

Attention:

This is a draft document and may be revised. Use it for reference only until the final version is posted on PFAGrants.com.

Appendix XX: PFA Grant Land Transaction Manual



Fall 2025

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Section 1: Introduction

Oregon Department of Fish and Wildlife (ODFW) funded interests in land must be continued to be used for the purposes specified in the Grant Application. ODFW/PFA Grant Program does not make land transaction grants directly to individual landowners, instead, individual landowners may partner with an eligible entity. In the case of conservation easement projects, the recipient of PFA Grant Program funds (Grantee) is ODFW’s direct partner and is responsible for working with ODFW and, if applicable, the landowner, to develop and implement the project. Conservation easements funded by the PFA Grant Program and related contracts must include certain ODFW-related terms and conditions to ensure that use of the property remains consistent with the purpose of the PFA Grant Program. **The terms and conditions may include the right of ODFW to enforce the conservation easement.**

Where to Get Information

For additional information, or consultation requests, please contact your [local PFA Stream Biologist](#) or the PFA Grant Coordinator, at pfa.grants@odfw.oregon.gov.

This document provides guidance specific to land transaction only. For proposals involving water transactions, please refer to the Water Transaction *Guidance Document* found on PFAGrants.com.

Timeline for project solicitation

The timeline for the most current PFA Grant project solicitation is listed below. This timeline is an estimate and subject to updates, reviews, and revisions.

Annual project solicitation opens.	TBD
Solicitation closes, project proposals due.	TBD
Grant review period	December 2025 – March 2026
PFA Mitigation Advisory Committee project review and recommendations.	March 2026
ODFW staff presents recommendations to the Fish & Wildlife Commission.	Spring 2026.
Anticipated grant awards and contracts.	Dependent the size and complexity of the project, the start date for work on approved projects should be no earlier than April 2026.
Online Application Access/Link:	https://www.grantinterface.com/Home/Logon?urlkey=odfw

Program Contacts

ODFW contact	Contact Areas of Focus
<p>Program Questions PFA.Grants@odfw.oregon.gov</p>	<p>Contact for general inquiries, including specific project questions, project amendments, possible project delays, and application feedback requests.</p>
<p>Tiffany Caldwell – Private Forest Accord Staff Assistant Tiffany.s.caldwell@odfw.oregon.gov</p>	<p>Contact for project reimbursement requests, all reports, and administrative questions.</p>
<p>Andy Spyrka – Private Forest Accord Grant Coordinator Andrew.j.spyrka@odfw.oregon.gov Oregon Department of Fish and Wildlife, Habitat Division. 4034 Fairview Industrial Drive SE Salem, OR 97302</p>	<p>Use for all hard copy mailings.</p>
<p>Private Forest Accord Biologists 6 Regions across the State of Oregon:</p> <ul style="list-style-type: none"> – Klamath Falls Watershed District – Umpqua Watershed District – South Willamette Watershed District – Grande Ronde Watershed District – Mid Coast Watershed District – North Coast Watershed District <p>PFA Biologist Boundaries Map PFA Biologist Contact Information by region</p>	<p>Project development.</p>

Section 2: Eligibility and Costs

The PFA Grant Program provides land transaction grants for future projects that benefit species covered by the [Private Forest Accord Habitat Conservation Plan \(HCP\)](#). Projects must demonstrate meaningful and lasting conservation outcomes and habitat benefits for the covered species. All land transactions must align with the [broader goals](#) of the PFA Grant Program. Proposals should demonstrate the return on investment and justify why the land transaction is the best value for the investment.

All applications submitted to the PFA Grant Program are reviewed annually through a competitive process. The Advisory Committee evaluates and ranks each proposal against all other project types — including implementation, planning, research, and land transaction projects — with all competing for the same pool of funding.

Eligible Land Transaction Types

- **Land Transactions:**
 - **Conservation Easements** on land other than forestland to protect riparian areas
- **Water Transaction Projects**

This document provides guidance specific to land transactions only. For proposals involving transactions, please refer to the *Water Transaction Guidance Document* found at [PFAGrants.com](https://www.pfagrants.com).

Land Conservation Easement

A conservation easement is a voluntary legal agreement between a landowner and a qualified organization that permanently limits the use of the land for conservation purposes and prohibits unrelated or conflicting uses. The following are additional considerations for any conservation easement projects submitted to the PFA Grant Program:

- Any project proposed for Conservation Easements must take place on land other than forestland as defined by ORS 527.620.
- Landowners enter conservation easements voluntarily.
- A formal document outlining the specific restrictions and rights associated with the easement is recorded on the property's title, ensuring its permanence. Once the easement is recorded, it may never be removed without the consent of both the landowner and the easement holder.
- The easement holder must be an eligible entity as defined in ORS 271.715(3) with the expertise and resources to monitor and enforce the easement.
- The easement restricts specific activities on the land to protect its conservation value, including development rights .
- Conservation easements are **permanent** legal restrictions on the land, binding future owners as well.

Eligible Conservation Easement Holders

In accordance with ORS 271.725, conservation easements funded through this PFA Grant Program may only be held by eligible public entities with the legal authority to acquire such easements. These include:

- The State of Oregon
- Counties
- Metropolitan service districts
- Soil and water conservation districts
- Cities
- Park and recreation districts
- County service districts established under ORS 451.410 to 451.610 for the purposes specified in ORS 451.010(1)(a) and (b), and in Washington County for the purpose specified in ORS 451.010(5)

Easements must be acquired by purchase, agreement, or donation. Easements must be located within the jurisdictional boundaries of the acquiring entity and must serve a public interest as determined by the governing body of that entity.

Property for Mitigation

Funds from the PFA Grant Program cannot be used to acquire land and satisfy mitigation obligations.

Future Use

The PFA Grant Program sets deadlines to ensure acquired land is developed or restored for public benefit within a reasonable timeframe. **All projects will have 5 years to be completed.** If unforeseen circumstances cause delays exceeding the standard deadlines, project grantees can request extensions before the initial deadline expires, as an amendment that must be approved by the Department. Extensions are granted based on the project's revised plans and construction schedule. Failure to complete the project within the agreed timeframe or secure an extension will trigger a compliance review by the PFA Grant Program.

Phased Projects

Projects can be complex, multi-year, multi-partner, and require extensive analysis, coordination, and implementation. A project grantee should consider the potential complexity that large-scale or multi-million-dollar projects may create and should discuss phasing with PFA Grant staff. Phased projects are subject to the following criteria:

- Approval of any single phase is limited to that phase. No endorsement or approval is given or implied toward future phases.
- Each phase must stand on its own merits as a viable project.

- Each phase should be submitted as a separate application.

The Advisory Committee and ODFW may consider progress and grantee performance on previously funded phases when making decisions on current proposals.

Project Costs

Only eligible costs are reimbursable under the PFA Grant Program. Projects must include all anticipated costs in the Comprehensive Budget Sheet (Appendix H) at the time of application submission.

Upon submission by the applicant, the application is considered complete, no revisions or late additions will be accepted.

Eligible Costs

Eligible costs include those directly related to securing an interest in land to establish a conservation easement, including associated administrative, legal, technical, and due diligence expenses.

Additional descriptions of eligible costs based on the *Comprehensive Budget Sheet* found in Appendix H are listed below. To avoid confusion:

- List line-item costs as precisely as possible.
- Do not lump charges unless elaborated in the Scope of Work, *Budget Discussion* section.
- Equipment costs may be lumped together in the Comprehensive Budget Template to save space but must be detailed in the *Budget Discussion*.
- **Appendix H, Comprehensive Budget Sheet, is required to be used for all project budgets.**

Applicants are encouraged to carefully consider all cost factors associated with the project before submitting an application. The following is a breakdown of the cost categories in the budget sheet:

Personnel costs (salaries & wages)

Salaries and wages and the associated benefits of grantee employees who are directly engaged in the execution of the grant project, limited to actual time spent on the grant project, including reporting and other grant-specific needs. List all staff by title who will be working on the grant as separate line items and, in the Grant narrative, a short qualification statement for each staff member.

Applicants are encouraged to carefully consider all cost factors associated with the project before submitting an application

Contractual

Direct consultant and contractual services necessary to achieve the grant objectives. Contractual costs include professional and consulting services directly related to achieving the grant goals, objectives, and milestones. List each contract as a separate line item. For all consultants on the project, a brief description of their experience, role in the project, and costs must be discussed in the Grant narrative.

Travel

Costs associated with travel to and from project sites, meetings, conferences, etc., directly related to the grant project. These must be considered reasonable and necessary for the completion of the project. Reimbursement rates will be based on the Grantee's written travel policy if established. If the Grantee does not have set reimbursement rates, they will follow the [United States General Services Administration Per Diem Rates for the State of Oregon](#). Mileage rates shall not exceed those allowed by the IRS. Travel costs may be lumped into one line item.

Land Transaction Purchase Price

This is where the total cost of the land transaction is to be listed in the budget if applicable. ***Indirect costs do not apply to this cost; this is considered a direct cost.***

Supplies

Supplies used in direct support of the project. Supplies include items under \$5,000 per unit cost.

For example, 5 chainsaws at \$1,500 per unit would be considered Supplies.

Equipment

The PFA Grant Program is funded by public resources. To ensure responsible use of funds, all projects proposing equipment purchases exceeding \$5,000 (defined as any singular, tangible asset) must develop a five-year Maintenance and Monitoring Plan (M&MP). This M&MP, outlined in Appendix S: Equipment Maintenance & Monitoring Plan, ensures equipment remains in optimal working order, maximizes lifespan, and continues to serve its intended purpose for five years following project completion.

Grants also will cover the cost of leasing equipment, and the *Budget Narrative* must include a cost-benefit analysis showing the benefit of purchasing equipment over leasing if choosing to purchase. Equipment must be purchased on a competitive basis, and the budget analysis must include a price comparison of comparable alternatives. The grant application must describe the proposed use and maintenance plans for equipment after the grant period.

Indirect Cost Rates

General costs associated with doing the business required to implement the project, i.e., overhead costs. Examples include salaries and benefits of employees not directly assigned to a project; functions such as personnel, accounting, budgeting, audits, business services, information technology, and janitorial, rent, utility supplies, etc. Unless a federally negotiated rate is described and provided in an attachment in the proposed Scope of Work, all indirect costs are capped at a 15 percent rate (15%) of the project costs requested from ODFW associated with the following budget categories:

- Personnel Costs
- Supplies Costs
- Equipment Costs
- Contractual costs

- Note:
 - Indirect for all contractual costs is capped at 15% of the total contract cost.
- Other Costs

All indirect costs must be requested at the time of the application to be considered for funding. Grantee must maintain all indirect costs receipts and records in the event of an audit and review. Any federally negotiated rate accepted by the PFA Grant Program must adhere to the terms, conditions, and eligible budget categories discussed in this section, *Indirect Cost Rates*.

Reference Appendix Q: Indirect Costs Definition and Policy for additional information if requesting any indirect costs.

THE PURCHASE PRICE OF LAND TRANSACTION IS A DIRECT COST.

Pre-Agreement Costs

Pre-agreement costs are costs associated with land transactions incurred before fully executing a project agreement. Some administrative and incidental costs are eligible pre-agreement costs if incurred up to 3 years before the start date of the project agreement.

Pre-agreement costs are limited to the following:

- Incidental costs limited to:
 - Appraisal and appraisal review (Must meet requirements set forth in this document).
 - Baseline documentation—conservation easements only
 - Boundary line adjustments, lot line adjustments, and subdivision exemptions
 - Cultural resources (survey, excavation, on-site monitoring, data recovery, and other costs)
 - Environmental site assessments as described in this manual
 - Land survey (i.e. property boundaries). New legal surveys must be recorded with the county auditor’s office on the property title if the property is successfully acquired with an RCO grant.
 - Preliminary title reports
 - Relocation administration
 - Stewardship plans—salmon recovery grants and Washington Wildlife and Recreation Program Habitat Conservation Account (except State Lands Restoration) and Farm and Forest Account projects only
 - Wetland delineations

All pre-agreement costs incurred must adhere to the requirements in this manual for the costs to be eligible for PFA Grant funding or match. **All pre-agreement costs requests must demonstrate proof of payment to be considered for reimbursement.**

Other Costs

Other costs are those costs incurred when purchasing land or property rights such as conducting due diligence investigations and closing on the transaction. Once an incidental item has been completed, the final document (e.g. appraisal, environmental assessment, relocation plan, etc.) must be submitted along with the invoice requesting reimbursement of the incidental cost item. Other costs should be listed in the Budget Template, under “Other costs.”

The following are eligible incidental costs for land transactions:

- Advance Payment
- Advertising
- Appraisal and appraisal review—one per property
- Attorney fees—document review and drafting, clearing title, and other project related work.
- Baseline documentation—conservation easements only
- Billing preparation
- Boundary line adjustments, lot line adjustments, and subdivision exemptions
- Capacity/project development
- Closing fees
 - Appraisal Fees – Often required by the grantor to determine fair market value
 - Attorney Fees – If directly related to the real estate transaction
 - Boundary or ALTA Surveys – Often required and allowable
 - Broker/Agent Fees – Only if pre-approved and not excluded by the grant terms
 - Due Diligence Costs – Site inspections, appraisals, or hazard assessments, if required
 - Environmental Assessments – Phase I ESA or similar, if required by the funder
 - Escrow Fees – Allowable when using a neutral third party
 - Recording Fees – Fees for recording deeds or other documents
 - Title Insurance – Generally allowable to ensure clear title
- Communication
- Consultation
- Correspondence
- Contract award
- Cultural resources (survey, excavation, on-site monitoring, data recovery, and other costs)
- Cultural resources (survey, excavation, on-site monitoring, data recovery, and other costs)
- Delinquent taxes owed on a property before the date acquired are eligible costs on a case-by-case basis with pre-approval from PFA Grant.
- Demolition of ineligible structures
- Environmental audit recommendations that do not trigger formal cleanup action but will improve the condition and safety of the property such as debris removal, well decommissioning, non-hazardous contaminated soil removal, and other recommended action items
- Environmental audits, chain of title reports, and site investigation such as test pits, test wells, and sample analysis (limited to 10 percent of the appraised market value of the property)
- Fencing
- GIS mapping
- Insurance Costs
- Land Management Plans
- Land survey (i.e. property boundaries).
- Meetings

- Monitoring costs that certify the project is being used and managed to protect HCP covered species and their habitats
- National Environmental Policy Act compliance (e.g. environmental audits, wetland delineations, biological surveys, etc.)
- New legal surveys must be recorded with the county auditor's office on the property title if the property is successfully acquired with a PFA Grant.
- Negotiations
- Noxious weed control
- Post-project maintenance funding requests
- Pre-application reimbursement requests
- Progress report preparation
- Project administration
- Public hearings
- Publication costs
- Relocation for eligible displaced and unhoused residents and tenants when the property is acquired through condemnation (including administration). See the section on relocation for specific requirements and eligible costs.
- Relocation for eligible displaced tenants only when the property is acquired from a willing seller (including administration). See the section on land transaction procedures and information on relocation for specific requirements and eligible costs.
- Room rental
- Site visits
- Signs—boundary, entrance, notices, rules, etc.
- Taxes (administrative goods and services)
- Taxes due at closing (compensating, excise, and pro rata taxes).
- Title reports and insurance—extended title insurance may be approved on a case-by-case basis
- Wetland delineations

Ineligible Costs

Ineligible costs include, but are not limited to:

- Annual property taxes beyond the pro rata taxes due at closing
- Bonus payments
- Ceremonial or entertainment expenses
- Costs associated with fundraising activities
- Costs associated with meeting a mitigation requirement for another project or action (e.g. permit requirement, Federal Energy Regulatory Commission relicensing, Habitat Conservation Plan, legal settlement, etc.)
- Costs of preparing any grant application
- Court costs
- Real estate Commissions, unless specifically allowed
- Damage judgments arising out of land transactions , construction, or equipping of a facility, whether determined by judicial decision, arbitration, or otherwise
- Deficit and overdraft charges, fines, penalties, interest expenses
- Donations or contributions made by the applicant/grantee, such as to a charitable organization or for organizational memberships and professional affiliations

- Indirect costs and costs not directly related to implementing the project such as overhead charges. Reference Appendix Q: Indirect Costs Definition and Policies.
- Landowner liens and lien fees
- Lobbying or legislative activities
- Monitoring costs related to long-term compliance (i.e. conservation easements)
- Option payments
- Owner-requested upgrades or repairs
- Property taxes (except pro-rating of owner paid taxes at closing)
- Publicity expenses (except legal requirements for public notices related to bids, etc.)Purchase of personal property including movable machinery and equipment
- Retroactive costs incurred before execution of the project agreement. See pre-agreement cost information for exceptions
- Speculative costs
 - Expenses that are based on assumptions, estimates, or future conditions **not directly tied to the actual, necessary, and documented requirements** of the transaction.
- Taxes for which the organization involved would not have been liable to pay
- Value of discounts not taken
- Value of personal property, unless specifically approved in advance by the PFA Grant Program and the PFA Advisory Committee.

Additional Budget Considerations

No minimum or maximums exist on funding requests.

More than the Appraised Value

The PFA Grant Program considers appraisal as a professional, independent assessment of a property's fair market value, conducted to determine the amount a buyer should reasonably pay for the land or property being acquired. Appraisals are required to ensure that the purchase price is justified, reasonable, and aligned with public funding requirements.

The PFA Grant Program sets clear guidelines for reimbursing projects when acquiring land for conservation. This ensures responsible use of grant funds and protects public investment. Any project using federal funding must meet the federal guidance for that funding source.

Reimbursement Based on Appraised Value: PFA Grant reimburse project grantees based on the confirmed appraised value of the property. This professionally determined market value establishes the maximum amount PFA Grant will contribute and becomes the benchmark for the project grantee's matching share.

The PFA Grant Program carefully considers both the negotiated price and the appraised value when determining the final reimbursement amount and grant contribution. If PFA Grant denies the request to exceed the appraised value, the project grantee/applicant can still purchase the property at the higher price. However, the additional cost won't be eligible for PFA Grant funding or considered part of the grantee's matching share.

Match

Applicants must demonstrate that they are seeking or have secured an amount of match that is equal to at least **25 percent of the total amount of funds they are requesting from ODFW's PFA Grant Program**. Costs incurred in the same timeframes as described in the Budget section above may qualify as matching contributions, subject to approval by the PFA Grant Program.

Match is defined as additional resources expended to further the proposed grant objectives. Records must be maintained that support the cash match costs within the Grantee's accounting system and be available for audit and review. For third party contributions, the support for the value must be verifiable from Grantee records or the item must be maintained by the Grantee, including documentation of the methods used to determine the value. Match claimed for one grant may not be claimed for any other grant.

Eligible Match Types:

- **Dollar/Cash Match:** Actual cash paid by the Grantee for a service or product. This includes any cash funds that were donated to the Grantee to offset the costs of a specific item.
- **In-Kind Match:** Services or goods that are donated to the project by the Grantee or a third party.
- **Partner Match:** Match provided by project partners, in-kind or dollar.
- **Unsecured Match:** Match funds that are anticipated to be provided.

Ineligible Match Types:

- Other ODFW Grants.
- Cash and in-kind resources that are not necessary to the successful completion of the project and do not complement the proposed objectives.

Applicants must document any anticipated match at the time of the application and note if it is secured or anticipated in the project budget sheet.

Escrow Payments

The PFA Grant Program recognizes the importance of streamlining the land transaction process for projects. While the PFA Grant Program traditionally operates on a reimbursement basis, escrow accounts offer a valuable tool for facilitating a more efficient flow of funds.

PFA Grant understands that Escrow accounts allow grant funds in a secure third-party account in advance of closing. This eliminates the need for project grantees to wait for reimbursement after the purchase is finalized, accelerating the overall timeline.

Escrow Eligibility and Requirements

To utilize an escrow account for a pending land transaction funded by a PFA Grant, project applicants must adhere to the following guidelines:

- **Proactive Planning:** Initiate the escrow payment request well in advance of closing. PFA Grant requires a minimum of 30 days to process the request, with an additional 3-7 business days for the funds to reach the escrow account upon approval.
- **Comprehensive Documentation:** Submit a new billing request within the Online Grant Management system and attach all necessary documentation. This includes:
 - Appraisal and appraisal review
 - Baseline inventory (required for conservation easements only)
 - Buyer's Estimated Settlement Statement demonstrating the deposit of the project grantee's matching share into the escrow account
 - Drafts of the Assignment of Rights (easements/leases)
 - Drafts of the transfer documents (deed, easement, lease)
 - Escrow payment instructions referencing the recording of PFA Grant's Deed of Right or Assignment of Rights, as applicable
 - Hazardous Substances Certification and supporting documentation (checklist or environmental audit)
 - Landowner donation statement (if applicable)
 - Legally binding agreement between the project grantee and landowner (typically a Purchase and Sale Agreement or Option Agreement)
 - Updated preliminary title insurance report
 - Voluntary Acquisition Notice and Just Compensation and Relocation Notice

Escrow Time-Sensitive Considerations

- **Closing Deadlines:** Once PFA Grant deposits grant funds into the escrow account, closing on the property must occur within 45 days. Failure to meet this deadline may result in PFA Grant requesting the return of the funds.
- **Post-Closing Requirements:** Within 60 days of closing, project grantees are responsible for submitting copies of the final executed and recorded documents.

Ineligible Projects

The following is not eligible for funding through the PFA Grant Program

- Land with sufficient revenue producing potential to finance the project's cost.
- Land donated by a third party in lieu of mitigation fees, permit fees, and impact fees required for a development.
- Transfer of development rights.
- Land where exclusive use privileges will be leased,
- Property that is publicly owned.

Grant applicants must clearly outline how they intend to use the property to ensure the intended uses align with PFA Grant funding guidelines. If any part of the property is intended for ineligible activities, this must be detailed in the project applications.

PFA Grant can help exclude ineligible areas from the funded portion of the project. To do this:

- Clearly define the excluded area using a survey or legal description.
- Factor this exclusion into the property valuation process.
- The Deed of Right should clearly outline the PFA Grant-funded portion of the property.

Existing Public Property

Property that already is under public ownership or management is not eligible for PFA Grant funding.

Relocation Procedures

The PFA Grant Program has specific responsibilities under the Relocation of Displaced Persons statutes (ORS 35.500-35.530) and the federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (Uniform Act). Business and residential tenants displaced by a PFA Grant-funded land transactions may be eligible for advisory services and relocation benefits.

The PFA Grant Program is responsible for providing relocation services and benefits in accordance with applicable laws. Relocation costs will be covered by the PFA Grant Program from the original grant awards. Lawful tenants will be eligible for relocation services and benefits when the property is purchased or when they receive a notice to vacate, whichever comes first. **Relocation-related costs incurred by tenants before the eligibility date may not be reimbursed by PFA Grant.**

Additional Eligibility Requirements

Public Access

Land acquired with PFA Grant must be accessible to the public for outdoor recreation. This means regular public access, though it can be limited (like non-motorized access only) depending on the grant program or for protecting sensitive areas. Even undeveloped lands must be open to the public, and while there might not be facilities yet, total exclusion is not allowed. Projects may propose a phased approach for allowing public access, or provide justification as to why only certain areas remain open to the public.

Legal Access

Unless waived by the PFA Grant Program, all property acquired with PFA Grant Funds must have direct legal access to the property. This is crucial for both the project grantee's management and any PFA Grant inspections.

Interim Land Uses

Landowners and tenants can sometimes negotiate with a project grantee to keep using a property for specific purposes, even after the sale. However, these continued uses need prior approval from the PFA

Grant Program. Before finalizing the purchase and taking ownership, the project grantee must discuss any interim land use requests in the project application, reference Appendix D: Land use information form.

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Section 3: Application Requirements

How To Apply

The land transaction grant application is part of [ODFW online grant application system](#). An ODFW Grant Management System username and password are required to access the online application. Refer to the [PFAGrants.com](#) webpage for materials that are required with the land transaction application.

How Applications Will Be Reviewed

Grant applications will be reviewed in accordance with the review process approved by the PFA Advisory Committee. The process will involve evaluations of ecological outcomes, project soundness, organizational capacity, and community benefits and impacts, and possible site visits by the reviewers and/or the PFA Advisory Committee. All applicants should reference the [evaluation worksheets](#), in addition to the material below, to better understand how proposals are reviewed and evaluated.

Land Transaction Review Process & Evaluation Criteria

A technical review team with expertise in land transactions will review proposals. The following Evaluation Criteria will be referenced during the review process:

1. Impact on PFA HCP covered species and their habitat(s):
 - Conservation Value: Importance of the land for wildlife habitat, biodiversity, and ecological health.
 - Ecosystem Services: Benefits provided by the land, such as water filtration, carbon sequestration, and flood control.
 - Habitat Connectivity: Contribution to larger conservation efforts by connecting existing protected areas or creating wildlife corridors.

2. Project Feasibility
 - Landowner Willingness: Commitment of the current landowner to sell or donate the land.
 - Readiness: Stage of project planning and readiness to proceed upon funding.
 - Matching Funds: Availability of matching funds or in-kind contributions from other sources.

3. Strategic Value

- **Alignment with Goals of the PFA Grant Program:** Consistency with the strategic goals and priorities of the PFA Grant Program, reference the most current Open Solicitation Grant Guidelines document.
- **Long-Term Protection:** Plans for ensuring the land remains protected in perpetuity, including legal and management mechanisms.

4. Public Benefit

- **Public Access:** Opportunities for public access and recreation, if appropriate.
- **Community Support:** Evidence of support from local communities, stakeholders, and partners.
- **Educational Value:** Potential for educational and research opportunities.

5. Economic Considerations

- **Cost-Effectiveness:** Reasonableness of the cost relative to the benefits provided.
- **Economic Impact:** Potential positive economic impacts on local communities.

6. Management Plan

- **Stewardship Plan:** Detailed plan for the long-term management and maintenance of the property. Reference Appendix B: Land transaction Management Plan Guidance Document.
- **Capacity:** The capability of the organization to manage and steward the land effectively.

7. Compliance and Legal Aspects

- **Legal Status:** Compliance with relevant laws, regulations, and zoning requirements.
- **Due Diligence:** Completion of necessary due diligence, including environmental assessments, appraisals, title searches, and any other requirements set forth in this Land Transaction Guidance Document.

Management Plan

All applications for land transactions must include a complete management plan at the time of submission. Reference Appendix B: Land Transaction Management Plan Guidance Document.

Applicants for PFA land transaction grants must demonstrate a commitment to long-term stewardship by submitting a **complete management plan** with the project application, which reflects the intended use and conservation strategy for the acquired property. The complete management plan should include the key components outlined in ODFW's Land Transaction Management Plan Guidance and be tailored to the specific property. Refer to **Appendix B: Land transaction Management Plan**.

This plan allows ODFW to evaluate the applicant's proposed approach and the anticipated conservation value of the land transaction.

Good-Standing Requirement

Recipients of ODFW land transaction grants must fulfill all management planning and reporting requirements from existing agreements before qualifying for new funding. **Failure to address outstanding reports may delay new grant agreements and jeopardize completing land transactions.** Furthermore, ODFW can withhold grant funds for closing transactions if a recipient is not in full compliance with all terms of their land transaction grant agreements, including reporting requirements across all ODFW grants they hold.

Landowner Acknowledgement

To ensure landowner awareness and transparency, applications require a completed Landowner Acknowledgement Form, Appendix C. This form confirms the landowner understands applications and related information are public record. It also verifies that the landowner has been informed the purchase hinges on mutually agreed terms and received a written property value estimate with its basis for the estimate.

The grant applicant is required to:

1. **Submit a fully executed Landowner Acknowledgement Form with the grant application.** The form is structured to meet voluntary acquisitions/land transaction requirements. Specifically, to qualify as a voluntary acquisition, the seller must: (i) be advised in writing that the property will not be acquired if negotiations fail; and (ii) be provided with a written estimate of the property value and the basis of that estimate.
2. Inform PFA Grant, in the grant application, of any tenants on the property and cooperate with PFA Grant to determine the estimated time, effort and cost that will be associated with PFA Grant fulfilling relocation obligations, if any, to tenants if the grant is awarded.
3. If the grant is awarded, agree to a condition in the grant that requires the grantee to allow any tenants to remain on the property until PFA Grant has fulfilled its statutory obligations, if any, regarding relocation of displaced persons.

Project Schedule

Applicants must submit a detailed timeline outlining key steps involved in the land transaction, including negotiation timelines for purchase agreements, appraisals, surveys, and title reviews. While the timeline can include pre-application project activities, only eligible expenses incurred on or after the contract project execution date are reimbursable, which is the date of the final signature by ODFW.

Due Diligence

A funding award will be conditioned on certain transaction requirements being fulfilled prior to closing. ODFW will require review of all appropriate due diligence information relevant to the property being purchased, including, but not limited to: appraisals; title reports; environmental site assessments; surveys; rights of first refusal; option agreements; purchase and sale agreements; leases; licenses; rental agreements; permits; easements; security instruments; UCC financing statements; fixture filings; documents pertaining to litigation, encroachments, disputes (including boundary line disputes), or prescriptive rights; a description of any work performed on or use made of the property by parties other than the seller; and other documents and information that ODFW determines are reasonably necessary to review before disbursing grant funds.

If due diligence materials exist at the time of application, they must be submitted with the application. Provided the applicant uploads the following items correctly in the online application system: appraisals and information relating to appraisals, options, purchase and sale agreements, title reports and exceptions documentation, vesting deeds, environmental site assessments, and landowner acknowledgements. Refer to the section on confidentiality, below, for related information.

Section 4: Other Requirements for Each Transaction

Appraisal Requirements

Just Compensation

PFA Grant determines just compensation to landowners based on appraisals and reviews of those appraisals. The project grantee first contracts for an appraisal of the property to determine the market value of the property. Then the project grantee contracts for an independent review of the appraisal to confirm the market value identified in the appraisal.

The Oregon Department of Fish and Wildlife will not pay more than the appraised value for the purchase of any property interest.

Encumbrances

To ensure a precise appraisal of the property, encumbrances (restrictions on ownership) need to be considered. These might differ from what's initially shown on the preliminary title report.

What project applicants must provide:

- **Preliminary title report:** This document details current ownership and any existing encumbrances.
- **Encumbrance documents:** These provide details on the specific limitations associated with the encumbrances. They can typically be obtained from the title company as part of the title report.

Communicate title changes:

- Inform the appraiser of any anticipated changes to the property's title before closing.
- This includes:
 - Encumbrances that will be removed.
 - New encumbrances or reservations created.
 - Any areas which will be reserved from the land transaction.

PFA Grant might require additional information or a new appraisal if the original report doesn't accurately reflect the final encumbrance on the property at the time of purchase. This could delay reimbursement or the release of escrow funds.

Conservation Easement Public Notice & Interest

While not mandatory, applicants seeking to purchase a conservation easement are encouraged to include contact information for neighboring landowners, project supporters/partners, known opponents,

alongside any required parties, in their mailing list. ODFW may utilize this list and GovDelivery to send a public comment notice, along with a newspaper publication in the relevant area. Additionally, the public can attend the PFA Advisory Committee meetings for comment opportunity.

Grantee Insurance Requirements

Land transaction grantees and their contractors are required to carry certain types and amounts of insurance. Refer to Appendix R: Insurance Requirements – Land Transaction.

Permitting

The Grantee must show ODFW they have obtained any necessary permits and licenses from local, state, or federal agencies or governing bodies before any ground disturbance, permits are not required at the time of proposal submission. Applicants are encouraged to have a pre-application consultation with any relevant state, county, or local regulatory agency, including the federal services (i.e., USFWS, NMFS, Army Corps of Engineers, etc.), before submitting an application to ensure that proper permit pathways, timeline, and costs are incorporated into the project application.

Permits do not have to be secured before the project submission, although grantees will have to discuss anticipated permitting pathways in the project application.

It is the responsibility of the Applicant/Grantee to ultimately determine which permits, licenses and General Authorizations are required for the Project.

Other Considerations

Amendments

Any requests for a grant agreement amendment, such as changes to the budget, timeline, or scope of work, must be approved by ODFW. Grantees shall submit requests to the ODFW PFA Grant Coordinator using the Amendment Request form, Appendix I: Amendment Request Form. Changes will not take effect until ODFW has executed a newly signed agreement between both parties with the project amendment attached.

Allowable amendments:

- Scope Changes: Modifications to the activities or objectives of the project.
- Budget Adjustments: Reallocation of funds between budget categories, of 10% of greater, or the need for additional funding.
- Timeline Extensions: Requests for more time to complete the project beyond the original deadline.

Any Grantee requesting an amendment must be prepared to provide a detailed justification why the amendment is necessary, including unforeseen circumstances or changes in project conditions. Amendments usually require approval from PFA Grant staff, and in some cases, the PFA Advisory Committee, the ODFW Director, and the Fish and Wildlife Commission. The level of review may vary depending on the significance of the change and is at the discretion of the Department for denial. Amendments must be submitted at least 30 days prior to the proposed change, and may require a revised budget, project plans, or schedules to accompany the request.

Accounting requirements

The Grantee must maintain an adequate and up-to-date accounting system that adheres to generally accepted accounting principles throughout the term of the grant agreement. ODFW reserves the right to request and audit accounting documents at any time for any reason. The Grantee's records should reflect all transactions, including source documents, invoices, payments, timecards, etc. Grantees should expect an audit and be prepared to respond with up-to-date records.

Advance payments

Based on need and available funding, advance payments may be considered case-by-case at the discretion of the Advisory Committee and ODFW. Applicants must request advance payment in the original project application and detail how and when advanced funding will be used, including any price quotes, expected charges, etc.

Advancement requests cannot exceed 25 percent of the total grant award at any one time, and at least 75 percent must have been spent before requesting another advance payment. Grantees receiving an advance must submit to enhanced reporting and specific benchmarks for performance, as defined in the advancement agreement, or the Grantee risks returning the advanced funds to ODFW. **All advance payments must be entirely spent within 120 days of receiving advance funding, or the Grantee must return the advancement to ODFW.** ODFW recommends that all proposals be prepared if the advancement request is not awarded or is reduced.

Sensitive species considerations

When conducting any ground-disturbing activity, Grantee's must comply with all applicable laws, regulations, restrictions, and recommendations concerning the protection of sensitive species and their habitats. A Grantee may not undertake any work or activities that may adversely affect sensitive species or their habitats. This includes, but is not limited to, construction, land modification, and any other project-related activities. The Grantee is responsible for obtaining and adhering to all necessary permits and approvals and shall implement all required mitigation measures to minimize environmental impacts. Failure to comply with this clause may result in suspension or termination of the grant and require remedial actions at the Grantee's expense.

Grant agreements

Successful grantees must enter into a grant agreement signed by the Grantee and ODFW before any funding from ODFW can be disbursed. Grant agreements detail the Grantee's responsibilities in implementing the project.

If the guidance in this document conflicts with any part of the grant agreement, the grant agreement shall take precedence.

Landowner Acknowledgement Form

For any project occurring on land not owned by the Grantee, a Landowner Acknowledgement Form must be submitted, Reference Appendix C. This form is not legally binding, but it serves to document the landowner's awareness of the proposed work and identifies who will be carrying it out.

Payment of grant funds

Grants are reimbursement-based unless an advance payment is requested. All successful Grantees are required to submit a performance report with each request for reimbursement. Reimbursements and performance reports are required quarterly by each project, even if no fiscal activity occurs. If projects are requiring more frequent reimbursements than quarterly, they should file an advancement request with the application or during the contract creation phase. See *Project reporting and reimbursement* below for more information.

Ten percent of project funds will be held until the final invoice and final report are submitted.

Performance Bonds

ODFW PFA Grant Agreements do not require performance bonds for the Grantee, if the Grantee will be completing the project work themselves. If the Grantee plans to subcontract any portion of the project work, you may be responsible for obtaining performance bonds from those contractors per [Oregon Law and Oregon Revised Statute 279C.380](#).

Project data

Data inventories

Prior to submitting the project completion/close-out report to ODFW, the Grantee must upload all required information to the designated restoration inventory system provided by the Department. Proof of successful submission is mandatory in the final report.

Archaeological and cultural considerations

The Grantee is responsible for meeting any archeological and cultural permit requirements. All projects involving ground disturbance must undergo a review and compliance consultation with the Oregon State Historic Preservation Office (SHPO) to determine if a project will impact properties of historic significance. These include, but are not limited to, prehistoric or historic districts, sites, buildings, structures, objects, artifacts, records, material remains, and traditional, religious, spiritual, storied, or legendary places. To receive reimbursement of funds, all implementation/ground disturbance projects must provide proof of communication with SHPO in either the project application or the first reimbursement request. If SHPO requires certain conditions to be met for the project, the Grantee should contact ODFW immediately. If an inadvertent discovery occurs, the Grantee must follow the procedures in the grant agreement and immediately contact ODFW to develop an action plan.

All applicants are encouraged to consider the proposed project against possible SHPO requirements and incorporate potential compliance costs into the grant application. These costs may include personnel costs, consulting, monitoring, etc. Information on requirements for a project compliance review can be found on the [Oregon State Historic Preservation Office](#) webpage. Additional resources may be found [here](#) and in the *Appendices*.

Grant agreement conditions and important points

1. Projects must provide measurable and realized benefits consistent with the purposes of the PFA Grant Program. Proposals requesting more than \$500,000 should be prepared to present to the PFA Advisory Committee as requested at in person meeting in Fall.
2. No minimum or maximum funding requests exist.
3. Grants can be made only to eligible applicants.
4. Grantees must be able to plan, administer, and complete the project.
5. The Grantee must be responsible for all project permitting and reporting and document this in reports to ODFW.
6. GIS data files supporting the project must be delivered to ODFW in mid-project performance and final project completion reports.
7. All projects must follow the publicity requirements defined in *Section 4* of this procedural guide.
8. Funding will not be reimbursed until an agreement between ODFW and the Grantee is executed. An agreement is not fully executed until it is signed and approved by the Director of ODFW.
9. All projects and activities related to the project must be completed by the expiration date in the grant agreement.
10. No ground disturbance work shall commence until the Grantee satisfies all permit requirements.
11. All educational materials and planning documents created and used for a PFA grant must be submitted to ODFW. ODFW reserves the right to keep copies of these and other submitted materials and use them at its discretion.
12. It is the responsibility of grantees with projects that involve implementation to secure access rights from the landowner for the Grantee to perform work and ODFW to conduct site visits if requested.
13. All projects must follow the project reporting and reimbursement schedule below.

Project progress assessments and reporting

Project reporting and reimbursement

All projects must submit a performance report even if no fiscal activity has occurred on a quarterly basis. Any request for reimbursement or advancement of funds requires a progress report. All performance reports are due within 30 days following the end of the fiscal quarters below, no sooner, no later.

- Quarter 1. Due by April 30
- Quarter 2. Due by July 31
- Quarter 3. Due by October 31
- Quarter 4. Due by January 31 (*following calendar year*)

****If your organization requires funding more frequently than quarterly, it is strongly recommended to request an advance payment during the project application process.***

At a minimum, the progress reports should summarize grant-funded activities since the last submitted report, such as implementation targets met (e.g., barriers removed, stream miles opened, restoration acres achieved, etc.), fiscal expenditures, invoices, proof of payment, project highlights, achieved milestones, and next quarter expectations. See *Appendix J: Performance Report & Request for Reimbursement Form*. Performance reports should also discuss lessons learned, project shortcomings, and any adaptations necessary to keep the project on track, on budget, and on time. Any performance report requesting reimbursement of funds must include proof of purchase, and documentation of any payroll, reference *Appendix F: Expense Reporting Template and Guidance*.

A final project completion report will also be required; a template is provided in *Appendix K: Project Completion Report*. All final reports drafts are due 30 calendar days before the project completion date for review and comment by ODFW. Final reports are due 30 calendar days after the completion of the draft report, as approved by ODFW staff. Applicants should budget time for reporting. ODFW may request a site inspection upon close-out. Applicants should plan for this additional time.

Mid-project performance report

To ensure the effectiveness of public investment, funded projects are subject to a one-time review and evaluation halfway through the performance period. This review and evaluation may replace a standard performance report.

The goal of the Mid-Project Performance Report, *Appendix L: Mid-Project Performance Report*, is for ODFW staff to work with project proponents to assess successes and pitfalls to ensure projects meet their goals. Grantees should plan for this performance review and build the necessary staff time into the project budget. *Appendix N: Mid-Project Performance Report* should be incorporated into project staff costs. Grantees should expect to prepare the following for ODFW staff review. Mid-project reviews should be more comprehensive than performance reports and should include the following:

1. Comprehensive budget update.
2. Update on goals, milestones, and objectives.
3. Overall successes and potential pitfalls.
4. Provide collected data and any data summaries.
5. Match update (if applicable).
6. Demonstrating the ability to complete the project on time and within budget.
7. Option for an ODFW in-person field tour.

To further help determine the status of a project, ODFW staff may request additional clarification, documentation, or a field trip to the project location. If a review suggests a project may not be completed as agreed upon, ODFW staff may work with the project Grantee to amend the grant agreement, restructuring timelines and Grant Activities (*deliverables*) to ensure the original project goals can be met.

Publicity and disclosure of funding source

All projects shall acknowledge project funders on any outreach and educational materials, publications, signs, postings, flyers, press releases, or all other public-facing communications. This statement about grant funds must be included in any public publication:

"This Project was funded in full or part by the Oregon Department of Fish and Wildlife Private Forest Accord Grant Program. A result of a landmark conservation initiative working to conserve Oregon's watersheds for current and future generations."

All published materials (electronic and printed) must also have the ODFW and PFA Grant Program logo and any other logo the Department deems appropriate. The size of the ODFW logo should be comparable to other logos on the published material. A shortened funding statement may be allowed if approved by ODFW staff. Logos should be requested by the Grantee when needed.

Section 5: Confidentiality

The PFA Grant Program understands that information provided in support of a land transaction grant will contain sensitive details. In recognition of this, PFA Grant will endeavor to restrict access to the following documents: title reports and policies, exceptions documentation, and vesting deeds; environmental site assessments; landowner acknowledgements; options; purchase and sale agreements; and supporting documentation regarding the applicant or landowner's financial or sensitive business information.

Applicants should consider that Oregon Public Records law provides that, in general, any document used or retained by a public agency is a public record subject to disclosure in response to a public records request unless an exemption applies. ODFW will make all its public records, not otherwise exempt from disclosure by law, available for inspection during regular business hours as described in OAR 635-001-0301. Many of the exemptions to disclosure in Oregon Public Records law are conditional exemptions where, when presented with a public record request, the public agency must weigh the public interest in disclosure against the agency and public interest in nondisclosure. ORS 192.345 lists the categories of public records conditionally exempt from disclosure in a particular instance. This list includes, but is not limited to, "trade secrets" (192.345(2)), production and business records (192.345(5)), information relating to the appraisal of real estate prior to its acquisition (192.345(6)), and information regarding habitat, location or population of threatened or endangered species (192.345(13)). In the event of a public records request related to any of these documents, ODFW will inform the applicant of the request and will analyze whether public records law requires disclosure.

Section 6: Post-Award

Grant Agreement

The standard form grant agreement and conservation easement templates have been pre-approved as legally sufficient by the Oregon Department of Justice. ODFW does not negotiate changes to the grant agreement and conservation easement templates for individual projects. Applicants are encouraged to review the templates before applying for a grant. The documents are available on the PFAGrants.com webpage.

Applicants conditionally selected to receive funding will be required to sign a standard form grant agreement soon after the Fish and Wildlife Commission awards funds. The release of the grant funds will be conditioned on the grantee meeting the requirements specified in the grant agreement.

Availability of Grant Funds

If the Fish and Wildlife Commission makes a conditional funding award for a project, the funds will be held and made available for that project, consistent with the terms of the grant agreement, while the grantee fulfills the funding conditions.

1. Prior to Closing

Grant funds may be distributed to the grantee, prior to the transaction closing, for due diligence activities, including appraisal, environmental site assessment, survey, title review, the grantee's legal fees incurred, and other customary due diligence activities, provided: (i) the due diligence items or activities are included in the Contracted Services category of the approved project budget; (ii) the grantee obtains the written approval of the ODFW Grant Coordinator prior to incurring the expenses if the expenses are incurred after the grant award; (iii) the due diligence items comply with all applicable grant funding conditions; and (iv) the due diligence items have been reviewed and approved by ODFW. ODFW may require the grantee to meet threshold requirements, such as obtaining an executed option approved by ODFW, before ODFW authorizes due diligence activities for which the grantee will request reimbursement prior to closing. ODFW may require the grantee to conduct certain due diligence in a stepwise manner for the purpose of limiting grant funds that are spent before an identified project soundness concern is addressed.

2. At Closing

Grant funds for purchase of the property interest will be distributed only if the grantee meets all related grant requirements, and only if the purchase closes. If a grantee does not meet the conditions and close the transaction by the deadline, the ODFW must decide whether to extend the closing deadline or rescind the remaining grant funds, which may require additional approval from the Fish and Wildlife Commission.

3. After Closing

If the approved project budget includes funds for preparation of the property management plan or site stabilization activities, those funds will be distributed to the grantee upon completion and ODFW approval of the management plan or stabilization activities.

SECTION 7 – Project application, access link, and submittal instructions

Project application, scope of work and budget

To apply for funding, an applicant must complete and submit online a complete application. Project proposals should be submitted through the [Online PFA Grant Program Submission portal](#), and include at the time of submission the Scope of Work and any required documents or related attachments discussed below in *Submittal Instructions*. Project applications should be prepared to discuss the project type, summarize the budget, and define the primary objectives and metrics for measuring success.

A Grant Guidelines Public Informational Video is available at [PFAGrants.com](#). [Sign up here](#) to receive notice of any updates.

Submittal instructions

All proposed projects must log in to the [Online PFA Grant Program Online Submission portal](#) to create a username and password, more information may be found on the “[How to apply](#)” webpage at PFAGrants.com, and below. All applications will be accepted through the portal starting.

Online Application Link: <https://www.grantinterface.com/Home/Logon?urlkey=odfw>

Once logged in and a user profile is created, applicants can access the documents required for a grant application.

ALL PROJECTS MUST BE SUBMITTED BY Wednesday, November 12, 2025, at 11:59 p.m. The [application portal](#) ([linked here](#)) will close at the deadline, and late applications cannot be accepted. All applicants should request usernames and passwords well before the submission deadline to explore the application system and resolve technical difficulties before the deadline.

All-inclusive Application Deadline

All information submitted in association with the application (including attachments), whether required or optional, must be submitted online with the application, by the application deadline. No material will be accepted separately. All proposals are considered complete and full once submitted. Applications cannot be revised once submitted.

Appendices

- Appendix A: Draft Grantee Agreement – Land Transaction
- Appendix B: Land Transaction Management Plan Guidance
- Appendix C: Landowner acknowledgement form
- Appendix D: Land use information form
- Appendix E: Insurance Requirements – Land Transaction
- *Appendix F: Expense Reporting Template and Guidance*
- Appendix G: Indirect Costs Definition and Policies
- Appendix H: Comprehensive Budget Sheet – Land Transactions
- Appendix I: Amendment Request Form
- *Appendix J: Performance Report & Request for Reimbursement Form*
- *Appendix K: Project Completion Report*
- *Appendix L: Mid-Project Performance Report*

Additional appendices that apply to the entire PFA Grant Program, such as the Scoring and Evaluation Worksheet, can be found at PFAGrants.com.