Private Forest Accord (PFA) Grant Program

Conservation Easement Application

Project & Property Administration Overview

- **Property Size:** State the total acreage of the parcel under consideration. If only a portion is being encumbered by the easement, clarify the split.
- **Physical Address:** Provide the full physical situs address of the property, including city, county, and zip code, if assigned.
- **Tax Lot & Legal Description Details:** Provide all county tax lot identification numbers, along with the full legal description (including Section, Township, Range, etc.).
- **Property Owner of Record:** Identify the current legal fee-title owner(s) of the property, including entity status if corporate or a trust.
- **Property Manager / Operational Contact:** Identify the designated individual responsible for day-to-day land operations, maintenance, and field-level inquiries. List their name, title, and contact information.
- **Proposed Conservation Easement Holder:** Identify the PFA Grants eligible organization that will formally accept, hold, and enforce the conservation easement in perpetuity.
- **Target Closing Schedule:** Identify the closing month and year for the real estate transaction.
- **Project Performance Timeline:** State the anticipated project start date and end date that will be recorded on the agreement with ODFW PFA Grants and the Grantee. ***All projects for Easement will have 18 months to record a conservation easement following the execution of the Grant Agreement. ALL PROJECTS MUST BE FULLY COMPLETED WITHIN 5 YEARS OF AGREEMENT EXECUTION DATE.***
- **Exclusions, Carve-Outs, and Reserved Rights:** Detail any portions of the overall property parcel that will be excluded from the Easement. Describe any specific real property rights reserved by the seller or part of the ownership not covered by the terms of the easement.
- **Current Land Use & Zoning Classification:** Describe the current primary use of the property and its formal county designated zoning classification.
- **Property Tax Status & Deferrals:** State whether the property is currently enrolled in any property tax deferral, special assessment, or exemption program, and clarify whether that legal status will continue post-conservation easement.

Property Boundaries and Maps

> **MANDATORY SPECIFICATIONS:** ***All maps must include standard cartographic elements: a clearly oriented north arrow, an accurate scale bar, and a comprehensive legend mapping all symbols and boundary colors.***

- **Assessor Property Report Upload:** Attach the most current version of the official county assessor's property summary report for all tax lots/parcels included within this grant application.
- **Preliminary Title Report & Exception Analysis:** Upload a comprehensive preliminary title report for the subject property. For each identified title exception (excluding any standard regional boilerplate exceptions), explicitly discuss how that specific exception affects the underlying conservation values discussed within the conservation easement, which exceptions will be legally allowed to remain, and which will be eliminated prior to closing, including the specific legal mechanism for removal.
- **Close-Up Aerial Boundary Map:** Upload a high-resolution close-up aerial map clearly illustrating the precise project area and exact property boundaries. The map must explicitly show the general locations of all rights-of-way or easements noted on the title report, any land area to be withheld/reserved by the seller, and the general footprint of any proposed restoration activities.
- **Regional Landscape Context Map:** Upload a macro-level, zoomed-out landscape map illustrating the property location relative to nearby cities, public roads, major river systems, or any other recognizable geographic features. The map must clearly show adjacent land uses of potential concern, nearby protected public/private lands, priority native habitat areas, and any documented wildlife migratory corridors.

Scope of Work

- **Detailed Scope of Work & Deliverables Table:** Provide a complete, step-by-step breakdown of each project task in the Objective and deliverable tables . Identify the specific entity/person responsible for each milestone, and the deliverables produced. Explicitly justify how each individual task directly contributes to achieving your stated objectives (Maximum 5,000 characters).
- **Future Conditions:** Describe the desired future condition of the property once protected, identifying specific species and life stages expected to benefit, the ecological functions maintained or enhanced, and the anticipated biological timeframe over which these outcomes will result in (Maximum 3,000 characters).
- **Project Sequencing & Scalability:** Is this project a standalone action or part of a larger, multi-phase, ongoing conservation effort? If part of a larger focus, describe exactly how this specific conservation easement fits into the broader sequence of focused restoration or protection (Maximum 1,000 characters).

- **Risk Analysis, Assumptions, & Constraints:** Outline all underlying assumptions or physical/legal limitations that could impact your ability to achieve the project objectives and deliverables. These must address ecological or geographic factors, surrounding land-use restrictions, public concerns, potential transactional delays, or external environmental influences. Detail your active management strategies to mitigate these challenges if they arise (Maximum 4,000 characters).

- **Climate Change Resilience:** Does your project actively accommodate or address the anticipated local effects of climate change? If yes, explain exactly how the design and future management approach will be climate-resilient (Maximum 1,000 characters).
- **Applicant Managing Experience:** Briefly summarize the primary applicant organization's direct experience managing projects of this scale and complexity. Highlight past projects where your team successfully executed similar conservation easement strategies. Describe how explicit lessons learned from completed regional projects or relevant localized monitoring studies have actively informed the development, approach, and design of this current project (Maximum 1,500 characters).
- **Property Historical Background & Cultural Resources:** Detail the documented historic use of the land. Are there any known or presumed historical cultural uses of the property? Are there verified or suspected cultural resources or archaeological sites present? (Maximum 2,500 characters).
- **Relocation of displaced persons:** Are there any current or potential residential or business tenants on the target property? If yes, please answer the following:
  1. List all current or prospective tenants on the property.
  2. Describe your plan to coordinate with PFA Grants on estimating relocation costs and allowing tenants to remain on the property until statutory obligations are met.

     ***Reminder**: Attach a fully executed Landowner Acknowledgement Form confirming the voluntary nature of the sale. Reference the Grant Guidelines “Relocation Procedures” for the full policy.
     (Maximum 2,500 characters).

Real Estate, Due Diligence, & Legal Framework

- **Current Status of Landowner Negotiations:** Describe the current status of transactional negotiations with the landowner. Clarify whether initial contact has occurred, if formal terms have been put forward, whether a purchase price has been negotiated, and if the property is on the open market or if the sponsor is dealing exclusively with the owner. (Maximum 2,500 characters).
- **Purchase and Sale or Option Agreements:** Does the project sponsor currently hold an executed purchase and sale agreement or an active legal option agreement with the landowner?
  - (Yes/No). If yes, provide a summary of terms and upload the full document. (Maximum 2,500 characters).

- **Landowner Retained Rights & Activities:** For the proposed conservation easement, list all specific real property rights, development rights, or land uses the landowner intends to retain within the property boundaries (e.g., specific building envelopes, active cattle grazing, commercial farming, or mineral extraction). (Maximum 2,500 characters).
    - **Appraisal Methodology & Strategy:** Describe exactly how your project will meet the appraisal requirements established by the PFA Grant Program for conservation easement valuations. Provide a Detailed Valuation Support Document (Valuation Support Statement or Appraisal Review Summary with the application if possible. (Maximum 2,500 characters).
- **Property Rights & Third-Party Encumbrances:** Answer each of the following:
  • Mineral Rights: Do all subsurface mineral rights accompany this transaction? If not, what legal steps will be taken to ensure third-party mineral rights will not disrupt the conservation purposes? Do you intend to negotiate for the purchase or reacquisition of these subsurface rights?
  • Utility Rights-of-Way: Are there any above-ground or below-ground utility easements on the property, and will they interfere with future land habitat management? If so, how?
  • Flood Protection & Levee Rights: Are there any levee or flood protection rights held by a third party? Do these rights include the legal ability to extract soil, gravel, or materials from the property?
  • Irrigation Districts: Does an irrigation district or municipal water entity own any active or abandoned infrastructure, canals, or water delivery facilities on the parcel?
  (Maximum 5,000 characters).

- **Environmental Site Hazards & Contamination:** Provide detailed answers to the following hazard due diligence questions:
  • Phase I ESA: Has an independent Phase One Environmental Site Assessment been performed on the property within the past 12 months? If so, attach the report. If not, indicate the exact date when the assessment is scheduled to occur.
  • Contaminants & Tanks: Are there any known environmental issues, toxic soil/water contaminants, or active/abandoned Underground Storage Tanks (USTs) on site? Detail any past environmental cleanup activities.
  • Surface Debris: Describe all surface debris present on the property (e.g., abandoned vehicles, historical farm equipment, storage barrels, construction waste, or illegal dumpsites).
  • Off-Site Hazards: Are there any severe environmental hazards in the immediate surrounding area that may migrate or affect this site (e.g., adjacent Superfund site, regional landfill, etc.)?
  (Maximum 5,000 characters).

Water Rights

Does the property have formal water rights or certificates (surface water, groundwater/wells, or both), and have they been put to legal beneficial use within the last

five consecutive years to maintain active standing; if so, detail their historical uses and explain how the proposed conservation easement will structurally impact them, including any plans to legally modify, transfer, or split certificates, along with any associated requests for financial compensation or modification assistance?

Property Management Plan

- **Property Management Plan:** Upload the draft property management plan.
  - **NOTE:** Final Property Management plans are due 18 months after the closing date of the Conservation Easement.

Easement Holder Capacity & Eligibility

- **Eligible Holder Legal Entity Type:** Identify the proposed holder to accept a conservation easement through the PFA Grants Program:
  • The State of Oregon
  • Counties / Cities / Municipalities
  • Metropolitan service districts
  • Soil and water conservation districts (SWCD)
  • Park and recreation districts
  • Qualified Non-profit / Land Trust (List Name & attach official IRS 501(c)(3) Determination Letter)
  • Eligible Indian Tribe (as defined in ORS 97.740)
- **Conservation Easement Template:** Please describe any sections of the Template Conservation Easement that either the Landowner (Grantor) or Applicant (Grantee) has concerns about or is requesting to remove. Include the specific page and subsection numbers along with a brief explanation of each concern and what you want removed.
- **Legal Authority & Organizational Capacity:** State the exact legal authority under which the entity operates. Provide a detailed description of the entity's past experience, staffing level, and organizational capacity to hold, monitor, and legally enforce conservation easements. (Maximum 2,5000 characters).
- **Dedicated Stewardship Resource Vetting:** Does the holding entity possess legally dedicated financial resources for the permanent stewardship and enforcement of this conservation easement? If yes, describe how they are restricted or dedicated. If they do not possess these resources, explain how the holder will guarantee adequate enforcement capacity in perpetuity. (Maximum 2,5000 characters).
- **Monitoring & Violation Management History:** If the entity is already a conservation easement holder, confirm whether it has successfully monitored all of its existing easements annually. If any have been missed, provide a justification. Provide the organization's official written policy for identifying, managing, and legally curing easement violations. (Maximum 2,5000 characters).
- **Land Trust Accreditation Status:** If the proposed holder is a non-profit land trust, state whether they hold formal accreditation from the Land Trust Accreditation Commission. If they

are not accredited, describe the specific measures being taken to meet accepted community standards for stewardship and enforcement. (Maximum 2,5000 characters).

Project Schedule

- Complete the following table to the best of your ability at this time. If selected for funding, a fully completed final project schedule table will be required and attached to the Grant Agreement prior to execution.

KEY GRANTEE ACTIONS	ESTIMATED COMPLETION DATE, INCLUDING APPROVAL	Comments
Submit Permits and licenses information		
Submit Binding purchase agreement		
Submit Full and Final Appraisal		
Submit Environmental site assessment		
Submit Resolution of title matters		
Submit Survey and legal description		
Submit Confirmation of legal and sufficient access		
Submit Water rights analysis		
Submit Conservation easement		
Submit Baseline inventory		

documentation		
Submit ALTA title insurance Policy commitment		
DOJ review of Project materials		Allow up to 6 weeks for final DOJ review of Project materials
Submit Updated preliminary title report		
Submit Fiscal documentation		Allow up to 2 weeks for fiscal review
Property Closing Date		
Submit Property management plan		18 months after effective date of the Conservation Easement.
Submit Site stabilization		24 months after actual date of property closing
Submit Annual Project Progress Report	Every year on January 31st following the effective date of this Agreement, in perpetuity.	Submit through the online Grant Management System.
Submit Property management plan 5-year updates		Every 5 years in perpetuity

Mandatory Application Attachment Checklist

- Comprehensive Maps
    - Regional Context Map
    - Close-Up Aerial Property Boundary Map (With scale, north arrow, and annotations)
- Complete Copy of the Draft Conservation Easement Document
- Copy of the Conservation Easement
- Draft property management plan (Aligned with PFA guidance)
- Draft (or Executed) Purchase & Sale Agreement or Option Agreement (If available)
- IRS 501(c)(3) Determination Letter (Only applicable if easement holder is a Land Trust)

- Land Use Information Form (Signed by local county planning official)
- Preliminary Title Report (Issued within the last 90 days) & Exception Map
- Signed Landowner Acknowledgement Form (Official PFA template, Appendix A)
- Photographic Site Condition Baseline
- Detailed Valuation Support Document (Valuation Support Statement or Appraisal Review Summary)

Attest that you understand the following:

Yes – I attest to understanding that the following is due during the post-award period and at the time of closing of the Conservation Easement

The following documents are due at the time of application:

- Comprehensive Maps
    - Regional Context Map
    - Close-Up Aerial Property Boundary Map (With scale, north arrow, and annotations)
- Complete Copy of the Draft Conservation Easement Document
- Copy of the Conservation Easement
- Draft property management plan (Aligned with PFA guidance)
- Draft (or Executed) Purchase & Sale Agreement or Option Agreement (If available)
- IRS 501(c)(3) Determination Letter (Only applicable if easement holder is a Land Trust)
- Land Use Information Form (Signed by local county planning official)
- Preliminary Title Report (Issued within the last 90 days) & Exception Map
- Signed Landowner Acknowledgement Form (Official PFA template, Appendix A)
- Photographic Site Condition Baseline
- Detailed Valuation Support Document (Valuation Support Statement or Appraisal Review Summary)

The following documents are due post award

- Phase I Environmental Site Assessment (ESA) Report
- Full and Final Appraisal Report
- Final Approved Baseline Inventory Documentation
- Final property management plan – Due 18 months following the date of execution of the Conservation Easement
- Draft Escrow Closing Instructions and Title Commitment
- Subordination Agreement (If a Mortgage is Present)
- Signed Option Agreement & Memorandum of Option
- USPAP-Compliant Certified Appraisal Report
- Purchase and Sale Agreement

The following documents are due at the time of closing of the Conservation Easement:

- Signed Baseline Inventory Documentation
- Recorded Conservation Easement Deed
- Executed Subordination Agreement
- Final Signed Escrow Closing Instructions
- ALTA Title Insurance Policy Commitment
- Wire Authorization Forms