Recreational Trails 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 landowner in       Section, Township, and Range, in       County, State of Washington. The undertaking is also described in, and subject to RCO Project Agreement Number       into which this 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 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 of estimated dates of project activities, including start and completion dates, and to keep the landowner informed of progress.
3. Conduct the project-related activities described in the project description, as incorporated by reference to this agreement.
4. 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.
5. Inform landowner of project completion and the dates for this agreement.
6. 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 the project area to be reviewed for effects to archaeological and cultural resources pursuant to Section 106 of the National Historic Preservation Act. At minimum, the review requires consultation with the Washington State Historic Preservation Office and interested Native American tribal governments. The lead agency for consultation is the U.S. Federal Highway Administration. 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.
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, P.O. BOX 40917, Olympia, WA 98504-0917.