultural Conservation Easement Program grants might be used to match farmland preservation grants.

The eligibility of federal funds to be used as a match may be governed by federal and state requirements and thus will vary with individual program policies.

Applicants must clearly identify in the grant application all grants to be used as match. RCO will help applicants determine if the source is compatible with Recreation and Conservation Funding Board grants.

Mitigation Funds as Match

The Recreation and Conservation Funding Board allows use of impact fees and mitigation cash payments, such as money from a fund established as a mitigation requirement, as match if the money has been passed from the mitigating entity to an eligible applicant and the board's grant does not replace mitigation money, repay the mitigation fund, or in any way supplant the obligation of the mitigating entity.

Third-party Match⁴⁶

Cash spent on renovation by a third party may be used as match, if the value of the labor, equipment, and materials applied toward the activity is a donation to the sponsor. The value would be based on the Recreation and Conservation Funding Board's existing donation policy, not necessarily on the amount the activity originally cost the third party. If the sponsor pays the third party for the value of the renovation, it becomes an expenditure and is eligible as in-kind match. A sponsor may not use the value of development rights granted to a party other than the sponsor as a donation.

Federal Rules

For all projects funded with federal funds or other grants that are used by RCO as match to a federal source, sponsors must comply with [Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) and RCO may require additional information.

Records and Reimbursements

Sponsors Must Pay First⁴⁷

RCO pays grants through reimbursement, and the amount is based on percentages in the grant agreement. Sponsors may request reimbursement only after they have paid their employees and vendors. RCO does not provide money before vendors are paid. Complete reimbursement procedures are found in *Manual 8: Reimbursements*. Other rules to note include the following:

- When the value of donations exceeds the value of expenditures, grant reimbursement cannot exceed the total out-of-pocket expenses.
- Costs associated with preparing this, or any other grant application, cannot be submitted for reimbursement.

Records

Applicants must keep detailed records of all funded project costs including force account values and donated contributions. Refer to *Manual 8: Reimbursements* for details and instructions regarding audits, record retention, and documents required for reimbursement.

⁴⁶Recreation and Conservation Funding Board Resolution 2006-06

⁴⁷Recreation and Conservation Funding Board Resolution 2006-06

Section 4:

Evaluation Process

In this section, you'll learn about:

- ✓ Advisory committee
- ✓ Choosing proposals to fund
- ✓ Evaluation criteria

How Project Evaluation Work

Project evaluation is the competitive process adopted by the Recreation and Conservation Funding Board to guide its grant awards.⁴⁸ It is based on a set of board-approved evaluation questions. The questions are created from statutory and other criteria developed through a public process. The evaluation questions for each category may be found in the following pages.

There are two sections to the evaluation criteria: advisory committee-scored questions and RCO staff-scored questions. In the first section, the advisory committee uses subjective criteria to score each project. Scores are based on each applicant's oral response to evaluation questions, graphic presentation, and summary application material. **Note: In 2020, RCO will host online, virtual review and evaluation meetings only. This change is for applications submitted by June 1, 2020.**

In the second section, RCO staff scores the projects using objective measures, such as matching share and easement duration. Scores are based on material submitted by applicants. Scores from sections one and two are combined for a project's total evaluation score. The resulting ranked list is the basis for funding recommendations to the Recreation and Conservation Funding Board.

⁴⁸Washington Administrative Code 286-13-020

While evaluation meetings are open to anyone, they are not public hearings. Only the applicant designated spokespersons may address the evaluation team. Scoring is by confidential ballot.

Advisory Committee

RCO manages the Farmland Preservation Category with the assistance of a standing advisory committee. The advisory committee's role is to recommend policies and procedures to RCO for administering grants and to review, evaluate, and score grant applications. The resulting ranked list is the basis for funding recommendations to the Recreation and Conservation Funding Board. The Recreation and Conservation Funding Board makes the final funding decision in an open public meeting.

In recruiting members for the committee, RCO seeks to appoint people who possess a statewide perspective and are recognized for their experience, expertise, and knowledge of farming and ranching operations, conservation easements and leases, ecology, and land use planning in Washington.

Check RCO's Web site for [membership and other details](#).

RCO's director may appoint *ex officio* members to the committees to provide additional representation and expertise.

Farmland Preservation Evaluation Criteria

Criteria	Maximum Score
Scored by the Advisory Committee	
1 Viability of the Site	16
2 Threat to the Land	10
3 Access to Markets	4
4 On-site Infrastructure	4
5 Building Envelope	4
6 Farmland Stewardship	6
7 Stewardship Practices	2
8 Benefits to the Community	6
9 Community Support	2
Scored by RCO Staff	
10 Match	2
11 Easement Duration	0
Total Possible Points	56

Farmland Preservation Category Detailed Scoring Criteria

Scored by Advisory Committee

1. **Viability of the Site.** What is the viability of the site for agricultural production?⁴⁹
Viability of the site includes the following:

- Soil types
- Suitability for producing different types or varieties of crops
- Water availability

▲ Point Range: 0-16 points. Evaluators score points based on the viability of the site for agricultural production.

When considering the viability of the site as cropland and pastureland, consider whether the site has suitable soils and enough water to produce a variety of crops. Applicants should provide information about the types of crops that could be grown on the site now and in the future and the potential bushel yield.

When considering the viability of the site as rangeland, consider whether the site has suitable soils and enough water to produce stock. Applicants should provide a specific number of animals that the land could produce such as animal management units (AMUs) or the carrying capacity.

2. **Threat to the Land.** What is the likelihood the land will not stay in agricultural use if it is not protected?⁵⁰

▲ Point Range: 0-10 points. Evaluators score points based on the severity of the threat that the property will be converted to some use other than agriculture within the next 5 years.

0 points Low likelihood it will be converted to another use

1-5 points Medium likelihood it will be converted to another use

6-10 points High likelihood it will be converted to another use

⁴⁹The viability of the site for continued agricultural production, including, but not limited to, soil types, suitability for producing different types or varieties of crops, and water availability. (Revised Code of Washington 79A.15.130(10)(h))

⁵⁰The likelihood of the conversion of the site to nonagricultural or more highly developed usage. (Revised Code of Washington 79A.15.130(10)(c))

3. **Access to Markets.** How is the land's agricultural productivity supported by access to markets?⁵¹

Available markets may include formal private markets, commodity exchanges and auctions, and public markets.

▲ Point Range: 0-4 points

- | | |
|------------|---|
| 0 points | There are little to no market opportunities that support agricultural productivity of the land. |
| 1-2 points | There are adequate market opportunities that support agricultural productivity of the land. |
| 3-4 points | There are superior market opportunities that support agricultural productivity of the land. |

4. **On-site Infrastructure.** How well is the land's agricultural productivity supported by on-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, houses, livestock sheds, and other farming infrastructure?⁵²

▲ Point Range: 0-4 points. Evaluators score points based on how well the land's agricultural productivity is supported.

- | | |
|------------|--|
| 0 points | There are no on-site production and support facilities, even though they are needed, to support the agricultural productivity of the land. |
| 1-2 points | The agricultural productivity of the land is supported by production and support facilities off-site. |
| 3-4 points | There are on-site production and support facilities to support the agricultural productivity of the land. |

⁵¹Farm-to-market access. (Revised Code of Washington 79A.15.130(10)(h)(iv))

⁵²The viability of the site for continued agricultural production, including, but not limited to, on-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock sheds, and other farming infrastructure. (Revised Code of Washington 79A.15.130(10)(h))

5. **Building Envelope.** How much of the property is included in the building envelope?

▲ Point Range: 0-4 points

0 points The size of the building envelope is not appropriate for the size of the farm.

1-4 points The size of the building envelope is appropriate for the size of the farm.

6. **Farmland Stewardship.** What stewardship practices are in place to benefit fish and other wildlife habitat?

The focus of the stewardship practices is on providing habitat for salmon, fish, migratory birds, other wildlife species, and endangered, threatened, or sensitive species.⁵³

Types of stewardship practices must include practices from a recognized program or published guidelines. Following are examples:

- Habitat land is set aside that meets minimum guidelines for endangered species recovery as described by the National Oceanic and Atmospheric Administration or the U. S. Fish and Wildlife Service. The land set aside may not exceed the maximum thresholds set in the Open Space Tax Act.
- Enrollment in one or more conservation incentive programs through the Natural Resources Conservation Service.
- Participation in the voluntary stewardship program administered by the Washington State Conservation Commission.
- Participation in Washington Department of Fish and Wildlife's habitat programs.
- Participation in habitat improvements funded by the Salmon Recovery Funding Board.
- Agreements or voluntary commitments made to support habitat for specific species.

⁵³Benefits to salmonids (Revised Code of Washington 79A.15.130(10)(e), benefits to other fish and wildlife habitat (Revised Code of Washington 79A.15.130(10)(f), integration with recovery efforts for endangered, threatened, or sensitive species (Revised Code of Washington 79A.15.130(10)(g), and migratory bird habitat and forage area (Revised Code of Washington 79A.15.130(10)(i)(v).

▲ Point Range: 0-6 points

- | | |
|------------|---|
| 0 points | There are no specific stewardship practices in place. |
| 1-3 points | There are one or more stewardship practices planned for the future. |
| 4-6 points | There are one or more stewardship practices in place. |

7. **Stewardship Practices.** What stewardship practices (described in Question 6) will be included in the terms of the conservation easement as required stewardship practices for the duration of the easement?

▲ Point Range: 0-2 points

8. **Benefits to the Community.** How will protecting the land for agricultural purposes provide other benefits to the community? Do the community and area Native American tribes support the project?⁵⁴

Benefits to the community include the following:

- The project is identified as a recommendation in one of the following:
 - o Coordinated region-wide prioritization effort
 - o Critical pathways analysis
 - o Habitat conservation plan
 - o Limiting factors analysis
 - o Watershed plan⁵⁵
- The project is consistent with one of the following:
 - o Local land use plan
 - o Regional or statewide recreational or resource plan⁵⁶
- The project assists in the implementation of one of the following:
 - o A local shoreline master plan updated according to Revised Code of Washington 90.58.080

⁵⁴Revised Code of Washington 79A.15.130(10)(a)

⁵⁵Revised Code of Washington 79A.15.130(10)(b)

⁵⁶Revised Code of Washington 79A.15.130(10)(d)

- o A local comprehensive plan updated according to Revised Code of Washington 36.70A.130⁵⁷
- The project provides protection of a view or an aquifer recharge.⁵⁸
- The project will provide occasional collection of stormwater runoff.⁵⁹
- The project will create agricultural jobs.⁶⁰
- The project will provide some educational opportunities.⁶¹
- The project is identified in an annual or long-range plan of the local conservation district.

▲ Point Range: 0-6 points

0-3 points The project will provide few additional benefits to the community.

4-6 points The project will provide many additional benefits to the community.

9. **Community Support.** Are there one or more letters in the application that demonstrate community support for the project?

▲ Point Range: 0 or 2 points

0 points There are no letters of support in the application.

2 points There are one or more letters of support in the application that demonstrate community support for the project.

⁵⁷Revised Code of Washington 79A.15.130(10)(d))

⁵⁸Revised Code of Washington 79A.15.130(10)(i)(ii)

⁵⁹Revised Code of Washington 79A.15.130(10)(i)(iii)

⁶⁰Revised Code of Washington 79A.15.130(10)(i)(iv)

⁶¹Revised Code of Washington 79A.15.130(10)(i)(vi)

Scored by RCO Staff

10. **Match.** Is the applicant providing additional match above the minimum requirement?

▲ Point Range: 0-2 points

0 points The applicant is not providing additional match above the minimum requirements.

2 points The applicant is providing 5 percent or more additional match above the minimum requirements

11. **Easement Duration.** What is the duration of the conservation easement?

▲ Point Range: -10-0 points

0 points The duration of the conservation easement is forever.

-10 points The duration of the conservation easement is not forever.

Appendix A:

Definition of "Farmlands"

Revised Code of Washington 84.34.020

(2) "Farm and agricultural land" means:

- (a) Any parcel of land that is twenty or more acres or multiple parcels of land that are contiguous and total twenty or more acres:
 - (i) Devoted primarily to the production of livestock or agricultural commodities for commercial purposes;
 - (ii) Enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or
 - (iii) Other similar commercial activities as may be established by rule
- (b) (i) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to, as of January 1, 1993:
 - (A) One hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and
 - (B) On or after January 1, 1993, two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

- (ii) For the purposes of (b)(i) of this subsection, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs
- (c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income as of January 1, 1993, of:
 - (iii) One thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and
 - (iv) On or after January 1, 1993, fifteen hundred dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Parcels of land described in (b)(i)(A) and (c)(i) of this subsection will, upon any transfer of the property excluding a transfer to a surviving spouse or surviving state registered domestic partner, be subject to the limits of (b)(i)(B) and (c)(ii) of this subsection;
- (c) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which meet one of the following criteria:
 - (i) Has produced a gross income from agricultural uses equivalent to two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;
 - (ii) Has standing crops with an expectation of harvest within seven years, except as provided in (d)(iii) of this subsection, and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year. For the purposes of this subsection (2)(d)(ii), "standing crop" means Christmas trees, vineyards, fruit trees, or other perennial crops that: (A) Are planted using agricultural methods normally used in the commercial production of that particular crop; and (B) typically do not produce harvestable quantities in the initial years after planting; or
 - (iii) Has a standing crop of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year;

- (d) Any lands including incidental uses as are compatible with agricultural purposes, including wetlands preservation, provided such incidental use does not exceed twenty percent of the classified land and the land on which appurtenances necessary to the production, preparation, or sale of the agricultural products exist in conjunction with the lands producing such products. Agricultural lands also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands;"
- (e) The land on which housing for employees and the principal place of residence of the farm operator or owner of land classified pursuant to (a) of this subsection is sited if: The housing or residence is on or contiguous to the classified parcel; and the use of the housing or the residence is integral to the use of the classified land for agricultural purposes;
- (f) Any land that is used primarily for equestrian related activities for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed and that otherwise meet the requirements of (a), (b), or (c) of this subsection; or
- (g) Any land primarily used for commercial horticultural purposes, including growing seedlings, trees, shrubs, vines, fruits, vegetables, flowers, herbs, and other plants in containers, whether under a structure or not, subject to the following:
 - (i) The land is not primarily used for the storage, care, or selling of plants purchased from other growers for retail sale;
 - (ii) If the land is less than five acres and used primarily to grow plants in containers, such land does not qualify as "farm and agricultural land" if more than twenty-five percent of the land used primarily to grow plants in containers is open to the general public for on-site retail sales;
 - (iii) If more than twenty percent of the land used for growing plants in containers qualifying under this subsection (2)(h) is covered by pavement, none of the paved area is eligible for classification as "farm and agricultural land" under this subsection (2)(h). The eligibility limitations described in this subsection (2)(h)(iii) do not affect the land's eligibility to qualify under (e) of this subsection; and
 - (iv) If the land classified under this subsection (2)(h), in addition to any contiguous land classified under this subsection, is less than twenty acres, it must meet the applicable income or investment requirements in (b), (c), or (d) of this subsection.

(8) "Farm and agricultural conservation land" means either:

- (a) Land that was previously classified under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or
- (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

Appendix B: Allocation of WWRP Funds



Categories					
35%	Critical Habitat	30%	Local Parks ³	90%	Farmland Preservation
25%	Natural Areas	10% ¹	State Lands Development and Renovation	10%	Forestland Preservation
15%	Riparian Protection	30%	State Parks ⁴		
10% ¹	State Lands Restoration and Enhancement	20%	Trails		
15%	Urban Wildlife Habitat ²	10%	Water Access ⁵		

¹or \$3 million, whichever is less

²Recreation and Conservation Funding Board Resolution 2019-27: 45 percent to local agencies, Native American tribes, and nonprofit organizations; 45 percent to state agencies; 10 percent to fully fund partially funded local agency, Native American tribe, and nonprofit organizations; then fully fund partially funded state agency projects, and apply any remaining amount to the next highest ranked project(s), regardless of sponsor.

³Recreation and Conservation Funding Board Resolution 2016-52: 40 percent for acquisition costs and 60 percent for development costs.

⁴Recreation and Conservation Funding Board Resolution 2016-52: 50 percent for acquisition costs and 50 percent for development costs.

⁵75 percent must be acquisition costs. Revised Code of Washington 79A.15.050 (2)(d)

Myles Cowan - Comments

Gores, Alanna

From: Myles Cowan <rmylesc@icloud.com>
Sent: Thursday, May 20, 2021 9:35 AM
To: Gores, Alanna
Subject: Project criteria for CCCFPAB
Attachments: Project criteria.pdf

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Good morning Loni,

As requested at the CFPAB meeting yesterday, I put together my list of possible priorities/criteria for project funding. Articulating those criteria in a clear and concise manner was more difficult than I had expected. Fortunately, mine is one input of many so I believe my effort is on point.

My list is attached to this email as a pdf. Please share this list with the other board members. Thank you.

Have a great weekend!

Myles Cowan
rmylesc@icloud.com

Possible Project Priorities/Criteria

Priorities

- Agricultural property
 - Tracts currently in production but have been subdivided for possible sale/development
 - Tracts adjacent to streams/wetlands
 - Orphan tracts, i.e., isolated tracts of farmland in areas in Clallam County where farmland is scarce
 - Small tracts adjacent to the Olympic Discovery Trail
 - possible development of recreational areas

Ranking Criteria (most important)

- All properties
 - Property is viable/productive as agricultural property
 - Willing selling effort is underway or imminent
 - If sold without Conservation Futures Fund involvement, commercial/residential development is likely
 - Support from owner is high
 - Likelihood of completing transaction is high

Ruth Jenkins - Comments

Gores, Alanna

From: Ruth Jenkins <rej1@earthlink.net>
Sent: Thursday, May 20, 2021 4:20 PM
To: Gores, Alanna
Subject: Re: Spokane County Conservation Futures website link

*** EXTERNAL EMAIL *** This message was sent from outside our County network.

Hi Loni,

Maybe this is entirely too much information, but since Richard sent us the links to several County's CF web pages, I looked at all of them, in addition to the Spokane page. Please consider distributing my comments below to the committee.

I was able to find downloadable application forms at each of the pages to which Richard directed us, except for Jefferson County. I looked briefly at each of the pages, for relevance to our situation. To me it seems that Skagit County's application form most closely aligns with our needs, although some of the other Counties have nice introductory pages with graphics that illustrate the project selection timeline.

Here follows the links to the specific pages, alone with very brief comments:

Spokane County: (included by reference)

- This is a very thorough document, and the only one that includes a glossary of terms, so far as I saw.
- Guidelines and selection criteria are all folded into a single document
- It appears to emphasize Wildlife and Aquatic Habitat Values

Island County:

<https://www.islandcountywa.gov/GSA/Documents/2021%20CFF%20Application%20Instructions.pdf>

- Application is in the form of a pdf file, but could be translated to a pdf form or a word document.
- It specifies acquisition criteria, technical evaluation criteria, & maintenance & operation criteria.
- Form consists entirely of a detailed budget page.
- Specific interests are habitat and water resources.

King County:

<https://kingcounty.gov/services/environment/stewardship/conservation-futures/cft-current-application-process.aspx>

- This has a nice page that clearly illustrates the projects' timelines.
- Projects main emphases are Parks and Open Spaces.
- There are two links on this page, one to the 2021 application, the second to its "guidance". Both documents download as .docx files.

Pierce County

<https://www.piercecountywa.gov/1478/Application-Forms-Guidelines>

- This page also features a nice graphic of the project selection timeline.
- There is a link to the 2021 application as a word file.
- I gather that the emphasis of Pierce County's program is to fund increased public park access.

Skagit County

<https://www.skagitcounty.net/NRFarmLegacy/Documents/DevelopmentRightApplication.pdf>

- This is a pdf *file*, but could be translated either to a pdf form or a word file.
- It is a clear straightforward 3-page form
- It refers specifically to farmland preservation, so it seems very applicable to our needs.

Thurston County

<https://www.thurstoncountywa.gov/planning/Pages/conservation-futures-docs.aspx>

- This page has separate links to
 - o an application in pdf-file form,
 - o the Administrative Guide,
 - o a one-page summary of the Adminiatrative Guide (very helpful), and
 - o a one-page form outlining project selection criteria
- Selection criteria include (but are not limited to) forest and agricultural lands

~Ruth

On 5/20/2021 11:09 AM, Gores, Alanna wrote:

CF Board:

Our office was able to obtain a copy of the word document of the Spokane County Conservation Futures application packets (attached). If the Clallam County CF Board moves forward with a similar packet as Spokane County the attached will help not having to start from scratch in creating a Clallam County packet.

If there are other packets you would like me to obtain please let me know. I'd be happy to make contact with other Counties to see what I can get.

Loni

*Loni Gores
Clerk of the Board
Commissioners Office
223 East 4th Street, Suite 4
Port Angeles, WA 98362
Phone: 360-417-2256*

Spokane County Research

2021 SPOKANE COUNTY CONSERVATION FUTURES PROGRAM

Enclosed: Program Overview,
Nomination Form, Evaluation Criteria,
Appraisal Guidelines & Process
Flowcharts



Program
Overview &
Nomination
Form

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2021 Conservation Futures Program

Spokane County Parks, Recreation, & Golf

Conservation Futures Program - Introduction

"Conservation Futures" is a property tax on all lands within Spokane County. Enabled by the Washington State Legislature in 1971, the Spokane County Board of County Commissioners adopted and began a local program in 1994. The Program levies up to a \$6.25 tax per \$100,000 value (the 2021 levy amount was \$3.60 per \$100,000 value) on all properties within Spokane County. This equates to approximately \$2 million dollars a year. Spokane County's Conservation Futures Program was created to protect, preserve, maintain, enhance, restore, limit the future use of or otherwise conserve selected open space land, farmland, forests, wetlands, wildlife habitats, and other lands having significant recreational, environmental, social, scenic or aesthetic values within the boundaries of Spokane County.

Acquired properties will not be developed as a typical park (no ball fields, playgrounds, irrigated turf, etc.), but kept in an enhanced natural state consistent with the Revised Code of Washington (RCW) Chapter 84.34.200. In 2016, State Law was amended to allow up to 25% of the revenue generated through the Conservation Futures Tax to be allocated for the maintenance and operations of Conservation Futures properties. This funding is used to care for and enhance these properties.

This is a fancy way of explaining how Conservation Futures funds can be used to acquire, maintain and enhance property and/or conservation easements that ensure public access and enjoyment of our natural heritage in perpetuity. To date, more than 9,000 acres of open space lands have been acquired and preserved in Spokane County using Conservation Futures funds.

The Process

Things to Know Before You Start

- 1. The Program Cannot Pay Over Appraised Value To Acquire Your Property** - The purchase price is determined through a process that involves two (2) mutually agreed upon independent MAI appraisers determining the appraised value of the nominated property. The two appraisals will be paid for by the Conservation Futures Program (consistent with Program Appraisal Guidelines found on page 28). The purchase price is determined through negotiation, but under **no circumstance, can exceed appraised value.**

2021 Program Overview

2. **Selling your property to the Conservation Futures Program is completely voluntary** – If you nominate your property to the Conservation Futures Program, you're not required to sell your property. Like all real estate transactions, a purchase price and terms must be mutually agreed upon through a signed and executed Purchase and Sale Agreement (PSA). And like all real estate transactions, once the PSA is signed by both parties, you will then be obligated to sell your property unless a party cannot satisfy the contingencies within the PSA. At any time, you may remove your property from consideration by the Conservation Futures Program through written notice to Spokane County Parks, Recreation & Golf.
 3. **Seller-Imposed Special Restrictions of Use or Conditions Are Strongly Discouraged** - Owners selling property to be part of this Program should not expect to add "special conditions" or "stipulations" otherwise known as encumbrances to the property that have the potential to impact the management or usage of a property once it has been purchased/sold. Unique encumbrances on a property stand to reduce the value, which is based on highest and best use. It is in the public interest to maximize flexibility of stewardship and usage within the legal confines of the Conservation Futures Program as stipulated by the Revised Code of Washington (RCW Chapter 84.34).
 4. **Conservation Easements** – While all Program purchases to date have been fee simple land acquisitions, Conservation easement nominations will be evaluated with all other nominations following the process laid out below. Please note that a "conservation easement" may include trails. Please contact Spokane County Parks, Recreation & Golf staff for additional information.
 5. **We're here to help** – If you have any questions about the program or need assistance in nominating your property to be considered, don't hesitate to contact Spokane County Parks, Recreation & Golf Department at (509) 477-4730 or email at Parks Special Projects Manager Paul Knowles at pknowles@spokanecounty.org.
-

Step 1 - Nominate a Property

May 1st – July 31st, 2021

The Open Nomination Round

Nominations are submitted by the property owner or a third party working with the property owner (both referred to herein after as "Nominator") for review and consideration by the Conservation Futures Land Evaluation Committee (LEC). The LEC is comprised of four Spokane County residents serving as volunteers on the Spokane County Parks Advisory

2021 Program Overview

Committee (PAC) and three representatives City of Spokane and one representative from the City of Spokane Valley.

Utilizing several forms of local news media, the Committee calls on the community for nominations of properties to be considered for acquisition. Staff is available to assist property owners and nominators with the completion of their nomination forms. Spokane County Parks, Recreation & Golf Department will accept completed nomination forms from **May 1st, 2021 through July 31st, 2021 at Midnight.**

Complete a Nomination Form

The Nomination Form ("Form") can be found on page 13, complete with instructions. The Form can also be found online by going to <https://www.spokanecounty.org/1592/Conservation-Futures> and following the links to download the Form. Hardcopies may also be picked up in person at the Spokane County Parks, Recreation & Golf Department Administration Office (**404. North Havana Street, Spokane, WA 99202**). Nominations must be complete and accurate with all of the information requested in order to be considered by the Conservation Futures Land Evaluation Committee.

Helpful Hint – Utilize the Evaluation Criteria found on page 30 when answering the questions on the nomination form.

Who Can Nominate a Property?

The Nominator can be the property owner or an individual, group, association, city, town or organization working with the property owner. **Please note:** The property owner must consent to having their property nominated for consideration by the Conservation Futures Land Evaluation Committee.

Submit a Completed Nomination Form

Nominators must:

1. **Complete** all fields within the Nomination Form in either Microsoft Word or online PDF Form (available [here](#)); and
2. **Submit** completed Nomination Form (including pictures and optional letters of support) on a thumb drive or CD if submitting in person or by mail, or email to:

Spokane County Parks, Recreation and Golf
C/O Paul Knowles, Parks Special Projects Manager
404 North Havana, Spokane, WA 99202-4663
pknowles@spokanecounty.org

Please note: Additional information and supporting materials beyond that outlined in the nomination form will NOT be accepted. **Nomination Forms must be submitted by no later than July 31st, 2021 @ Midnight.**

For your information only. Do not return.

2021 Program Overview

Nominators who prefer to complete and submit a hardcopy of the Form may schedule an appointment with Spokane County Parks, Recreation & Golf staff for assistance in transferring completed nomination forms to the appropriate electronic format. At the time of submittal, all nominators are encouraged to schedule an appointment with staff to go over the Form to ensure completeness.

The LEC and staff reserve the option to separate or otherwise group multi-parcel nominations under single ownership for purposes of facilitating evaluation and ranking. An example of when this might occur may be when two parcels are nominated under the same ownership, but those parcels are not contiguous with each other and / or possess significantly different attributes that may be difficult for the LEC / staff to evaluate the nomination.

For Questions & Assistance

If you have questions, comments or need assistance related to property nominations, please contact:

Paul Knowles, Parks Special Projects Manager
404 N. Havana St., Spokane, WA 99202
(509) 477-2188 or pknowles@spokanecounty.org

Step 2 – Preliminary Review & Evaluation Process

August 1st – September 29th

Staff Review & the Go-No Go

County staff will review all nominations for completeness. Staff will provide all nominations within each jurisdiction to that jurisdiction's parks staff. Each jurisdiction's designated parks committee will review and identify which projects they would be open to owning should the nomination successfully compete in the nomination process and be ranked high enough on the Prioritized Acquisition List (See Page 8) to be potentially acquired. County staff will then compile a list of nominations to be evaluated.

Public Meeting

A public meeting will be scheduled and held in a central location to provide the public an opportunity to comment (verbally and/or in writing) on the nominations received. The Land Evaluation Committee will be in attendance to listen to public comment. Written public feedback will be received and provided to the Land Evaluation Committee. The Land Evaluation Committee will be present at the meeting and the meeting will be advertised beforehand. **Location: To Be Announced.**

Please note: *The public meeting may be solely conducted via an online platform depending on group gathering restrictions in place at the time.*

2021 Program Overview

Property Tours and Evaluation Criteria Scoring

County staff will meet with property owners to “pre-tour” each property to determine how best to show each nominated property to The Land Evaluation Committee (LEC). The LEC will tour each property and complete designated evaluation criteria questions. The property owner and/or the nominator should not be present during the property tour so as to prevent lobbying on behalf of the property and to ensure a consistent environment for evaluators to review nominated properties in a timely manner.

The **Evaluation Criteria** (found on page 30) will be completed for each property toured in three sections: a Washington State Department of Fish and Wildlife biologist scored portion, a Staff scored portion, and an LEC scored portion. Scoring for the three sections will be combined to produce an overall score for each nomination toured and evaluated.

Preliminary Recommendation

The Land Evaluation Committee (LEC) will meet and develop a ranked preliminary list of the nominated properties based on the results of the public input, evaluation criteria scores, and property tours.

Step 3 – Final Review, Final Recommendation & Approval

September 27th – November 16th

Final Review

Utilizing the LEC’s preliminary ranked list of nominated properties, County staff will research and review the top 15 nominations, plus or minus as requested by the LEC, and identify any potential issues, challenges, and/or liabilities for each property. If issues are identified, staff will contact property owners and request additional information as applicable. Upon completion of the additional review, staff will share research results for the aforementioned “Top 15” that are located within municipal jurisdictions with each applicable jurisdiction’s parks department for their formal review and seek re-confirmation of that jurisdiction’s willingness to accept ownership should the nomination be ranked high enough on the Prioritized Acquisition List (See Below) to be potentially acquired.

Final Recommendation

Utilizing the results of the Final Review, County staff will provide a recommendation for the Land Evaluation Committee’s consideration. The LEC will meet and consider staff’s research and recommendation and make a final recommended 2021 Prioritized Acquisition List for the Board of County Commissioners to consider on November 8th.

2021 Prioritized Acquisition List Approval

The Spokane County Board of County Commissioners (BoCC) will be briefed by staff with regards to the Final Recommendation on or about November 8th, 2021. On or about November 16th, the BoCC will review and consider the Conservation Futures Prioritized Acquisition List (“List”) as recommended by the the Land Evaluation Committee. The BoCC may consider public comment on the List prior to final adoption by resolution.

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The BoCC, solely at their discretion may adjust the List as they deem appropriate. Once adopted, the BoCC will typically direct Spokane County Parks, Recreation & Golf staff to initiate appraisals of property(s) at the top of the List according to rank.

Staff will notify all of the Nominators of the results of the review and ranking of the nominations. From this point forward, no further correspondence will likely be sent to Nominators of nominations ranked below the Top 15.

Any property that has been sold or the landowner is no longer interested in selling will be removed from the List. When properties are removed from the List, lower-ranked properties shall be moved up and ranked accordingly. Staff shall maintain an official updated List at all times. The List and all nominations on it shall be valid through **March 30th, 2027** or as otherwise established / adjusted by the Board of County Commissioners. Upon expiration of the List, all nominations not currently under active acquisition shall become void. Nominators will be encouraged to resubmit a nomination in the next nomination round as may be applicable.

Conservation Futures Program funds have effectively leveraged additional outside dollars through competitive grant programs enabling the acquisition and preservation of top ranked properties on the List. Recognizing this success and the desire to maximize public tax dollars, the Board of County Commissioners may choose to amend the List at any time to take full advantage of outside funding opportunities that may arise. To this effect, the Conservation Futures Program has been and will continue to be an effective and efficient use of public funds.

2021 Land Evaluation Committee (LEC) Attendance Commitment / Guidelines

In order to maintain the integrity of the program and to ensure a fair and objective process, LEC members have developed the following guidelines to follow when conducting the formal review and evaluation of nominated properties as follows:

1. All LEC Members shall attend the "Public Meeting" (in person, phone, remote, etc.) as outlined herein, "Step 2 –Preliminary Review and Evaluation Process."
2. All LEC Members shall tour in person, all nominated properties per an agreed upon schedule in order to fairly evaluate the properties against each other.
3. All LEC Members shall attend the "Preliminary Recommendation" meeting (in person, phone, remote, etc.) as outlined herein, "Step 2 – Preliminary Review and Evaluation Process."
4. All LEC Members shall attend the "Final Recommendation" meeting (in person, phone, skype, etc.) as outlined herein, "Step 3 – Final Review, Final Recommendation and Approval."

Staff will work with the LEC to establish a formal tour schedule along with a limited number of "make-up" property tour dates. In the event that an LEC member is unable to tour every property per the agreed upon schedule (inclusive of established "make-up" property tour

2021 Program Overview

dates) **OR** in the event that an LEC member is unable to attend (in person, phone, remote, etc.) each and every applicable LEC meeting* up to the LEC's final recommendation, said member shall excuse himself/herself from the remainder of the evaluation process and shall be prohibited from voting on the Preliminary Recommendation and/or the Final Recommendation as applicable.

**To include the "Public Meeting," "Property Tours," "Preliminary Recommendation" meeting and the "Final Recommendation" meeting.*

Step 4 – Property Acquisition (Post-List Approval)

Acquisition Process

Acquisitions shall be pursued immediately beginning with the top ranked property(s) on the List and subsequently working through the List, as properties are purchased or otherwise removed from the List. Staff shall work directly with the property owner or their designated representative through the process outlined below.

Please note: The top, initial three (3) to five (5) ranked properties typically have the best opportunity to be purchased.

The series of steps outlined below will be followed by Staff to acquire each property on the Prioritized Acquisition List.

"Deal or No Deal"

In completing the following steps, land owners wishing to utilize a representative to assist them may do so provided said land owner is present and actively participating in any discussions that occur regarding their property. In the event of multiple owners, at least one of the owners shall be present.

1. **Appraisals** - County and / or City staff will work with the property owner to select two (2) mutually agreed upon MAI appraisers who will each conduct an independent appraisal of the property. The two appraisals will be paid for by the Conservation Futures Program. The applicable Parks Director or designee may elect to utilize one appraisal under special circumstances (**See:** Appraisal Guidelines on page 28 for more detail).
2. **Purchase & Sale Agreement** - A formal meeting will be set up with the land owner to discuss the general terms of the offer. Staff will work with the results of the two (2) appraisals to determine a purchase price to be offered to the land owner. ***It is important to note that under no circumstance can the Program pay more than appraised value.*** If for any reason a Purchase and Sale Agreement cannot be executed within 180 days of the initial formal meeting, the property may be removed from the List and an official notification sent advising the land owner of such action. Staff will then evaluate the Conservation Futures Fund and the timing of

2021 Program Overview

the next nomination round and may commence acquisition of the next ranked property.

3. **Closing** - Once a Purchase and Sale Agreement has been executed, Staff will work with the Seller to satisfy contingencies typical of a real estate transaction, including but not limited to: Title Reports, Environmental Site Assessments (ESA), and Property Boundary Surveys and resolving any issues prior to closing (**Typically, costs for ESA and Boundary Survey will be paid by the Program.**)*

**These costs typically range from \$10,000-50,000.*

Unforeseen Opportunities

In the interest of making the Spokane County Conservation Futures Program the most effective program possible for the citizens of Spokane County, the Conservation Futures Program has established a process to provide for the rare occurrence of unforeseen acquisition opportunities that may present themselves after the Open Nomination period has closed. An "unforeseen opportunity" could occur due to a change in ownership, foreclosure proceedings, or other unforeseen events that may significantly change the criteria of which a nomination was evaluated or ranked upon or make a property available for public ownership, that was not available during previous Open Nomination period(s).

In order for an unforeseen opportunity nomination to be considered, a nominator must submit a completed nomination form and a written request for consideration to the LEC. The LEC shall complete a review of the request and vote on whether or not they wish to further consider the unforeseen opportunity nomination. Further consideration shall require a majority vote in favor of the request. Those unforeseen opportunity nominations approved for further review shall be evaluated against the highest ranked property on the Prioritized Acquisition List, consistent with the evaluation procedure outlined herein (**See:** pages 7-8 for detailed process). Unforeseen opportunity nominations that are not considered for further review or not ranked higher than the top ranked property on the List shall be encouraged to be resubmitted in the next open nomination round.

If an unforeseen opportunity is ranked higher by the LEC than the top ranked property on the List, the property may be added to the top of the List pending approval by the Board of County Commissioners and will be pursued using the acquisition process outlined above (**See:** "Deal or No Deal" section on page 10).

Administrative Acquisitions

Properties on the Prioritized Acquisition List that are acquired or have been acquired in the past may come with issues or conditions such as legal / public access constraints or public safety concerns or other aspects that may only be effectively addressed through additional land acquisition or less than fee simple transaction (e.g. easement). Staff will utilize the same or similar acquisition process described herein (**See:** "Deal or No Deal" section on page 10)

2021 Program Overview

to acquire property under this section pending approval by the Board of County Commissioners.

NOTE: Please note that the specific dates (timeline) outlined herein may be subject to change.



2021 Conservation Futures Nomination Form

Instructions

1. **Complete** Nomination Form in Microsoft Word or online PDF Form*; and
2. **Submit** completed Nomination Form (including pictures and optional letters of support) on a thumb drive or CD if submitting in person or by mail, or email all nomination materials to:

Spokane County Parks, Recreation and Golf Department
C/O Paul Knowles, Parks Special Projects Manager
404 North Havana, Spokane, WA 99202-4663
pknowles@spokanecounty.org

*Nominators who do not have access to a computer or the software necessary to complete the nomination may schedule an appointment with the Spokane County Parks, Recreation & Golf Department staff for assistance in completing the nomination form. Please call (509) 477-4730 to schedule your appointment.

Property Maps will be developed by Staff utilizing the parcel numbers provided in this nomination form to create a map of your nominated property to facilitate the evaluation process. Staff may contact the nominator if additional information is needed (e.g. if the nomination includes portion(s) of parcel(s)).

Nomination Form



2021 Conservation Futures Consent Agreement

I hereby provide Spokane County staff and the Conservation Futures Land Evaluation Committee members permission to enter my property for the purpose of site inspection(s)/evaluation(s) for possible acquisition under the Conservation Futures Program.

I understand the underlying guidelines for acquisition through this Program are as follows:

1. Spokane County **cannot** pay more than appraised fair market value for the property as determined through appraisals completed/reviewed by mutually agreed upon appraisers who are Members of the Appraisal Institute (MAI).
2. Owners selling land to be part of this Program **should not** expect to add "special conditions" or "stipulations" otherwise known as encumbrances on property that have the potential to impact the management or usage of a property once it has been sold/purchased. Unique encumbrances on property stand to reduce the property's value, which is based on highest and best use. It is in the public interest to maximize flexibility of stewardship and usage within the confines of the Conservation Futures Program as stipulated by the Revised Code of Washington (RCW) Chapter 84.34.200.
3. This Program will not fund the purchase of "Common Open Space" lands that have been or are proposed to be set aside as a condition of approval for a plat and/or development.
4. Spokane County may choose to terminate the negotiation of an acquisition should the nominated property become involved in litigation or the parties are unable to reach an agreement.

I further understand this Agreement makes no representation of an offer to purchase my property and that typically only the top 3-5 of all lands nominated and evaluated in the 2021 Open Nomination Round will actually be acquired. I may notify Spokane County in writing at any time should I choose to withdraw the property from consideration or the prioritized acquisition list. As established here in on page 9, the 2021 Prioritized Acquisition List will expire on March 30th, 2027 or as otherwise established / adjusted by the Board of County Commissioners.

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 14 2021 @ Midnight.

Nomination Form

Land Owner Signature

Printed Land Owner Name

Date

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 15
2021 @ Midnight.

Nomination Form

Nominator Information

Name:		
Organization (if applicable):		
Address:		
City:		State:
Zip Code:		Day Time Phone:
Cell Phone:		Email:

Owner Information (If different from the nominator)

Owner's Name:		
Owner's Address:		
Owner's City:		Owner's State:
Day Time Phone:		Zip Code:
Cell Phone:		Email:

Owner's Name:		
Owner's Address:		
Owner's City:		Owner's State:
Day Time Phone:		Zip Code:
Cell Phone:		Email:

Property Information

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Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 16 2021 @ Midnight.

Nomination Form

Property Street Address (if none, enter nearest public road or private road that the property has frontage on):

Property Parcel Number(s) (**Please Note:** if your nomination proposal includes portions of parcel(s), please include a map with your nomination depicting the boundary lines of your proposal):

Is this nomination part of a larger nomination proposal?

Yes ☐ No ☐

If yes, project name:

Total size of the nominated property (in acres):

Are there any buildings or structures on the property?

Yes ☐ No ☐

If yes to the above question, please describe the structures:

Is the property currently listed for sale?

Yes ☐ No ☐

If it is currently listed, with whom (*Please provide Agent's name, firm, and contact info*)?

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 17 2021 @ Midnight.

Nomination Form

Is the property involved in litigation of any kind?

Yes ☐ No ☐

If **yes**, please explain:

What do you estimate your nominated property is worth?*

Type of Estimate:

Opinion ☐ Assessed ☐ Appraisal ☐

**Providing this value does not lock owner into a selling price, but allows staff to estimate total value of all nominations for administrative purposes only.*

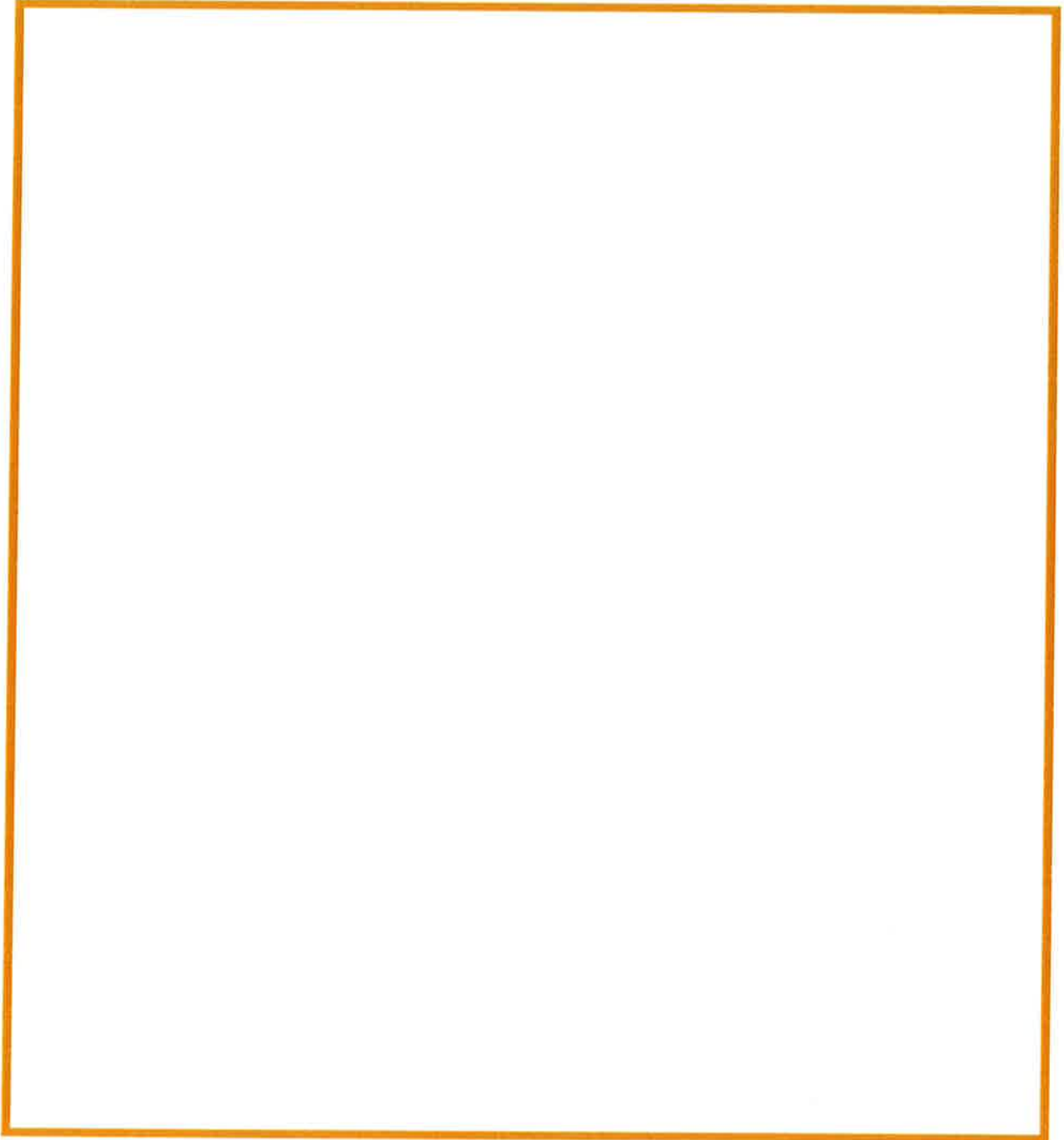
If appraisal, list date:

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 18 2021 @ Midnight.

Nomination Form

Wildlife and Aquatic Habitat Value: In one page or less, please provide a detailed description of the site explaining the merit of protecting the property and the benefit to the community. Please provide detailed information addressing wildlife and aquatic habitat attributes of this property:

Helpful Hint: *This question is intended to assist evaluators in scoring your property on the following Evaluation Criteria: 1, 2, 4, 10*

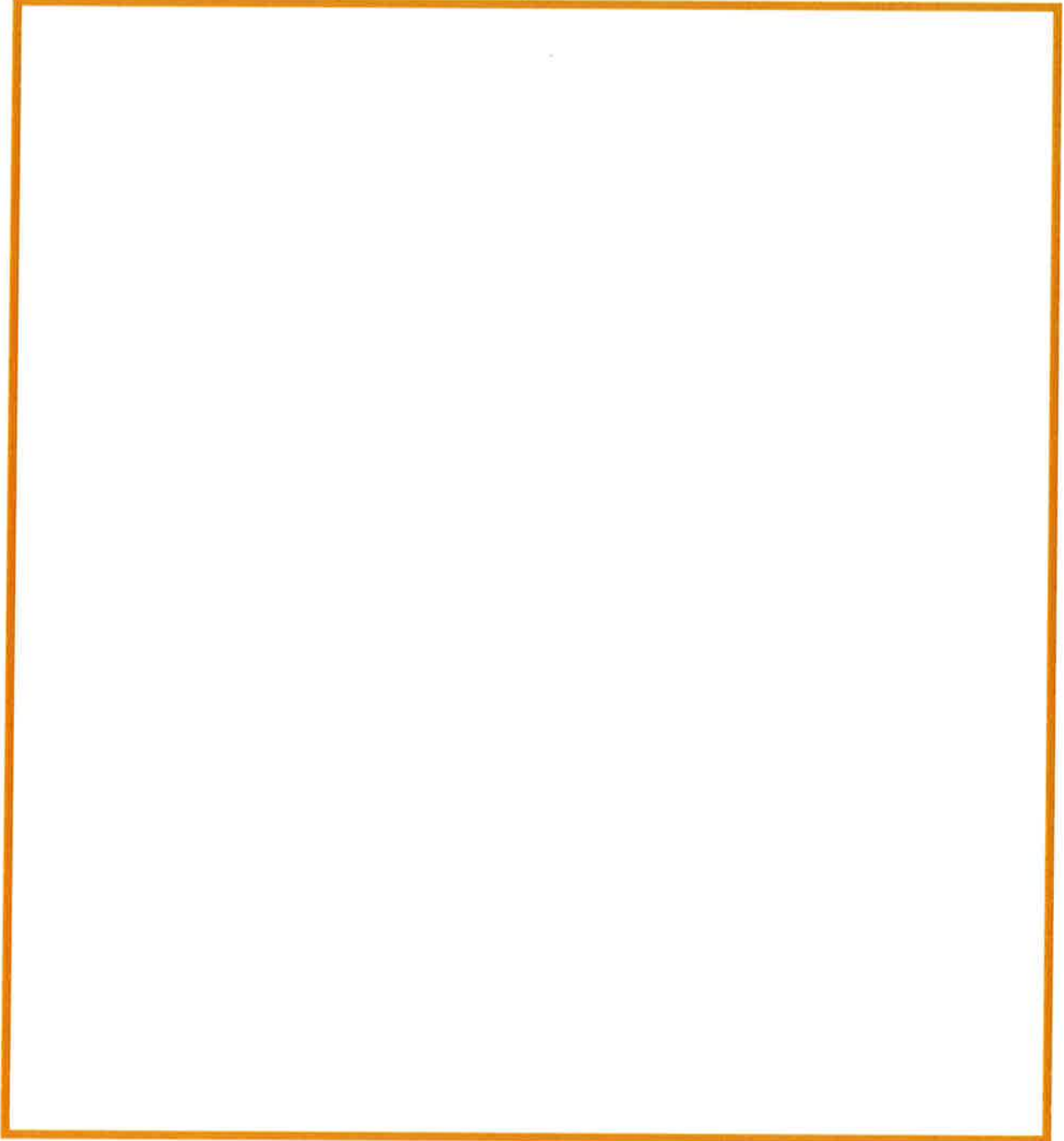


Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 19 2021 @ Midnight.

Nomination Form

Recreational Value: In one page or less, please provide a detailed description explaining how this property provides for passive recreation opportunities, taking care to share details addressing connectivity, expansion of existing park land, accessibility, public support, and anticipated usage:

Helpful Hint: *This question is intended to assist evaluators in scoring your property on the following Evaluation Criteria: 3, 4, 5, 10, 12*



Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 2021 @ Midnight.

Nomination Form

Property Details: In one page or less, please describe access to the property (e.g. there's a gate blocking vehicular access, access is via a paved county road, etc.), what improvements are on the property (e.g. well, structures), what the property has been used for in the past, available utilities and/or other property details that would affect ownership / management of the property.

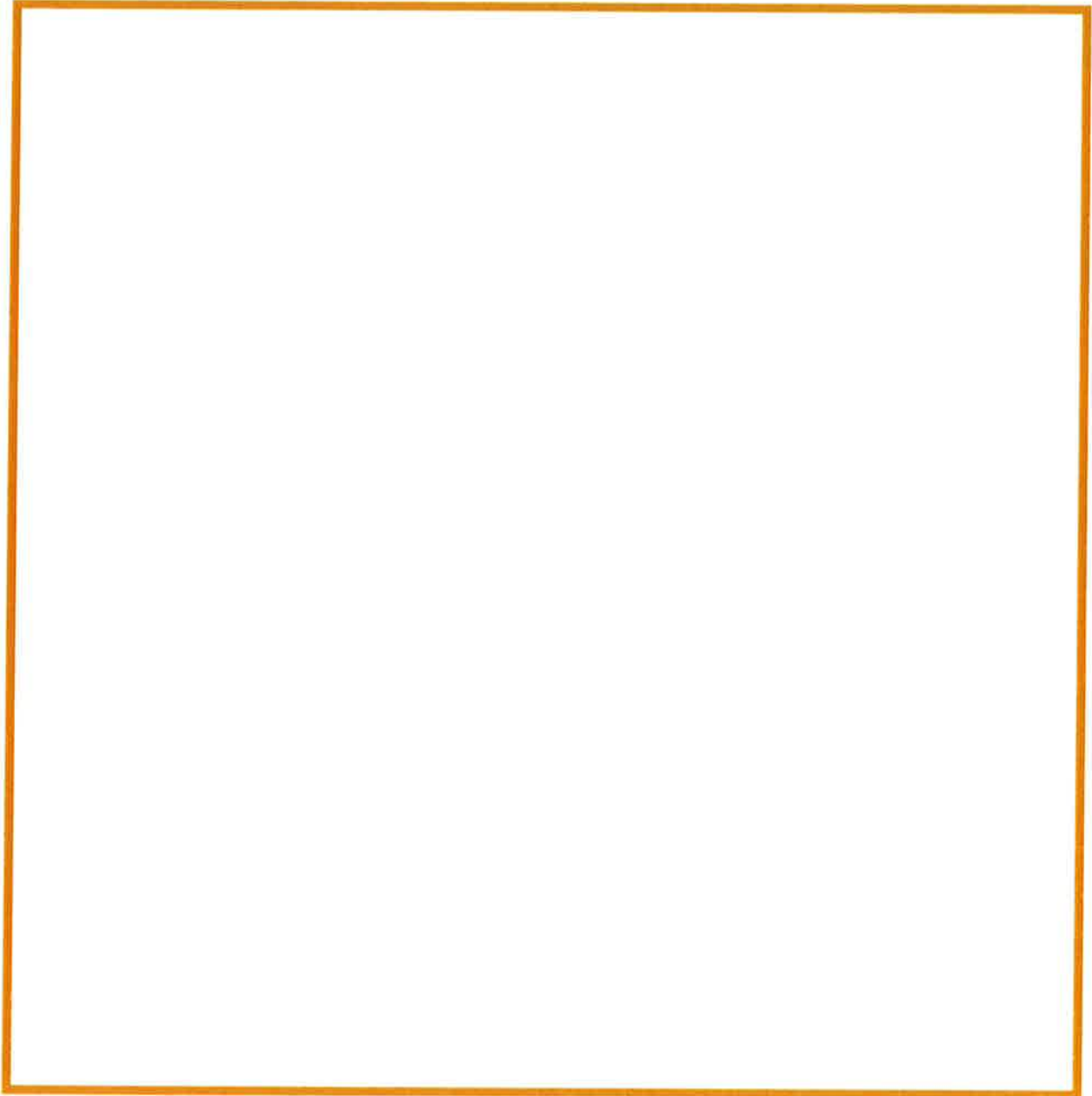
Helpful Hint: *This question is intended to assist evaluators in scoring your property on the following Evaluation Criteria: 6, 7, 10*

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 2021 @ Midnight.

Nomination Form

Liabilities/Additional Considerations: In one page or less, please address any potential issues associated with acquisition of this property that may require additional attention or cost to the purchaser. Furthermore, please describe any items that warrant additional consideration of this property such as level of threat, special assets, special commitments (e.g. donation), or other special features not addressed in the previous questions (e.g. historic significance):

Helpful Hint: *This question is intended to assist evaluators in scoring your property on the following Evaluation Criteria: 8, 9, 11, 13*



Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 22 2021 @ Midnight.

Nomination Form

Pictures of the Nominated Property

Required – A minimum of four (4) pictures and a maximum of six (6) pictures of the nominated property must be submitted with your completed nomination form and should:

- Highlight special features of the property (views, creeks, ponds, rock formations, etc.);
- Show any structures on the property; and
- Give a general sense of what the property has to offer.

Pictures may be included on a thumb (flash) drive, CD, or emailed to pknowles@spokanecounty.org **together with** the completed nomination form and letters of support (*optional*) for the nomination. You must provide an informative, descriptive name for each picture (e.g. "Basalt formations at north end of property").

Letters of Support

Optional - You may desire to include "letters of support" with this completed nomination form. Letters of support should be submitted at the same time as the completed nomination form (**No later than July 31st, 2021 at Midnight**) and should:

- Address the specific property being nominated; and
- Be addressed to the "Land Evaluation Committee"

All letters of support for a particular nomination must be submitted WITH the completed nomination form as a separate, attached file (example: PDF). For assistance, please contact Paul Knowles at pknowles@spokanecounty.org or (509) 477-2188.

Please return to: Spokane County Parks, Recreation & Golf Department no later than July 31st, 23 2021 @ Midnight.



Appendix

Glossary of Terms

B

Boundary Survey - A survey to establish the boundaries of a parcel using its legal description which typically involves the setting or restoration of monuments or markers at the corners or along the lines of the parcel, often in the form of iron rods, pipes, or concrete monuments in the ground, or nails set in concrete or asphalt. A map or plat is then drafted from the field data to provide a representation of the parcel surveyed.

C

Comprehensive Plan - A land use document that provides the framework and policy direction for land use decisions within cities and counties.

Conservation Easement - An interest in real property that provides for agreed upon existing or future uses by the landowner without further/future development occurring. Monitoring of conditions assures the adherence to the conservation values being protected.

Conservation Futures Fund – An account into which may be deposited up to 6.25 cents-per-\$1,000 in assessed property value revenues collected annually across the County to be expended exclusively for open space purposes and managed by Spokane County Parks or other public agency. The 2021 levy rate was 3.6 cents-per-\$1,000 (RCW Chapter 84.34.200).

Conservation Futures Enabling Legislation - In accordance with the authority granted in RCW [84.34.200 et seq.](#), a county, city, town, metropolitan park district, metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW [64.04.130](#), or nonprofit nature conservancy corporation or association, as such as defined in RCW [84.34.250](#), may specifically purchase or otherwise acquire, except by eminent domain, rights in perpetuity to future development of any open space land, farm and agricultural land, and timber land which are so designated under the provisions of chapter [84.34](#) RCW and taxed at current use assessment as provided by that chapter.

Appendix

Connectivity - The degree to which physical connections are maintained between large areas of habitat and patches of habitat, and between different types of habitat. Connectivity increases biodiversity and enhances reproduction and survival of species.

Critical Area – Areas are generally defined and addressed and identified in the adopted Critical Areas Ordinance (CAO), which may include, but are not limited to: Wetlands, Fish and Wildlife Habitat, Geologically Hazardous Areas, and Critical Aquifer Recharge Areas.

E

Environmental Assessment - A report prepared for a real estate holding which identifies potential or existing environmental contamination liabilities. The analysis, often called an ESA, typically addresses both the underlying land as well as physical improvements to the property; however, techniques applied in a Phase I ESA never include actual collection of physical samples or chemical analyses of any kind. Scrutiny of the land includes examination of potential soil contamination, groundwater quality, surface water quality and sometimes issues related to hazardous substance uptake by biota.

Endangered or Threatened Species - Species of plants or animals that receive special protection under state and/or federal laws. Also referred to as "listed species" or "endangered species."

F

Fee Simple - Ownership of *most or all* property rights upon a segment of land.

G

Geologically Hazardous Areas - Areas susceptible to erosion, sliding, earthquake, or other geological events.

H

Hazardous Waste - Waste that poses substantial or potential threats to public health or the environment.

L

Land Donation - An opportunity for the County or municipality to receive interest in a property through donation/gift with related tax benefits to the donor.

M

For your information only. Do not return.

Appendix

Member of Appraisal Institute (MAI) - Professional designation by the American Institute of Real Estate Appraisers of the National Association of Realtors, given to real estate appraisers who meet qualifying standards and are certified by the institute.

P

Passive Recreation - Recreational activities that can be described as informal, non-motorized and human powered. Examples include hiking, bird watching, bicycling, horseback riding, and other non-motorized use. Does not include team activities.

Priority Habitat and Species (PHS) – Defined and published in a list by the Department of Fish and Wildlife. Priority species include: State Endangered, Threatened, Sensitive, and Candidate species; animal aggregations (e.g., heron colonies, bat colonies) considered vulnerable; and species of recreational, commercial, or tribal importance that are vulnerable. A priority habitat may consist of a unique vegetation type (e.g., shrub-steppe) or dominant plant species (e.g., juniper savannah), a described successional stage (e.g., old-growth forest), or a specific habitat feature (e.g., cliffs).

Purchase and Sale Agreement - The "contract" that defines the real estate transaction. This legal instrument identifies the property, the purchase price, the parties to the contract, and every additional detail of the transfer of title from the seller to the purchaser.

R

Riparian - Areas of land immediately adjacent to streams and rivers. Riparian also describes plants and animals associated with these areas. The riparian zone is a characteristic association of substrate, flora, and fauna within a 100-year floodplain of a stream, or if a floodplain is absent, a zone hydrologically influenced by a stream or river. Riparian ecosystems are maintained by high water tables and periodic flooding.

S

Shoreline - All of the water areas of the state, including reservoirs, and their associated shore lands, together with the lands underlying them, except: (i) shorelines of statewide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.

U

Urban Growth Area (UGA) – Mandated by the Growth Management Act and adopted by the Board of County Commissioners, these are designated areas within which urban growth

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Appendix

shall be encouraged and outside of which growth can occur only if it is not urban in nature.

W

Wetland - Wetlands are defined by the U.S. Army Corps of Engineers as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wildlife - All non-domesticated plants, animals and other organisms.

Wildlife Corridor - Habitat that provides connectivity over different time scales (including seasonal or longer) among areas used by animal and plant species. Wildlife corridors can exist within unfragmented landscapes or join naturally or artificially fragmented habitats, and serve to maintain or increase essential genetic and demographic connection of populations. Wildlife corridors can include: 1) Connections that may not be fully and routinely occupied by species of interest but serve to ensure that such species are able to use disconnected tracts of habitat; and 2) Habitat that serves as permanently occupied stepping-stones to facilitate multi-generational movement between larger habitat areas.

Appendix – Appraisal Guidelines



Appraisal Guidelines - 2021

Spokane County Parks, Recreation, & Golf

Step 1 – Selecting Appraisers

The property owner(s) of a "Prioritized Acquisition List" property will work with the Spokane County staff or appropriate municipal jurisdiction to select two mutually agreed-upon *Local*¹ appraisers or teams of appraisers, licensed in the State of Washington, at least one of which (on any team) is an MAI² appraiser, to complete two independent Complete Appraisal Reports (similar to the previous "self-contained" style). The appraisals shall assign a value to the property consistent with the Uniform Standards of Professional Appraisal Practice, the reporting requirements of the Appraisal Institute and guidelines for federally insured lending institutions. The appraisers selected to complete the appraisal shall be mutually agreeable to both the property owner(s) and the Spokane County Parks Director or designee or the Municipal Parks Director or designee of whichever jurisdiction is providing direct oversight of the appraisal process, property acquisition negotiations and subsequent ownership. Under the special circumstances listed below, the Director or designee of the applicable jurisdiction may pursue the following alternative options in the public's interest:

1. Consistent with the guidelines above, the applicable jurisdiction may elect to obtain and utilize one appraisal when the property is being offered for sale at a discount of 75% or more off of market value. This is in the interest of saving public dollars during the acquisition process; or
2. While the guidelines outlined above are intended to address most acquisition scenarios, unforeseen special circumstances or outside requirements may arise that may necessitate a deviation from said guidelines. The Spokane County Parks, Recreation & Golf Director may deviate or authorize a deviation from the appraisal process when appropriate. Examples of such a scenario may include a grant funding opportunity that requires a different type of appraisal report, the availability of local appraisers qualified to conduct certain types of appraisals, and/or other factors that justify a deviation from the appraisal process in order to best serve the public's and the Conservation Futures Program's interest.

¹ ***"Local" shall be defined as having appraisal business based within Spokane County.***

² ***"MAI" = Member of Appraisers Institute***

Appendix – Appraisal Guidelines

Step 2 – Using the Appraisal Reports

When the appraisal(s) are completed, the applicable jurisdiction may meet with the appraisers to review the appraisal report(s) in order to develop an understanding and comfort level with the methods used to reach their conclusions of value. The applicable jurisdiction shall use the information in the appraisal report(s) in putting together a potential purchase offer (purchase price) for the property.

Please Note

1. Under no circumstance shall the Conservation Futures Program pay higher than appraised value for a property, consistent with the appraisal guidelines above.
2. Program Integrity. Appearance of fairness is of the utmost importance in preserving the integrity of the Conservation Futures Program. For example, it would be unacceptable for an appraiser to be related to any party directly connected with the acquisition of a Conservation Futures property. It would also be equally unacceptable for a participant in the facilitation of the Conservation Futures Program to financially benefit from the selection and/or acquisition of a property through this program.
3. In the unlikely event that the results of the two appraisals are unsatisfactory to the Seller for use in reaching agreement, per the guidelines above and upon approval by applicable Parks Director or designee, a property owner may, at their sole expense, have a third appraisal completed on a property to be considered by the Conservation Futures Program (in addition to the other two appraisals) when establishing a mutually agreed upon purchase price and other terms.



Evaluation Criteria - 2021

Spokane County Conservation Futures Program

Property Nomination: _____

Section 1 - Washington State Department of Fish and Wildlife Scoring

Department Biologist: _____

1. Wildlife Habitat Quality

(A) For property outside of the Urban Growth Area:

Points

- 0 Property contains little or no habitat for native species and would be very difficult to restore habitat.
- 1 Property contains little-to-no habitat for native species.
- 2 Property contains common habitat for species such as field mice, robins, crows, non-migratory waterfowl, coyotes, or deer.
- 3 Property contains important habitat for hawks, eagles, migratory waterfowl, or uncommon plant species, but does not provide linkage to a larger block of existing natural habitat or wildlife corridor.
- 4 Property contains habitat for small and large species and provides a linkage to a larger block of existing diversified natural habitat or wildlife corridor.
- 5 Property contains significant natural resources providing a diversity of natural habitats and on its own could sustain a larger diversity of species.

Points awarded: _____.

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Appendix – Evaluation Criteria

OR

(B) For property inside the Urban Growth Area:

Points

- 0 Property contains little-to-no habitat for native species and would be very difficult to restore habitat.
- 2 Property contains little-to-no habitat for native species.
- 3 Property contains wildlife habitat for common Species such a field mice, waterfowl, coyotes, and / or deer.
- 4 Property contains habitat for small and large species, but does NOT provide a linkage to an existing larger block of natural habitat or wildlife corridor.
- 5 Property contains habitat for small and large species and provides a linkage to a larger block of natural habitat or wildlife corridor.

Please note: If there's a commitment of funding or resources to restore habitat as part of the nomination, potential points would be awarded under Question 9 – Additional

Points awarded:_____.

2. Water Resources

Points

- 0 Property contains no surface water (seasonal or year-round).
- 1 Property contains only seasonal wetlands, springs, and / or streams.
- 2 Property contains a year-round wetland, spring, and / or stream.
- 3 Property contains several permanent wetlands, shoreline, streams, springs and / or other natural surface water source.
- 4 Property contains permanent wetlands, shoreline, streams, springs and / or other natural surface water source of regional significance.
- 5 Property contains significant permanent wetlands, shoreline, streams, springs or other natural surface water source of regional significance **and** provides public access to a major aquatic resource that could provide water-based recreational opportunities to Spokane County residents and visitors.

Points awarded:_____.

For your information only. Do not return.

Appendix – Evaluation Criteria

Section Score	Evaluator's Comments/Notes

Maximum Section Points Possible: 10

Appendix – Evaluation Criteria

Property Nomination: _____

Section 2 - Spokane County Parks, Recreation & Golf Staff Scoring

Department Staff: _____

3. Proximity for Maintenance and Oversight

Points

- 0 Property is located greater than 50-minutes travel time from applicable maintenance and oversight personnel or greater than 20 minutes travel time from existing, maintained park property.
- 2 Property is located greater than 40-minutes travel time from applicable maintenance and oversight personnel or greater than 15-minutes travel time from an existing, maintained park property
- 3 Property is located greater than 30-minutes travel time from applicable maintenance and oversight personnel or greater than 10-minutes travel time from an existing, maintained park property.
- 4 Property is located within 20-minutes travel time from applicable maintenance and oversight personnel or within 10-minutes or less travel time from an existing, maintained park property.
- 5 Property is located within 10-minutes travel time from applicable maintenance and oversight personnel or within 5-minutes or less travel time from an existing, maintained park property.
- 6 Property is located adjacent to or is an inholding within an existing, maintained park property.

Points awarded: _____.

Appendix – Evaluation Criteria

4. Property Size

(A) For property outside of the Urban Growth Area:

Points

- 1 Less than 25 acres.
- 2 25 - 79 acres.
- 3 80 - 159 acres.
- 4 160 - 499 acres.
- 5 500 + acres.

Points awarded:_____.

OR

(B) For property inside the Urban Growth Area:

Points

- 1 Less than 3 acres.
- 2 3 – 4 acres.
- 3 5 – 19 acres.
- 4 20 – 34 acres.
- 5 35 + acres.

Points awarded:_____.

Please note: If portion of a nominated property is located within the UGA, the nomination may be scored as if it's located within the UGA. Such determination shall be made by staff and may include such factors as but not limited to the percentage of nominated property located within the UGA (e.g. if 60% of the nominated property is located within the UGA, said property may be scored under 4(B)).

For your information only. Do not return.

Appendix – Evaluation Criteria

5. Strategic Plan

Note: "Plan" means any plan or guiding document approved and/or adopted by an elected/government body (e.g. Spokane County Board of Commissioners). These plans are often municipal or county comprehensive plans, park plans, and/or state-wide plans.

Points

- 0 The property's acquisition would not further the goals and objectives of an adopted plan.
- 1 The property's acquisition would further the general goals and objectives found within an adopted plan.
- 2 The property's acquisition would further general goals and objectives found within two or more adopted plans.
- 3 The property's acquisition would further general goals and objectives found within three or more adopted plans.
- 6 The geographical area where the property is situated is specifically identified for preservation as a priority item in one or more adopted plans.

Points awarded: _____.

6. Access

Note: (1) If access can be attained from an adjacent, existing natural area, conservation area, or other park land, that access point may be considered for this question and (2) when the property is accessed via a gated, private road, the property may be scored as a "0" if public access does not practically exist.

Points

- 0 Property has no road access.
- 1 Property is accessed via an unimproved dirt or gravel roadway not suitable for general public use.
- 2 Property is accessed via a dirt or gravel roadway suitable for use by the general public with possible major improvements needed.
- 3 Property is accessed via a dirt or gravel roadway suitable for use by the general public without the need for major improvements.

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Appendix – Evaluation Criteria

- 4 Property is accessed via a paved public roadway.

Points awarded:_____.

7. Trailhead Feasibility

Note: If access can be attained from an adjacent, existing natural area, conservation area, or other park land, that access point may be considered and the property scored appropriately.

- 0 There appears to be no feasible location to develop a trailhead parking area on the subject property and/or the access road is private and gated which will limit public vehicular access to the subject property and may require the purchase of additional property.
- 1 There may be a reasonable location to feasibly develop a trailhead parking area on the subject property.
- 2 The subject property provides a suitable site to develop a future trailhead parking area and/or there is an area suitable for public parking with some limited improvements likely needed.
- 3 The subject property can be served by an established trailhead parking area, but said trailhead **may not have adequate capacity** to serve anticipated public usage.
- 4 The property can be served by an established trailhead parking area that has **adequate capacity** to serve anticipated public usage.

Points awarded:_____.

8. Liabilities

Note: If the nominator or property owner has offered to address the liability at their own expense, the property should be scored as if the liability does not exist.

Points

- (-2) Potential hazardous waste site or environmental problem present for which the purchaser must assume responsibility or existing structures are of no value and must be torn down
- 1 Property contains structures of value that provide no use to the public.
- 4 No costs for removal of dilapidated structures, metal debris, slash piles, etc. or no

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Appendix – Evaluation Criteria

restoration of the property needed.

Points awarded:_____.

9. Additional Consideration

Note: "Additional Consideration" may include: (1) a pledge to sell at a percentage discount off of the future agreed upon purchase price and/or (2) the value of other "assets," which may include existing improvements, water rights, and/or voluntary, unsolicited commitments (e.g. donation(s) to help maintain / improve the property) that may provide a long-term revenue stream or savings associated with the ongoing care, maintenance, enhancement, and/or management of the property.

Points: Range 0 to 5 points

- 0 Additional Consideration is not applicable to this property.
- 5 The Seller and/or the Nominator have made a **significant commitment** that will help sustain the property and the Conservation Futures Program.

Points awarded:_____.

Section Score	Evaluator's Comments/Notes

Maximum Section Points Possible: 34

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Property Nomination: _____

Section 3 – Land Evaluation Committee Member Scoring

LEC Member: _____

10. Connectivity

Points

- 0 Property is isolated and has no connection to an existing open space, park or trail system.
- 2 Property does not connect to an existing open space, park, or trail system, but is situated in between existing parklands/trail systems/private lands that allow public recreation and could one day serve as a connection to and/or an expansion of an open space, park, or trail system.
- 3 Property would add to an existing open space, park or trail system, either as an inholding or as an addition to.
- 5 Property would be a **strategic** addition to an existing open space, park or trail system, either as an inholding or as an addition to.
- 7 Property would provide a **significant** addition to an existing park or open space, greatly improving recreational opportunities and preserving a larger block of wildlife habitat to preserve large keystone species (e.g. moose).

Points awarded: _____.

11. Public Support

Points

- (-3) There is significant community opposition to and little or no demonstrated public support for acquiring the subject property.
- 0 There is no demonstrated public support for or there is an equal amount of support for and opposition to acquiring the subject property.
- 1 The subject property is supported by local residents or community group(s) with little or no opposition.
- 2 There is demonstrated, widespread support for the subject property's acquisition with

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little or no opposition.

- 3 There is demonstrated, widespread support for the project **and** pledged donations to help care for, manage, and/or acquire the property with little or no opposition.

Points awarded:_____.

12. Destination

Points: Range 0 to 4 points

- 0 The property has no attraction or is unlikely to draw visitors to walk, bird watch, fish, picnic or use as an environmental classroom.
- 4 Property will likely become a destination, attracting a wide variety of visitors from throughout Spokane County.

Points awarded:_____.

13. Additional Qualitative Consideration

Note: "qualitative consideration" could include an important feature / quality inherent to the property not covered in the Evaluation Criteria above. Example: the property contains a site of cultural or historic significance.

Points: Range 0 to 3 points

- 0 The property does not warrant additional qualitative consideration.
- 3 The property contains significant qualitative considerations, such as cultural or historic sites/features.

Points awarded:_____.

Appendix – Evaluation Criteria

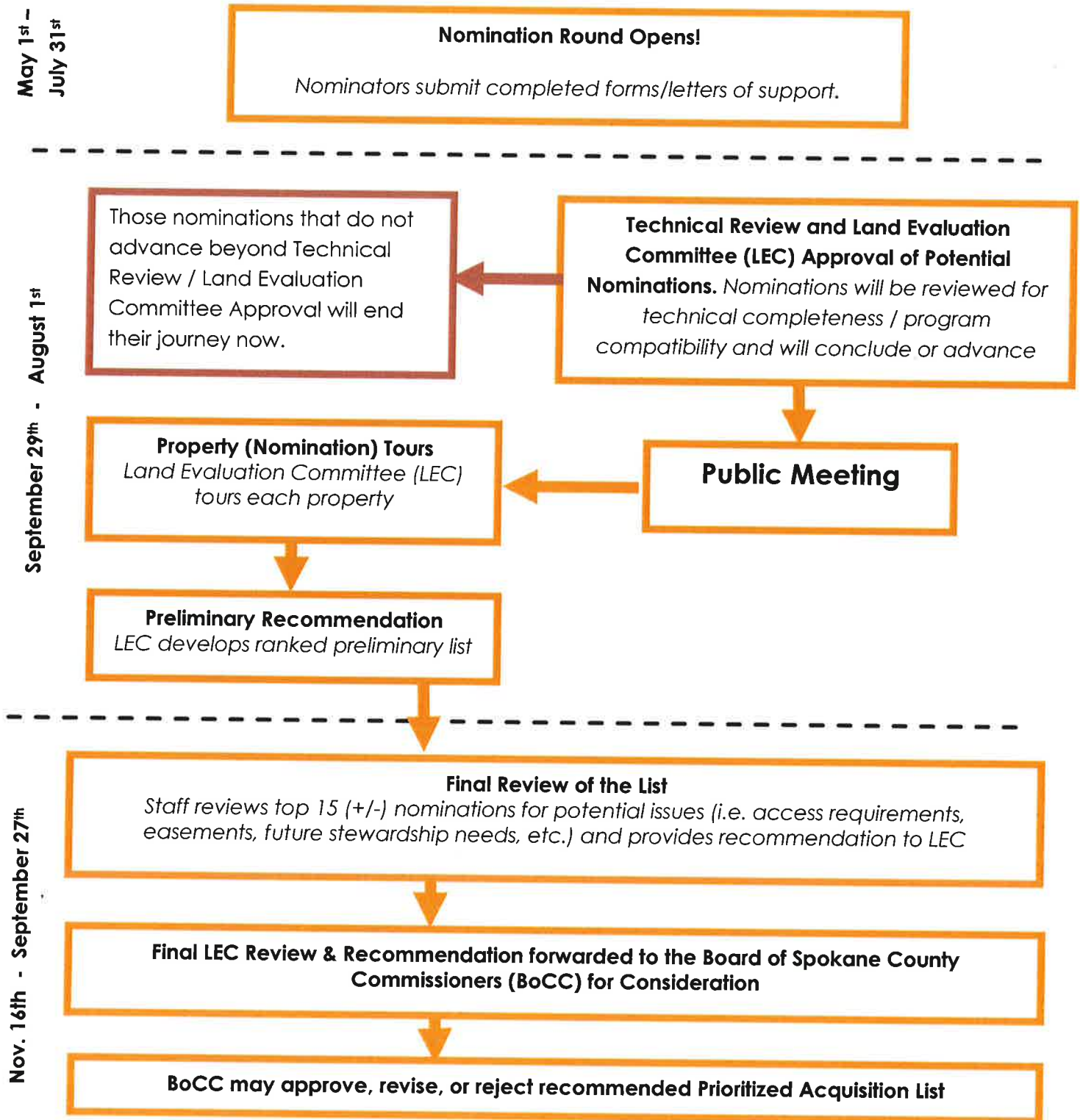
Section Score	Evaluator's Comments/Notes

Maximum Section Points Possible: 17

Please note: All LEC members' scores on this section will be added up and averaged with that average score being combined with the total scores of sections 1 and 2 to produce a total evaluation criteria score for a nominated property.

Property Nomination Process

Property Nomination Process Flowchart



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Property Acquisition Process (Post Nomination)

2021 Prioritized Acquisition List Approved!

Properties Ranked **Below**
the "Top 15"

Property Owners and Nominators will be notified of their rank on List and encouraged to re-apply in the next nomination round.

Properties Ranked in the
"Top 15"

Property Owners and Nominators **Notified of their Rank on the List.**

Appraisal – Beginning with the top-ranked property, Parks Staff contacts owner(s) and agrees on the selection of two (2) MAI Appraisers to conduct independent appraisals of property being pursued. According to rank, nominated property owners will be contacted & pursued as available resources permit.

"Deal or No Deal" – Staff works with owner/seller to execute a Purchase and Sale Agreement.

Contingency Elimination - Contingencies included within the Purchase and Sale Agreement are satisfied in preparation for closing such as: Phase I Environmental Site Assessment, Boundary Line Survey, and other matters as applicable.

Closing – Property is preserved!