

Nonhighway and Off-road Vehicle Activities Program Landowner Agreement for Maintenance Projects

This agreement, dated and effective beginning the ____ day of _____, 20 ____ is made and entered into by and between the landowner and project sponsor (sponsor) identified herein. The parties intend that all terms of this agreement shall remain in effect during the period of performance in the Recreation and Conservation Office (RCO) project agreement and shall be binding during this time.

Parties to the Agreement

Landowner / Landowner Organization

Sponsor

Authorized Representative

Authorized Representative

Title

Title

Address

Address

City, State, Zip

City, State, Zip

Purpose

The purpose of this agreement is to describe the terms, conditions, and obligations agreed upon between the sponsor, who is undertaking a project administered through the RCO, and the landowner, who owns the property on which the project will take place.

The sponsor and landowner mutually agree to the scope of work described below on lands owned by the landowner in Section _____, Township _____, and Range _____, in County, State of Washington. The undertaking is described in, and subject to RCO Project Agreement Number _____ into which this Landowner Agreement, once signed by both parties, becomes incorporated herein.

Scope of Work

Insert description of project's scope of work including the activities, frequency, and seasons.

Recitals

The sponsor agrees to:

1. Obtain necessary permits, satisfy the State Environmental Policy Act, and comply with all applicable federal environmental regulations, including the National Historic Preservation Act, the Endangered Species Act, the Clean Water Act, the Clean Air Act, and other state and local environmental requirements for the scope of work described in the project agreement.
2. Provide the landowner with a timeline for maintenance activities that includes the start and completion dates and proposed dates for key project activities.
3. Provide the landowner with periodic progress updates.
4. Conduct the project-related activities described in the project description and incorporated by reference to this agreement.
5. Leave all remaining portions of the property in as near pre-project condition as reasonable, or as otherwise agreed upon in writing in advance with landowner.
6. Notify the landowner when the project is complete.
7. Hold harmless the landowner from any liability associated from injuries or damages occurring to workers implementing the project.

The landowner agrees to:

1. Provide reasonable property access to the sponsor to plan, implement, and complete the project as described in the project agreement.
2. Allow review of the project area for impacts to archaeological and cultural resources under the appropriate regulatory context.
 - Private and Local Government Landowners: Pursuant to Executive Order 05-05, unless exempted by RCO, the review requires consultation with the Washington State Historic Preservation Office and interested Native American tribal

governments. The lead agency for conducting the review and consultation is RCO.

- State Owned/Managed Lands: If the landowner is a state agency, the landowner certifies that the project will be reviewed in accordance with Executive Order 05-05, and any land agency policy. Documentation of compliance is required.
 - Federal Land: If the landowner to this agreement is a federal agency, the landowner certifies that the undertaking in the project's scope of work is, or will be, appropriately reviewed and documented as required by the National Environmental Policy Act and Section 106 of the National Historic Preservation Act of 1966 (16 USC 470) before commencing work. Documentation of compliance is required.
3. Allow public use, of trails and trailside facilities maintained through this project, at reasonable times of the day and year for the term specified above without regard to age, disability, gender, sexual orientation, income, race, or religion.
 4. Provide the sponsor and RCO, or their employees, agents, representatives, or assignees, the right to enter the land, at reasonable times to monitor progress, management, and maintenance of the project area.
 5. Notify the sponsor of changes in ownership of the property on which the project is located within 30 days of transfer. In the event of such transfer of ownership, the landowner shall provide a copy of this agreement to the succeeding owner prior to such transfer.

This agreement does not convey or transfer property interests to the sponsor or the RCO.

IN WITNESS WHEREOF, the parties have executed this agreement.

Sponsor: _____

Date: _____

Landowner: _____

Date: _____

Provide a copy of this agreement, and any amendments to this agreement, to the Recreation and Conservation Office, PO BOX 40917, Olympia, WA 98504-0917.