

# FORTERRA

## RESOLUTION 07122016 OF THE BOARD OF DIRECTORS OF FORTERRA

**Project Names and Numbers:** Wishkah Gardens (15-1109); Chambers Creek Dam (15-1159); Wayne Sammamish Riverfront Phase I (15-1481); Little Skookum Inlet Shoreline (16-1111); Wayne Sammamish Riverfront Phase II (16-1210); South Prairie Creek – Decker (16-1457); Skokomish Confluence Reach Acquisition Phase 2 (16-1485); South Fork Skykomish Acquisitions (16-1632); Rader Road Ranch (16-1634); Hoquiam Surge Plain VI (16-1757); Little Skookum Inlet Estuary & Shore Protection (16-2090).

This resolution authorizes designated Forterra representatives to submit applications for grant funding assistance for salmon recovery projects to the Salmon Recovery Funding Board as provided in RCW 77.85, WAC 420 and subsequent Legislative action.

WHEREAS, under the provisions of the Salmon Recovery Act, state grant assistance is requested to aid in financing the cost of acquisition, restoration, enhancement, planning, and/or monitoring; and

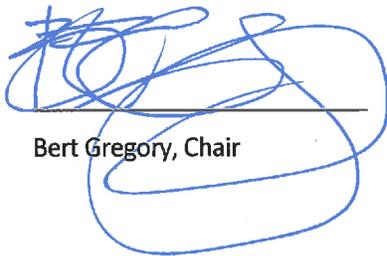
WHEREAS, our organization considers it in the best public interest to complete the project(s) described in the application(s).

NOW, THEREFORE, BE IT RESOLVED that:

1. The President, Executive Vice-Presidents, the Vice Presidents, and/or the Staff Attorney are authorized to make formal application to the Salmon Recovery Funding Board for grant assistance.
2. Our organization has reviewed the sample project agreement on the Recreation and Conservation Office's web site at: <http://www.rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf> and authorizes Gene Duvernoy, Michelle Connor, Tory Laughlin Taylor, Melissa Laird or Adam Draper to enter into such a project agreement, if funding is awarded. We understand and acknowledge that the project agreement will contain the indemnification (applicable to any sponsor) and waiver of sovereign immunity (applicable to Tribes) and other terms and conditions that are contained in the sample project agreement.
3. Any grant assistance received will be used for direct costs associated with implementation of the projects referenced above.
4. Our organization expects our matching share of project funding will be derived from federal, local and/or private funding sources and meets the requirements of WAC 420-12-040. In addition, our organization understands it is responsible for supporting all non-cash commitments to this project should they not materialize.
5. We acknowledge that if the Salmon Recovery Funding Board approves grant assistance for the project(s), the Recreation and Conservation Office will pay Forterra on a reimbursement basis only, except for a specially-approved advance payment. We understand reimbursement basis means that we will only request payment from the Recreation and Conservation Office after we incur eligible and allowable costs and pay them. The Recreation and Conservation Office may also determine an amount of retainage and hold that amount until the project is complete. The Recreation and Conservation Office may approve advance payments in limited circumstances, pursuant to WAC 420-12-060 and the policy outlined in *Manual 8, Reimbursements*.

6. We acknowledge that any property acquired with grant assistance will be dedicated for salmon recovery purposes in perpetuity unless otherwise agreed to by our organization and the Salmon Recovery Funding Board. We agree to dedicate the property in a signed "Deed of Right to Use Land for Salmon Recovery Purposes" for fee acquisitions, or an "Assignment of Rights" for conservation easement acquisitions, to be recorded on the title of the property with the county auditor.
7. We acknowledge that any property acquired in fee title must be accessible to the public unless the Recreation and Conservation Office Director or the Salmon Recovery Funding Board agrees to other restrictions.
8. We acknowledge that any property restored be maintained for a period of ten years after the project is complete, unless otherwise provided and agreed to by our organization and the Salmon Recovery Funding Board.
9. Our organization certifies it is a registered nonprofit corporation with the Washington Secretary of State and has been active in protection and enhancement of natural resources. Should our organization dissolve or disband during the period of this project, we agree to name a successor organization pursuant to Salmon Recovery Funding Board policy.
10. This application authorization becomes part of a formal application to the Salmon Recovery Funding Board for grant assistance.
11. We provided appropriate opportunity for public comment on this application.
12. We certify that this resolution was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that the person signing as authorized representative is duly authorized to do so.

Adopted this 12th day of July, 2016



Bert Gregory, Chair



Patti Case, Secretary