

# MEMORANDUM

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**Date:** March 28, 2024  
**To:** Chehalis Basin Board Members  
**From:** Nat Kale, Lauren Dennis (Ross Strategic)  
**cc:** Kat Dickey, Celina Abercrombie, Casey Hart (Ross Strategic)  
**Re:** Criteria and process for selecting Dual-Purposed Voluntary Acquisition Program projects

## Dual-Purposed Voluntary Acquisition Program

### Overview of the program

In the 2023-2025 budget, the Chehalis Basin Board approved \$575,000 to launch the Dual-Purposed Voluntary Acquisition Program to award funding to one or more eligible projects in the 2023-2025 biennium. The program gives the Chehalis Basin Board the flexibility to acquire property that is of benefit to the Chehalis Basin Strategy but does not fit perfectly with the priorities of existing Strategy programs. Funding is assumed to help pay for eligible project costs as currently defined by Recreation Conservation Office (RCO) [Manual 3](#) (Section 2), including:

- Direct acquisition and purchase costs for fee or less-than-fee simple ownership rights (e.g., conservation easements)
- Due diligence services, fees, moving expenses, and relocation financial assistance.
- Construction contracting costs, including structure demolition/moving and/or habitat restoration activities.

Funding for other acquisition projects, such as conservation easements and habitat-related land purchases for Aquatic Species Restoration Plan (ASRP), acquisitions or relocations for Community Flood Assistance and Resiliency (CFAR), and acquisitions in the Erosion Management Program, are assumed to be separate and included in their respective programmatic budgets. The following proposed criteria and process does not apply to projects within those programs.

### The role of the Chehalis Basin Acquisition Workgroup

In April 2023, OCB started convening the Chehalis Basin Acquisition Workgroup to provide input on the policy and technical considerations that inform the development of the Dual-purposed Voluntary Acquisition Program and Strategy-wide acquisition guidance. The workgroup is composed of representatives from basin jurisdictions, state agencies, land trusts, and conservation districts. The following program goals, project eligibility and evaluation criteria, and project selection process were developed by OCB staff with feedback from the workgroup for use in the 2023-2025 biennium.

## Program goals

In addition to providing flexibility to pursue voluntary property acquisitions that benefit the Strategy but are not funded (or not funded fully) via the prioritization processes of existing Strategy programs, the Dual-Purposed Voluntary Acquisition Program is intended to:

1. Protect habitat for aquatic species within the Chehalis Basin and restore degraded habitat to improve overall function where possible.
2. Reduce the risk of flood damage, thereby avoiding economic losses and improving safety and well-being for property owners and/or residents.
3. Advance equity where opportunity exists by reducing flood damage and improving the environment for individuals from historically disadvantaged communities in the context of the Chehalis Basin.
4. Support the continued viability of the basin's working lands.
5. Work in concert with local jurisdictions.
6. Acquire the minimum amount of property necessary to meet the above goals, either in area (e.g., fewer acres are usually better than more acres) or in right (e.g., easements are usually better than fee simple purchases).

## Project eligibility criteria

Projects will not be eligible to receive funding for acquisition unless they meet the following criteria. Projects that meet all the eligibility criteria are reviewed against the evaluation criteria; they are not guaranteed funding.

Because this program is funded with Integrated dollars, each acquisition must meet the criteria the Board established for all integrated projects:

- **Intent:** The activity is intended to advance both the habitat restoration and the flood damage reduction goals of the Chehalis Basin Strategy, and its stated intent reflects those dual goals.
- **Expected benefits:** The proposed work will substantially address both habitat restoration and flood damage reduction goals. This does not require an equal emphasis.
- **Indivisible:** The habitat and flood-related elements of the work cannot be easily or meaningfully separated into separate funded activities, or doing so would be detrimental to the success or effectiveness of the work.

Additionally, the following eligibility criteria are established specifically for Dual-Purposed Voluntary Acquisition projects:

- **Sponsor-led:** A sponsor (such as a conservation district, municipal agency, state agency, or land trust) will 1) develop and manage the project, including financial management,

and 2) lead, or identify a partner to lead, long-term stewardship and maintenance of any acquired property.

- **Voluntary:** The landowner of the property for which the acquisition project is intended is interested and willing to sell rights on a purely voluntary basis.
- **Consistent with local goals and ordinances:** The project does not conflict with local ordinances and planning.
- **Best path for maximum benefits:** Acquisition (fee simple or less than fee) would provide a degree of habitat restoration and flood damage reduction benefits that could not be achieved by other alternative project types or activities.

## Project evaluation criteria

Projects that have been determined “eligible” according to the above criteria are then evaluated for their overall benefits to the Chehalis Basin Strategy and the degree to which they fit with the program’s goals, as described in the four criteria below:

CRITERION	DEFINITION
Magnitude/scale of anticipated benefits	A favorable project is anticipated to have significant and measurable benefits for both habitat restoration and flood damage reduction, with 1) documented restoration need and 2) <i>either</i> prior documented flood damage to building structures and equipment <i>or</i> substantial flooding to critical infrastructure (e.g., roads) that poses a significant risk to public safety.
Supported by an existing OCB program	A favorable project is supported by ASRP, CFAR, Erosion Management Program, or flood damage reduction prioritization processes but was not selected for funding or only qualified for partial funding.
Matching external funds	A favorable project has primary or supplemental funding from other sources outside of the Chehalis Basin Strategy.
Anticipated ease of implementation	A favorable project has a sponsor that has identified, and has a plan to address, any issues that would prevent the acquisition from closing.

## Process for project selection

Potential dual-purposed acquisition projects must pass through the following steps to receive funding.

1. OCB staff review project proposals on a first-come, first-served basis to screen for eligibility and conduct an initial evaluation. Staff will coordinate with RCO and other OCB programs to determine program overlap and technical merit (including whether viable alternatives to acquisition exist that could achieve similar or greater habitat restoration and flood damage reduction benefits).
2. OCB staff provide written justification of the initial evaluation to the project applicant. Based on the outcome of the initial evaluation, staff may further engage with Chehalis Basin Board Chair and/or full Board membership.

- A. If a project has an unfavorable initial evaluation and is rejected for funding, OCB staff inform the applicant of the option to revise the application, or direct the applicant to alternative funding sources, if appropriate.
3. If a project has a favorable initial evaluation and is seeking more than \$500,000, OCB staff present the initial evaluation results to the full Chehalis Basin Board to make the final determination to approve or reject the project application.
4. OCB staff notify applicant(s) of final determination of funding.
5. OCB staff communicate project selection results with other programs and entities such as the Flood Authority, CFAR Program, ASRP, and Erosion Management Program as needed to ensure coordination between the selected project(s) and any other related and/or adjacent efforts.
6. OCB staff inform Chehalis Basin Acquisition Workgroup members of project selection for awareness (for 2023-2025 biennium projects only).

Once a project has completed the above steps, OCB staff will guide the project sponsor through contracting and perform necessary State actions, such as cultural resources consultation.

### **Ongoing program learning and updates**

As a new integrated element of the Strategy, the Dual-purposed Voluntary Acquisition Program's criteria and process may be revised periodically based on lessons learned from each biennial funding cycle, as determined by OCB staff. In addition to the coordination noted above, OCB will keep the Chehalis Basin Board informed of notable program updates and accomplishments as they arise.