

Manual 10c

Washington Wildlife and Recreation Program

Forestland Preservation Category

March 2017



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At a Glance

Forestland Preservation Category

Purpose	This category provides money to acquire and preserve opportunities for timber production by leasing the land or buying a voluntary land preservation agreement, also called a conservation easement.
Who may Apply?	<ul style="list-style-type: none"> • Cities and towns • Counties • Qualified nonprofit nature conservancies • Washington State Conservation Commission
Is a Plan Required?	A plan is not needed for the grant applicant to be eligible; however forests must be enrolled in a county's open space or forestland property tax program and a forest management plan is required.
What Types of Projects are Eligible?	<ul style="list-style-type: none"> • Land acquisition • Combination of acquisition and habitat enhancement or restoration.
What are the Grant Limits?	\$350,000
What Must I Contribute?	Cities, counties, and nonprofit nature conservancies must provide a one-to-one matching share. There is no match required for the Washington State Conservation Commission.
How is my Project Evaluated?	An advisory committee hears your in-person presentation and scores your project.
When are Applications Due	May 2, 2017
When are Grants Awarded?	October 2017-June 2018, depending on legislative action
What's new this year?	These grants are new in 2017.

Section 1: Introduction

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

- ✓ The Washington Wildlife and Recreation Program
- ✓ Recreation and Conservation Funding Board
- ✓ Grant process and timeline

The Washington Wildlife and Recreation Program

The Washington State Legislature created¹ the Washington Wildlife and Recreation Program (WWRP) in 1990 to accomplish two goals: Acquire valuable recreation and habitat lands before they were developed and develop recreation areas for a growing population.

Today, WWRP provides funding for a broad range of projects that conserve wildlife habitat, preserve working farms and forests, buy lands 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.

Accounts and Categories

By law, WWRP funding is divided into three accounts. Appendix A illustrates the distribution of funding into those accounts, as determined by Revised Code of Washington 79A.15. The three accounts are below.

- Habitat Conservation Account
 - Critical Habitat Category
 - Natural Areas Category
 - Riparian Protection Category
 - State Lands Restoration and Enhancement Category

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

- o Urban Wildlife Habitat Category
- Outdoor Recreation Account
 - o Local Parks Category
 - o State Lands Development and Renovation Category
 - o State Parks Category
 - o Trails Category
 - o Water Access Category
- Farm and Forest Account
 - o Farmland Preservation Category
 - o Forestland Preservation Category

Each WWRP category must receive 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. However, the board may forego these statutory minimums in any one biennium, should circumstances warrant. The board's intent is to award grants to projects meeting the greatest need and those where the greatest benefit may be achieved.

Recreation and Conservation Funding Board

WWRP is administered by the Recreation and Conservation Funding Board, which is a governor-appointed board comprised 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, preserve 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.15.130(1) and (5). It reflects the specific statutory requirements of Revised Code of

Washington 79A.15, Title 286 of the Washington Administrative Code, and the Recreation and Conservation Funding Board's policies.

Who Makes Decisions

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

Board Decisions

The following list summarizes many project decisions that are 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 project agreement and Deed of Right or Assignment of Rights. 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 grant award.

Director Decisions

The RCO director, or designee, makes many project decisions based on rules and board policies. The range of decisions includes 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.

Where to Get Information

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

Telephone: (360) 902-3000
FAX: (360) 902-3026
TTY: (360) 902-1996
Web site: www.rco.wa.gov

Mailing Address

PO Box 40917
Olympia, WA 98504-0917

RCO grant managers are available to answer questions about this manual and grant program. Please feel free to call.

Other Grant Manuals You'll Need

The manuals below provide additional information for grants and are available on the 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

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, for precise dates, visit the RCO Web site.

Webinars. RCO conducts workshop Webinars (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 1st. Applicants log into PRISM Online and select the "Get Started/Start a 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 site to discuss site-

specific details. Click here to [learn more about PRISM's components and technical requirements](#).

Applications Due. Applications are due in early May of even-numbered years. The application includes the data entered into PRISM and all required attachments. Applicants should “submit” their applications 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 may attend a technical review meeting, where they present their projects to a 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 an oral presentation, illustrated with maps, graphics, and photographs using PowerPoint.® Grants managers will review the applications also and send comments to applicants. Applicants then can make changes to improve the projects, if needed. Applicants must complete all changes and resubmit the application 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 further changes. RCO will score applicable evaluation criteria as of this date.

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

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, 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.

Legislature Approves Projects. When it develops the state capital budget, the Legislature 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.² If a state agency has shown a match of some kind in its application, it must provide proof of the availability of matching funds by the certification deadline.

Board Approves Funding. 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.

Pre-agreement Materials. After grant awards, applicants have 2 calendar months³ to submit pre-agreement documents (checklist provided by grants managers). RCO staff

²Washington Administrative Code 286-13-040(3)

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

then prepares and issues the grant contracts, called project agreements. Applicant must return the signed agreements within 3 calendar months from the date RCO sends the agreement to the applicants for signature.⁴ Once the agreements are signed, the applicants, now referred to as project sponsors, may begin their projects, per the terms of the project 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 hosts a Webinar for successful grant applicants. This workshop covers the following:

- Project sponsor responsibility for compliance with the terms of the project agreement.
- Project implementation, including meeting milestones, permitting, submitting progress reports, inspections, valuing donations, using RCO's online resources for understanding billing procedures, project close-out, and long-term compliance.
- Amending the project agreement to address project changes, time extensions, scope modifications, special conditions, and cost increases.
- Land acquisition, including tools developed to assist applicants through the acquisition procedures for state and federal grants.
- Restoration, including construction plans and specifications, barrier-free design requirements, cultural resources, and bid procedures.
- Planning, including deliverables and reporting requirements.

Ongoing

Project Implementation. Grant recipients 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 and complete the project within 4 years of the grant award.
- Begin project implementation quickly and aggressively to show measurable progress towards meeting project milestones.
- Submit progress reports at intervals as designated by the RCO project agreement.

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

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

By June 1 of each year, RCO will review the status of projects 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:

- 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 have 90 days to submit the final bill, final report, and supporting documents needed to close the project. 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 project agreement without payment.

Section 2:

Policies

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

- ✓ Forestland Preservation Category
- ✓ Choosing a grant category
- ✓ Eligible applicants
- ✓ Applicant requirements
- ✓ Eligible project types and activities
- ✓ Property requirements
- ✓ Environmental considerations
- ✓ Requirements and other things to know
- ✓ Project area stewardship and ongoing obligations

Forestland Preservation Category

Program History

The Washington State Legislature created the Forestland Preservation Category in 2016 when it made other changes to WWRP⁵ in response to a program review in 2015.⁶ The program review recommended creating the Forestland Preservation Category to support working forests that also provide connectivity, habitat enhancement, sustainable ecological benefits, and public access.

Funding is available for sponsors to buy a voluntary land preservation agreement, also called a conservation easement, to protect forestland forever. RCO is a party to the easement or lease but the sponsor and landowner are responsible for upholding it.⁷

⁵[Chapter 149, Laws of 2016](#)

⁶[Washington Wildlife and Recreation Program Review, 2015, Recreation and Conservation Office](#)

⁷Recreation and Conservation Funding Board Resolution 2016-37

Purpose⁸

Focus on Timber Production

The primary purpose of this category is to acquire and preserve opportunities for timber production, consistent with local comprehensive planning. Types of forests eligible for funding include industrial, private, community, tribal, and publicly owned forests.⁹ Regardless of the type of forest, the property must be devoted primarily to timber production.

A secondary purpose is to support other benefits of preserving forestland such as jobs, recreation, protection of water and soil resources, habitat for wildlife, and scenic beauty.

Definition of Forestland

Forests must be enrolled in a county's open space or forestland property tax program to be eligible for funding and must remain in the county program for the duration of the conservation easement or lease. If the property owner fails to remain in the county program, it is a violation of the conservation easement and enforceable by the sponsor and RCO.

The open space and forestland property tax programs have similar definitions but differ in purpose.

Timberland Designation: The open space property tax program designates timberlands for the production of forest crops to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens.¹⁰

Forestland Designation: The forestland property tax program designates lands to enhance water supply; minimize soil erosion and storm and flood damage to people or property; provide habitat for wild game; provide scenic and recreational spaces; contribute to the natural ecological equilibrium; contribute to employment and profits; and contribute raw materials for products needed by everyone.¹¹

"Forestland" and "timberland" are defined as 5 or more contiguous acres that are devoted primarily to the growth and harvest of timber for commercial purposes.

⁸Recreation and Conservation Funding Board Resolution 2016-37

⁹Property owned by an eligible sponsor is not eligible for grant funding. See Recreation and Conservation Funding Board Resolution 2016-13, as amended.

¹⁰Revised Code of Washington 84.34.010

¹¹Revised Code of Washington 84.33.010

Both definitions include the land only and incidental uses that are compatible with growing and harvesting timber, but not a residential homesite. No more than 10 percent of the land may be for such incidental uses. It also includes the land on which appurtenances necessary for the production, preparation, or sale of the timber products exist in conjunction with land producing these products.¹²

Required Documentation for Property Designation¹³

Applicants must provide a written notice from the county assessor, a current property tax notice, or a recent title report that document that each parcel in a grant application is designated as timberland or forestland by the application due date, except as noted in the following paragraph.

If a parcel is not designated as timberland or forestland by the application due date, an applicant must seek an informal or preliminary determination from the county assessor that the parcel could be designated as timberland or forestland. Acceptable documentation is a letter (that identifies all parcels) from the county assessor or the county assessor's approval of an application for designation. The property owner must enroll the property as timberland or forestland before RCO releases funds for the acquisition of the easement or lease.

Applicants also must submit to RCO the county approved timber management plan, if the plan is a requirement of the county's tax program.

The RCO director may extend the deadline for documentation up to 1 calendar month before the Recreation and Conservation Funding Board meeting when it approves the ranked list of projects for submittal to the Governor and Legislature.

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, projects 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.

¹²Revised Codes of Washington 84.33.010, 84.33.035(5), and 84.34.020(3)

¹³Recreation and Conservation Funding Board Resolution 2016-37

Eligible Applicants¹⁴

Eligible Applicants¹⁵

- Cities and counties
- Nonprofit nature conservancies¹⁶
- Washington State Conservation Commission

Qualified Nonprofits¹⁷

Nonprofit nature conservancies must meet the following eligibility requirements:

- Be registered in the State of Washington as a nonprofit corporation as defined by Chapter 24.03 Revised Code of Washington AND meet the definition for a nonprofit nature conservancy in Revised Code of Washington 84.34.250.
- Demonstrate at least 3 years actively managing projects relevant to the types of projects eligible for funding in the forestland category. "Actively managing projects" means performing the tasks necessary to manage on-the-ground forestland management functions, 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.
- Demonstrate a proven ability to draft, acquire, monitor, enforce, and defend conservation easements.

Applicant Requirements

Legal Opinion for First Time Applicants¹⁸

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 accomplish all of the following:

¹⁴Recreation and Conservation Funding Board Resolution 2016-37

¹⁵Revised Code of Washington 79A.15.130(4)

¹⁶Revised Code of Washington 79A.15.010(7)

¹⁷Recreation and Conservation Funding Board Resolution 2016-37

¹⁸Recreation and Conservation Funding Board Resolutions 2010-08, and 2016-37

- Receive and expend public funds including funds from the Recreation and Conservation Funding Board.
- Contract with the State of Washington and the United States of America.
- Meet any statutory definitions required for board grant programs.
- 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.

Note: The legal opinion is required only once to establish eligibility.

Eligible Project Types¹⁹

Acquisition Projects

Grant funds are available to buy development rights and other less than fee title real property rights through a conservation easement and/or lease.²⁰ Less than fee interests include access, water, air, carbon, mineral, and other rights that aid in preservation of the forest for secondary benefits supported by the category.

An acquisition must include purchase and extinguishment of all development rights and be in perpetuity. Acquisitions must be recorded at the county auditor's office where the land is located.

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

¹⁹Recreation and Conservation Funding Board Resolution 2016-37

²⁰Revised Code of Washington 70A.15.130(3)

Multiple Parcels

Applications may include one or more parcels.

- All parcels proposed for acquisition must be identified in the grant application by the technical completion deadline.
- All parcels must be shown on a map and include a county parcel number for each parcel.
- All parcels must be contiguous or within the same ownership.²¹ Ownership means the individual, individuals, or businesses that hold title to a parcel of land. Contiguous means two or more parcels that physically touch one another along a boundary or a point. Land divided by a public road, but otherwise an integral part of a forestry operation, is considered contiguous.

Ineligible Acquisition Projects

The following projects are ineligible:

- Acquisition of rights for a term of less than perpetuity.
- 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.
- Properties acquired by a condemnation action of any kind.²² The value of parcels acquired by condemnation may not be used as part of the required matching share.
- Transfer of development rights. Development rights acquired under this program may not be transferred to other property or for other uses.
- Protection of land for the purposes of satisfying a Habitat Conservation Plan under the Endangered Species Act.

Combination Projects

Combination projects involve acquisition and habitat enhancement or restoration. Habitat enhancement and restoration activities must occur within the area acquired. Additional policies for enhancement and restoration activities are in *Manual 5, Restoration Projects*.

²¹Revised Code of Washington 84.34.020(6)(b)(i) and (ii)

²²Revised Code of Washington 79A.15.090

Habitat 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.²³ 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.

Habitat enhancement or restoration activities within a project must further the ecological functions of the forestland. Projects should enhance the viability of the preserved forestland to provide timber production while conforming to any legal requirements for habitat protection. Examples of eligible activities include fencing, bridging watercourses, replanting native vegetation, and replacing culverts. Restoration activities should be based on accepted methods of achieving beneficial enhancement or restoration results.²⁴

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.
- 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.

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.

Fish Passage Barriers

Projects must include correcting all fish passage barriers on property owned by a private, small forest landowner. A private, small forest landowner harvests less than 2 million board feet of timber each year from land they own in Washington. Funding from other RCO administered programs, except for the Washington Wildlife and Recreation Program, are eligible sources of match for this restoration activity. Fish passage barriers on other forestland are not eligible for grant funding because property owners must correct barriers in their Road Maintenance and Abandonment Plans as required by the Forest Practices Act.

²³Revised Code of Washington 79A.15130(13)

²⁴Revised Code of Washington 79A.15130(13)

Ineligible Enhancement and Restoration Costs

The following items are not eligible:

- Restoration work required under the Forest Practices Act or other regulatory mitigation requirement, except as described under the Fish Passage Barriers section.
- “Consumable” supplies such as fuel, fertilizers, pesticides, or herbicides, except as one-time applications if they are necessary parts of eligible acquisition or restoration activities.
- Elements that cannot be defined as fixtures or capital items.
- Environmental cleanup of illegal activities (i.e. meth labs).
- Indoor facilities.
- Purchase of maintenance equipment, tools, or supplies.
- Restoration work done before a project 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.

Phased Projects²⁵

The Recreation and Conservation Funding Board recommends that applicants discuss phasing very expensive and large 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.
- Each phase must be submitted as a separate application.

²⁵Recreation and Conservation Funding Board Resolution 2016-37 and 2007-27

- Progress and sponsor performance on previous grants may be considered by the Recreation and Conservation Funding Board 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.

Eligible Project Activities

For combination projects, 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. See *Manual 5, Restoration Projects* for further information.

Ineligible Project Activities and Elements

Several sources are used to determine project eligibility including Revised Code of Washington 79A.15. The following project elements are ineligible for funding consideration:

- Animal species introduction or propagation, other than biological controls for invasive species, etc.
- Concessionaire buildings or concessionaire space in existing or proposed structures.
- Costs not directly related to implementing the project such as indirect and overhead charges, or unrelated mitigation.
- Crop plantings.
- Environmental cleanup of illegal activities (i.e., removal of contaminated materials or derelict vessels, trash pickup, methamphetamine labs, etc.).
- Fish or wildlife production facilities, such as fish hatcheries for the production of sport fish populations.
- Indoor facilities such as community centers, environmental education or learning centers, gymnasiums, swimming and therapy pools, and ice skating rinks.
- Multi-site acquisition projects.
- Offices, shops, residences, and meeting and storage rooms.

- Operation and maintenance costs.
- Properties acquired via a condemnation action of any kind. On multi-parcel acquisitions, sponsors may acquire those parcels that cannot be purchased from a willing seller via condemnation using only non-WWRP funds. Complete documentation of parcels acquired by WWRP funding versus those acquired entirely by sponsor funds under condemnation must be maintained and available. The value of parcels acquired via condemnation may not be used as part of the matching share. Note that development projects on property previously acquired via condemnation; however, are eligible.
- Specific projects identified as mitigation as part of a habitat conservation plan approved by the federal government for incidental take of endangered or threatened species, or other projects identified for habitat mitigation purposes. Also, see *RCO Manuals 3, Acquisition Projects* and *Manual 4, Development Projects* for exceptions.

Property Requirements

Waiver of Retroactivity²⁶

In most cases, grants may be used only to reimburse expenses incurred during the period of the project agreement. However, based on written justification by an applicant about the critical need to purchase property before the board approves funding, the RCO director may issue a "Waiver of Retroactivity." When needed, applicants should apply for this waiver before acquiring the property. Refer to *Manual 3, Acquisition Projects* for procedural guidelines. Such waivers allow the acquisition costs incurred by the applicant to remain eligible for reimbursement through the next *two* consecutive grant cycles. A waiver normally is sought when an applicant decides that the acquisition might fail if delayed until after the board awards the grant. All such expenditures are made at the applicant's risk. If a grant is not awarded, RCO will not reimburse expenses.

Because RCO is a signature party to the conservation easement, RCO must sign the easement before closing. Remember to build in adequate time for RCO document review, and to consult with RCO on easement wording while still in draft form. In cases where an easement is being acquired while RCO funding is still pending, a clause can be inserted into the easement agreeing to amend RCO out of the easement if funding is not received.

²⁶Recreation and Conservation Funding Board Resolution 2016-37

Landowner Acknowledgement of Application²⁷

As part of any grant application for an easement, the project sponsor must demonstrate that the landowner is aware of the project sponsor's interest in purchasing an easement.

This requirement must be accomplished by completing one of four options as detailed in *RCO's Manual 3, Acquisition Projects*.

Local Review of Acquisition Projects²⁸

Any organization applying for a grant to buy real property or property rights shall review the project application with the counties or cities with jurisdiction over the project area. Applicants must provide written documentation to RCO that the reviews have occurred by the application deadline. Counties or cities may submit letters to the Recreation and Conservation Funding Board identifying their support or disapproval of the acquisition. The board shall make the letters available to the Governor and the Legislature when submitting the Washington Wildlife and Recreation Program project list.²⁹ Applicants must complete this local review for each new application, even if they are re-submitting the same project from a previous grant cycle.

To meet this requirement, the applicant must provide each member of the county commission or city council, as appropriate, all of the following information before the technical completion deadline:

- A cover letter referencing Revised Code of Washington 79A.15.110 and the option for the county commission or city council to send a letter to the Recreation and Conservation Funding Board stating its position on the project.
- The project description as submitted with the grant application.
- A location map and parcel map of the proposed acquisition.

The applicant must provide RCO with a copy of the packet as well.

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

²⁷ Recreation and Conservation Funding Board Resolution 2016-37

²⁸ Recreation and Conservation Funding Board Resolution 2016-37

²⁹ Revised Code of Washington 79A.15.110

Projects on State-owned Aquatic Lands

If a project will occur over or in a navigable body of water, an authorization to use state-owned aquatic lands may be needed.

All marine waters are, by definition, navigable, as are portions of rivers influenced by tides. Navigable rivers and lakes are those determined by the judiciary, those bounded by meander lines, or those that could have been used for commerce at the time of statehood. The Department of Natural Resources' aquatic land managers will help the grant applicant determine if the project will fall on state-owned aquatic lands and provide more information on its authorization process. See the land manager coverage map online at www.dnr.wa.gov/Publications/aqr_land_manager_map.pdf for contact information for the Department of Natural Resources aquatics land managers.

If the project is on state-owned aquatic lands, the grant applicant will need to secure a lease or easement to use those lands from the Washington Department of Natural Resources. The lease or easement may take up to a year to receive. RCO requires the executed lease or easement within 60 days after board funding approval to show control and tenure for the site. The lease or easement is required before the project will be placed under agreement, unless RCO's director approves in advance. Review the control and tenure requirements in *Manual 4, Development Projects* or *Manual 5, Restoration Projects*.

The following online resources may be helpful to review:

- *Grant Projects on State-owned Aquatic Lands* at www.dnr.wa.gov/Publications/em_fs11_018.pdf
- *Leasing State-owned Aquatic Lands* at www.dnr.wa.gov/Publications/em_fs11_019_leasing_soal.pdf
- *Boundaries of State-owned Aquatic Lands* at www.dnr.wa.gov/Publications/aqr_aquatic_land_boundaries.pdf
- *Caring for Washington's Nearshore Environments* www.dnr.wa.gov/Publications/em_fs10_001.pdf

Compliance with the Forest Practice Act³⁰

Property owners must comply with the Forest Practices Act.³¹ RCO will consult with the Washington Department of Natural Resources to determine compliance after an

³⁰Recreation and Conservation Funding Board Resolution 2016-37

³¹Chapter 76.09 Revised Code of Washington

application is submitted. If a parcel in the application is not in compliance, the property owner must correct the violation before RCO issues the project agreement. If the property owner fails to comply with the Forest Practices Act after a conservation easement or lease is acquired, it is a violation of the conservation easement and enforceable by the sponsor and RCO as well as the Department of Natural Resources.

For more information on compliance with the Forest Practices Act, contact the Washington State Department of Natural Resources at (360) 902-1400, fpd@dnr.wa.gov, or www.dnr.wa.gov/programs-and-services/forest-practices/rule-implementation.

Preference for Community Priorities³²

The Recreation and Conservation Funding Board recognizes that interest and commitment to preserve forestlands will vary by community. Communities may exhibit their commitment to forestland preservation through a variety of mechanisms including zoning, adopted strategies for forestland preservation, and dedicated funds to purchase development rights on land.

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 forestlands with a resulting priority list of acquisitions.
- Documented results of a series of community meetings that may have resulted in consensus for forestland preservation.

Baseline Inventory³³

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

³²Recreation and Conservation Funding Board Resolution 2016-37

³³Recreation and Conservation Funding Board Resolution 2016-37

The baseline inventory must be prepared before closing and signed by the property owner and sponsor 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.

Forest Management Plans³⁴

A forest management plan is required and must follow the [Integrated Forest Management Plan Guidelines](#) produced by the Washington State Departments of Natural Resources and Revenue, U.S. Natural Resources Conservation Service and Forest Service, and American Tree Farm System. One of the cooperating agencies listed above approves the plan. Grant recipients are strongly encouraged to include the county assessor in review and approval of any forest management plan.

The maximum allowable cost for development of a forest management plan is \$10,000. If a forest management plan exists for the property, an update to the plan is an allowable cost not to exceed \$10,000.

EXCEPTION: When another funding agency provides matching funds to a WWRP forestland preservation project, the RCO director may approve an alternative plan as long as it meets the intent of the *Integrated Forest Management Plan Guidelines*.

Control of the Land

To protect investments made by the Recreation and Conservation Funding Board and to assure public access to those investments, sponsors must have adequate control of project sites to construct, operate, and maintain the areas for the term required by the grant program and project agreement. This "control and tenure" may be through land ownership, a lease, use agreement, or easement. See *Manual 5, Restoration Projects* for more information.

Building Envelopes³⁵

The concept of a building envelope is common in 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 forest's timber values. For example, if a building envelope is in the middle of a forest to take greatest

³⁴Recreation and Conservation Funding Board Resolution 2016-37

³⁵Recreation and Conservation Funding Board Resolution 2016-37

advantage of a view, this not only will constrain logging, but also encourage estate-type development thereby creating a property value reflective of an estate rather than a forest. 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 forest.

If there are no buildings, the sponsor should consider whether reserving the right to develop a future home site or other buildings would increase the long-term viability of the forest 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.

Locations of building envelopes and allowed improvements must be identified in the conservation easement. The sponsor should identify general locations by the time the project is evaluated so evaluators can consider their impact to the long-term viability of the forest. 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.

Environmental Considerations

Cultural Resources Review³⁶

Governor's Executive Order 05-05, Archaeological and Cultural Resources,³⁷ directs state agencies to review all capital construction projects and land acquisition projects carried out for the purpose of capital construction. Such projects must be reviewed for potential impacts to cultural resources³⁸ to ensure that reasonable action is taken to avoid, minimize, or mitigate impacts to these resources. This applies to all forestland preservation combination projects that involve restoration.

Review Process

- RCO initiates the review process. Using materials submitted as part of the application, including the cultural resource reporting forms, RCO consults with the Department of Archaeology and Historic Preservation and affected Native

³⁶Recreation and Conservation Funding Board Resolution 2016-37

³⁷www.governor.wa.gov/sites/default/files/exe_order/eo_05-05.pdf

³⁸Cultural resources means archeological and historical sites and artifacts, and traditional areas or items of religious, ceremonial, and social uses to affected tribes.

American tribes for a determination of possible impacts to archaeological and cultural resources.

- The outcome of the consultation may require an applicant to complete a cultural resources survey and/or continuation of the consultation process to determine next steps. The consultation must be completed, and a "Notice to Proceed issued," before any ground disturbing activities may occur. Construction started without a "Notice to Proceed" will be considered a breach of contract.

See RCO Manual 5 for additional details.

Invasive Species³⁹

The Washington Invasive Species Council developed protocols for preventing the spread of invasive species while working in the field. The [protocols](#) are on the [council's Web site](#). The Recreation and Conservation Funding Board encourages grant recipients to consider how their projects may spread invasive species, 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.
- Sampling streams and moving water or sediment infested with invasive plants, animals, or pathogens via your 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 on restoration project is twofold: Use materials that are known to be uninfested with invasive plants or animals in the restoration project and ensure equipment is cleaned both before and after construction and restoration. Equipment to clean should include, but not be limited to, footwear, gloves, angling equipment, sampling equipment, boats and their trailers, and vehicles and tires.

³⁹Recreation and Conservation Funding Board Resolution 2016-37

Sustainability⁴⁰

The Recreation and Conservation Funding Board encourages greater use of sustainable design, practices, and elements in grant-funded projects. To the board, “sustainability” means to help fund a conservation project that minimizes impact to the natural environment while maximizing the project’s service life.

Sponsors are encouraged to incorporate sustainable design, practices, and elements into the scopes of projects. Examples may include using on-site materials and native plants.

Requirements and Other Things to Know

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.

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. We recommend applicants contact RCO staff to discuss options for phasing costly, interrelated, or complex project proposals.

Public Access⁴¹

By state law, the acquisition of a property interest does not provide a right of access to the property by the public unless explicitly permitted by the landowner in the conservation easement or other form of deed restriction.⁴²

If a willing property owner, or future property owner, and the sponsor agree to allow public access in the conservation area, such use shall be identified as a permitted use and included in the forestland conservation easement or lease or amended into the

⁴⁰Recreation and Conservation Funding Board Resolution 2016-37

⁴¹Recreation and Conservation Funding Board Resolution 2015-23 and 2016-37

⁴²Revised Code of Washington 79A.15.130(6)

easement or lease 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 Forestland Preservation Category shall consider whether a forestland conservation easement is consistent with a regional or statewide recreation plan.⁴³ Evaluators shall give higher consideration to applications that are consistent with such plans when scoring the other benefits in the “Community Values” evaluation question.

Permitted Uses⁴⁴

The area subject to a conservation easement or lease may contain the permitted uses below as long as they are not inconsistent with the primary and secondary purposes of the forestland program and the designated tax program status as described above. Any foreseen uses that would be inconsistent with the program must be excluded from the conservation easement or lease area.

- Fire defense and other emergencies.
- Forest research.
- Habitat enhancement and restoration.
- Limited building rights for forest management purposes and ranching facilities.
- Limited utilities consistent with forest management purposes.
- Non-timber forest harvest and collection.
- Recreational or educational uses.
- Ranching activities consistent with an approved forest management plan.
- Sale of carbon credits for the purposes of prolonging the life of the timber stand.
- Timber harvest and forest management in accordance with a forest management plan and the Forest Practices Act.
- Use of chemicals for forest management purposes.

⁴³Revised Code of Washington 79A.15.130(12(d))

⁴⁴Recreation and Conservation Funding Board Resolution 2016-37

Prohibited Uses⁴⁵

The following uses are inconsistent with the primary or secondary purposes of the forestland program and are prohibited within the conservation easement or lease area:

- Agriculture.
- Alteration of watercourses, except those required to comply with the Forest Practices Act.
- Commercial feed lots.
- Commercial mining or excavation.
- Commercial signs or billboards unrelated to the forest management purposes of the property.
- Construction of new buildings, structures, or improvements, except as permitted above.
- Game farming or game farm animals.
- Hazardous materials disposal.
- Industrial, commercial or residential activities.
- Intentional introduction of nonnative and invasive species.
- Subdivision of the property to smaller parcels.
- Surface or subsurface mineral extraction, except for forest management purposes.
- Third party compensatory mitigation, including wetlands, and other habitat mitigation activities purchased by a third party to offset regulatory requirements.
- Topographic modifications, except for forest management purposes.
- Unregulated use or activity that causes significant erosion or pollution.
- Waste disposal.

⁴⁵Recreation and Conservation Funding Board Resolution 2016-37

- Wireless communication facilities.

Public Disclosure Rules⁴⁶

RCO records and files are public records that are subject to the Public Records Act.⁴⁷ More information about the RCO's disclosure practices is available on the Web site at www.rco.wa.gov/about/public_records.shtml.

Administrative Rule Exceptions⁴⁸

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

- WAC 286-13-110 Income, use of income.
- WAC 286-13-120 Permanent project signs.
- WAC 286-27-040 Does the program have planning eligibility requirements?

Project Area Stewardship and Ongoing Obligations⁴⁹

An RCO grant comes with long-term obligations to maintain and protect the project area after a project is complete. The long-term obligations for the Farm and Forest Account are in state law,⁵⁰ the project agreement, and *Manual 7, Long-term Obligations*. A [template of the project agreement](#) can 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 recipients 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 forestland preservation, for as long as defined in the project agreement. For acquisition projects, the period is determined by the rights that are acquired.

⁴⁶Recreation and Conservation Funding Board Resolution 2016-37

⁴⁷Revised Code of Washington 42.56

⁴⁸Recreation and Conservation Funding Board Resolution 2016-37

⁴⁹Recreation and Conservation Funding Board Resolution 2016-37

⁵⁰Revised Code of Washington 79A.15.030 (9) and Washington Administrative Code 286.27

A conversion occurs when the project area acquired, developed, or restored with RCO grant funding 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.

Easement Compliance⁵¹

The model 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. RCO recommends a project sponsor conduct easement monitoring at least annually. Project sponsors must submit an easement monitoring report to RCO at least once every 5 years.⁵²

Due to the complexity of the 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.

⁵¹Recreation and Conservation Funding Board Resolution 2016-37

⁵²Recreation and Conservation Funding Board Resolution 2010-34

Section 3: Money Matters

In this section, you'll learn about:

- ✓ Funding
- ✓ Match
- ✓ Match requirements
- ✓ Pre-agreement costs
- ✓ Cost increases
- ✓ Getting paid
- ✓ Records

Funding⁵³

Grant Limits

The maximum grant request amount is \$350,000. There is no minimum grant amount.

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.

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).

⁵³Recreation and Conservation Funding Board Resolution 2016-37

Match⁵⁴

Most Recreation and Conservation Funding Board programs require sponsors to match grants to meet statutory requirements, demonstrate a local commitment to the project, and to make funds available to a greater number of projects.

Matching Share⁵⁵

Cities, counties, and nonprofit nature conservancies must provide a one-to-one matching share. Applications that include a higher match than the required minimum receive additional points in the evaluation.

There is no match requirement for the Washington State Conservation Commission.

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.
- Bonds – council or voter
- Conservation futures
- Corrections labor
- Value of the sponsor's expenses for labor, materials, and equipment. See below for details.
- Value of donated cash, equipment use, materials, labor, real property, and services. See below for details.
- Grants, except those from the same grant program administered by the board.⁵⁶ See below for details.

⁵⁴Recreation and Conservation Funding Board Resolution 2016-37

⁵⁵Revised Code of Washington 79A.15.130(9), Recreation and Conservation Funding Board Resolution 2016-37

⁵⁶Washington Administrative Code 286-13-045

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.

Types of Match⁵⁷

Donations and Force Account

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 the definition of forestland and expand existing forestland or stand on their own as a viable forest. 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 refers to use of a sponsor's staff (labor), equipment, or materials. These contributions are treated as expenditures.

Recreation and Conservation Office Grants as Match

Another RCO grant may be used to help meet the match requirements if:

- The grants are not from the same Recreation and Conservation Funding Board grant program.
- Only elements eligible in *both* grant programs are counted as the match.

⁵⁷Recreation and Conservation Funding Board Resolution 2016-37

- Each grant is evaluated independently and on its own merits, as if the match were coming from elsewhere.
- Except for *federal agencies, state agencies and Native American tribes*, at least 10 percent of the total project cost is provided in the form of a non-state, non-federal contribution.

For evaluation scoring purpose, an RCO grant used as match will not count toward the award of matching share points.⁵⁸

Other Grants

In some cases, a sponsor may use funds awarded from a separate grant program as its match. For example, federal forest easement program grants might be used to match forestland 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 you determine if the source is compatible with Recreation and Conservation Funding Board grants.

Third Party Match

Cash spent on restoration 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 determined 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 restoration, 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.

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.

⁵⁸Resolution 2014-06

Match Requirements⁵⁹

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

All matching resources must be the following:

- An integral and necessary part of the approved project.
- Part of the work identified in the application and project agreement.
- For eligible work types or elements.
- Committed to the project.

The Recreation and Conservation Funding Board adopted evaluation criteria to encourage applicants to contribute matching shares. Applicants should carefully review the evaluation instrument to determine if this applies to your project.

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 measure. This certification is due at least 1 calendar month before Recreation and Conservation Funding Board action.⁶⁰ The forms and deadlines for certifying match are on the RCO Web site.

RCO may declare projects ineligible if there is no guarantee 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.

⁵⁹Recreation and Conservation Funding Board Resolution 2016-37

⁶⁰Washington Administrative Code 286-13-040(3)

Getting Paid⁶¹

RCO does not pay the grant up-front, except in rare cases. Grants are paid to sponsors as reimbursements for their expenditures, and are based on percentages in the project agreement.

RCO will not reimburse more than the sponsor's out-of-pocket costs. 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.

Complete reimbursement procedures are found in *Manual 8, Reimbursements*.

Pre-agreement Costs⁶²

RCO may reimburse sponsors for certain allowable expenses incurred before the start date of a project 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 project 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

Cost Increases

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. Also, the Recreation and Conservation Funding Board will not reimburse more than the sponsor's actual expenditures.

⁶¹ Recreation and Conservation Funding Board Resolution 2016-37

⁶²Washington Administrative Code 286-13-085

Records⁶³

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.

⁶³Recreation and Conservation Funding Board Resolution 2016-37

Section 4: Project Evaluation

In this section, you'll learn about:

- ✓ Project evaluation
- ✓ Evaluation criteria by category

Project Evaluation

How Project Evaluation Works⁶⁴

Project evaluation⁶⁵ is based on a set of questions adopted by the Recreation and Conservation Funding Board. The board develops the questions through a public process from statutory and other criteria. The evaluation questions are below.

Grant applicants present their proposed projects to the Forestland Preservation Advisory Committee in person by responding to evaluation criteria in PowerPoint presentations. While evaluation meetings are open to anyone, they are not public hearings. Only the applicants and their partners may address the advisory committee.

There are two sections to the evaluation criteria: advisory committee-scored questions and RCO-scored questions. In the first section, the advisory committee uses subjective criteria to score each project. Scores are based on each applicant's response to evaluation questions, graphics presented during the evaluation meeting or included in the application, and summary application material made available in advance of the project's evaluation. Scoring is by confidential ballot.

In the second section, RCO staff scores the match criterion based on material submitted by applicants.

⁶⁴Recreation and Conservation Funding Board Resolution 2016-37

⁶⁵Washington Administrative Code 286-04-065

Scores from sections one and two are combined for a project's total score and a preliminary ranked list is created.

The director provides the preliminary ranked list to the Recreation and Conservation Funding Board in the fall of even-numbered years.⁶⁶ The board approves the preliminary ranked list in an open public meeting and submits it to the Governor and Legislature as part of RCO's budget request. After the Legislature authorizes funding, the board awards grants to the ranked projects in an open public meeting.

Advisory Committee

RCO manages the Forestland Preservation Category with the assistance of standing advisory committees. The advisory committee's roles are to recommend policies and procedures to RCO for administering grants and to review, evaluate, and score grant applications.

In recruiting members for the Forestland Preservation Advisory Committee, RCO seeks to appoint people who possess a statewide perspective and are recognized for their experience and knowledge of forestland preservation and management in Washington. RCO staff do not participate on the committee as members but do staff the committee and moderate application evaluations.

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

Check RCO's Web site for membership and other details at www.rco.wa.gov/grants/advisory_cmte.shtml.

⁶⁶A prioritized list of applications is due to the Legislature by November 1, 2017, for the first year of the program as required in Section 12 of Chapter 149, Laws of 2016. Thereafter, the list will be provided by November 1st of even numbered years as required in Revised Code of Washington 79A.15.130(14).

Evaluation Criteria

Forestland Preservation Category

Scored by	#	Evaluation Criteria	Maximum Score	Percent of Total
Advisory Committee	1	Viability of the Site What is the viability of the site for commercial timber production?	15	38%
Advisory Committee	2	Forestland Stewardship What stewardship practices beyond the Forest Practices Act are in place that support timber production or provide ecological benefits? What is the experience of the applicant to monitor the conservation easement to ensure the forest stewardship activities proposed are realized?	10	25%
Advisory Committee	3	Threat to the Land What is the likelihood the land will be converted to some other use than forestland if it is not protected?	8	20%
Advisory Committee	4	Community Values How will protecting the land for timber production provide benefits to the community? Do the community and area Native American tribes support the project?	6	15%
RCO	5	Match	2	5%
		Total Points	41	100%

Detailed Scoring Criteria for Forestland Preservation⁶⁷

Advisory Committee Scored

- 1. Viability of the Site** – What is the viability of the site for commercial timber production?
 - What are the major tree species and their size, age, and condition?
 - What is the long-term forest management strategy? Will it result in ongoing commercial timber production?
 - Is there enough income generated on the property to sustain the long-term forest management strategy goals?
 - How many acres is the area proposed for conservation? Evaluators provide a preference for larger areas.

▲ Point Range: Score 0-15 points based on the viability of the site for commercial timber production.
- 2. Forestland Stewardship** – What stewardship practices beyond the Forest Practices Act are in place that support timber production or provide ecological benefits?⁶⁸ What is the experience of the applicant to monitor the conservation easement to ensure the forest stewardship activities proposed are realized?

Examples of stewardship that achieve sustainable forest management include practices in accordance with any of the following:

- Integrated forest management plan
- Forest stewardship plan (approved by the Washington Department of Natural Resources)
- Conservation activity plan (National Resources Conservation Service)
- Tree farm management plan (Washington Tree Farm Program).

Ecological benefits include clean air, clean water, storm water management, wildlife habitat, carbon sequestration, and other benefits. Examples of stewardship that achieve ecological benefits include the following:

⁶⁷Recreation and Conservation Funding Board Resolution 2016-37

⁶⁸Revised Code of Washington 79A.15.130(12)(f)

- Managing for wildfire
- Managing the spread of invasive species
- Managing for forest health and climate change
- Obtaining a third party certification (e.g., Sustainable Forestry Initiative, Forest Stewardship Council, American Tree Farm System)
- Demonstrating an estimate of the amount of biological carbon stored in trees and understory plants
- Efforts to protect state priority plant and animal species and ecosystems
- Flood reduction and floodplain connections
- Removal or correction of fish passage barriers
- Dedication of stream and wetland riparian areas larger than the minimum requirements in the Forest Practices Act

▲ Points Possible=0-10.

- 0 points There are no specific stewardship practices in place and the applicant has minimal experience managing easements or leases.
- 1-4 points There are one or more stewardship practices planned and the applicant has moderate experience managing easements or leases.
- 5-8 points There are one or more stewardship practices in place and the applicant has strong experience managing easements or leases.

BONUS POINTS

- 1-2 points Voluntary stewardship practices described will be included in the terms of the conservation easement or lease if the project is funded.

3. Threat of the Land – What is the likelihood the land will be converted to some other use than forestland if it is not protected?⁶⁹

Score the question based on the severity of the threat that the property will be converted to some use other than forestland within the next 5 years. Threat may include lack of protection of the land, landowner circumstances, adjacent land uses, zoning supports ability to develop the land, or other conditions.

▲ Possible Points=0-8.

0 points Low likelihood it will be converted to another use.

1-4 points Medium likelihood it will be converted to another use.

5-8 points High likelihood it will be converted to another use.

4. Community Values – How will protecting the land for timber production provide benefits to the community? Do the community and area Native American tribes support the project?⁷⁰

Preference is provided to projects that are identified in community planning efforts in one or more of the following ways:

- Is the project recommended in a limiting factors analysis or critical pathways analysis?
- Is the project recommended in a watershed plan developed under Revised Code of Washington 90.82 or other planning effort?
- Is the project recommended in a conservation plan (other than a habitat conservation plan required under the Endangered Species Act)?
- Is the project recommended in a coordinated region-wide prioritization effort?
- Is the project consistent with a regional or statewide recreational or resource plan and does it provide public recreational access?
- Is the project consistent with the local comprehensive plan as forestland of long-term significance or other local planning effort?

⁶⁹Revised Code of Washington 79A.15.130(12)(c)

⁷⁰Revised Code of Washington 79A.15.130(12)(a), (b) and (d)

- Does the project assist in the implementation of a local shoreline master plan updated according to Revised Code of Washington 90.58.080?

Benefits to the community also may include the following:

- Creation or protection of jobs
- Support for local mills
- Viewshed and scenic beauty
- Research and educational opportunities

Support from the community and Native American tribes may be demonstrated by letters of support or donations to assist with implementing the project.

▲ Possible Points=0-6.

0-2 points The project will provide few additional benefits to the community.

3-4 points The project will provide many additional benefits to the community.

Bonus Points

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

RCO Scored




- 5. Match** – Is the applicant providing additional match above the minimum requirement?

▲ Possible Points=2.

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.

Appendix A: WWRP Funding Formula

45%		45%		10%	
Habitat Conservation Account		Outdoor Recreation Account		Farm and Forest Account	
					
Categories					
35%	Critical Habitat	30%	Local Parks <i>40%-50% must be acquisition</i>	90%	Farmland Preservation
25%	Natural Areas			10%	Forestland Preservation
15%	Riparian Protection	10%*	State Lands Development and Renovation		
10%*	State Lands Restoration and Enhancement	30%	State Parks <i>40%-50% must be acquisition</i>		
15%	Urban Wildlife Habitat	20%	Trails		
		10%	Water Access <i>75% must be acquisition</i>		
	*or \$3 million, whichever is less		*or \$3 million, whichever is less		