



**COLORADO**

**Parks and Wildlife**

Department of Natural Resources

## **Colorado Wildlife Habitat Program 2020 Request for Proposals (RFP)**

### **Program Information and Proposal Instructions**

April 15, 2020: Colorado Parks and Wildlife (CPW) is pleased to request proposals for the 2020 Colorado Wildlife Habitat Program (CWHP).

**Proposal Deadline: 5:00 pm Monday, May 18, 2020**

After reviewing these instructions, please contact CWHP Manager Amanda Nims with questions at (303)291-7269 or [amanda.nims@state.co.us](mailto:amanda.nims@state.co.us)

### **The CWHP 2020 RFP is composed of three parts:**

#### **Application Part 1 - Funding Proposal:**

Part 1 is where the bulk of proposal information is supplied for CPW's review. Read each question carefully and answer all questions with detailed, specific, and accurate information in the space provided. Limit answers to the specific question asked in the space provided, and leave no questions blank. If a question does not apply to the proposal, indicate this by writing "N/A."

#### **Application Part 2 - Proposal Budget Form:**

Part 2 demonstrates the funding details of the proposal, including where all of the project's money is coming from and how it will be spent. It breaks down the funding request for Capital and Due Diligence Direct Costs associated with completing the project. The Proposal Budget Form should show balance between where funding will be sourced and where it will be applied.

#### **Application Part 3 - Supplemental Information:**

Part 3 is where applicants provide documents that support the proposal: legal descriptions, applicable property reports including appraisal, mineral assessment, baseline, environmental hazard, survey, etc. Legal descriptions are required for this proposal to be complete. Letters demonstrating support of the proposal are highly recommended.

## **PROGRAM INFORMATION**

### **PURPOSE**

The CWHP is a statewide real estate program which focuses on habitat protection and public access. It is a voluntary, incentive-based partnership program which supports CPW's mission

through acquisitions of conservation easements (“CE” or “CE’s”), public access easements (“AE” or “AE’s”), and in limited circumstances, fee title acquisitions. The CWHP is authorized by Colorado Statute and administered by CPW.

Successful proposals will allow for CEs to be held by CPW or a third party. Public AE’s will be held by CPW. Fee title transactions are limited to acquisition by CPW.

### **2020 CWHP FUNDING PRIORITIES, AS ESTABLISHED BY THE PARKS AND WILDLIFE COMMISSION**

- Public access for hunting, fishing, wildlife viewing
- Big game winter range and migration corridors
- Protecting habitat for species of concern (specifically those Species of Greatest Conservation Need, as identified in CPW’s State Wildlife Action Plan)
- Riparian areas and wetlands
- Landscape-scale parcels
- Parcels that provide connectivity

Preference will be given to third party CE’s, working farms and ranches, and CE’s that support wildlife crossings.

### **APPLICANTS**

The landowner is the proposal’s applicant. A land trust, local government, or other conservation organization (“third party”) may submit a proposal on behalf of a landowner. Additionally, applicants may be represented by a selected representative, such as a friend of the family. To avoid any real or perceived conflict of interest, proposals may not be submitted by a CPW staff member on behalf of the landowner.

If the proposal involves a third party CE, the third party must be qualified to hold conservations easements under federal and state law.

### **PROJECT FUNDING**

Up to \$11,000,000 is available for the 2020 CWHP. Funding for qualified projects come from revenue generated by the sale of hunting and fishing licenses, from a conservation partnership with Great Outdoors Colorado (GOCO), and occasionally from federal funding sources. Projects recommended for funding in the fall of 2020 will have funding available in July 2021, but funding will not be accessible until the project has been successfully negotiated and all conditions have been met by the applicant.

CWHP funds may be used to acquire real estate interests, and for eligible third party project costs, subject to CPW policy. For more information on eligible project costs, see Appendix 1 - ELIGIBLE DUE DILIGENCE DIRECT COSTS, at the end of this document.

Unless directed otherwise by the applicant in Part 2 - Funding Proposal Application, CPW will determine the mix of funding applied to specific projects, subject to CRS 33-4-102.7. Final funding sources for a project’s closing will be determined prior to closing. For more information on the CWHP’s funding sources, see Appendix 2 - FUNDING SOURCES, at the end of this document.

Third party CE holders are subject to CRS 33-4-102.7(d): *“No third-party conservation easement shall be obtained using proceeds from the sale of habitat stamps unless the requesting organization contributes at least fifteen percent (15%) of the purchase price of the easement or*

*fifteen percent of the purchase price is secured using other sources of nondivision funding; however, if, in the commission's discretion, sufficient hunting or fishing access is provided, the fifteen percent contribution requirement may be waived."*

### **PROCESS / PROJECT SELECTION**

The CWHP 2020 RFP application materials may be found on CPW's website:

<http://cpw.state.co.us/aboutus/Pages/LandWaterCWHP.aspx>

Applicants are ***strongly encouraged*** to contact their local CPW Area Wildlife Manager or his/her designee for assistance describing the wildlife and habitat values accurately and to discuss the merits of their proposal. CPW contact numbers can be found here:

<https://cpw.state.co.us/placestogo/Pages/CPW-Office-Location-Map.aspx>

For more information on habitats and species considered by the CWHP, see Appendix 3 - HABITAT & SPECIES INFORMATION, at the end of this document.

The CWHP funding selection process is competitive. Proposals are scored and ranked by CPW staff and the Colorado Habitat Stamp Committee through a rigorous review process that evaluates strategic conservation impacts, ecological and biological significance, public benefit, public access, and project feasibility. All information submitted to CPW will be kept confidential throughout the evaluation and scoring process to the extent possible under Colorado law, however CPW reserves the right to speak with funding partners related to the application.

We anticipate the Commission will initially review the scoring and ranking of proposals at the September 2020 Commission meeting, after which applicants will be informed of their proposal's status.

The Commission will consider the projects for a final time, likely at the November 2020 Commission meeting. If your project is recommended at this stage, this means the Commission has instructed CPW to begin due diligence on your project consistent with the Commission's conditions of approval. Selected projects may begin negotiations in January, 2021.

If and when negotiations and due diligence are substantially complete, proposals will return to CPW's Leadership Team, the Commission and, if necessary, the Capital Development Committee for approval before closing. For a schedule of the proposal review process and dates, see Appendix 5 - CWHP 2020 RFP TIMELINE, at the end of this document.

Please be aware that selection of a proposal does not guarantee closing and is contingent on CPW's approval within its discretion of final deal terms. Following the necessary approvals, all projects are conditioned on funding being available per the decision of the Colorado General Assembly.

CEs and public AE's are prioritized over fee title acquisitions per CPW policy and legislative statute. Proposals that demonstrate funding leverage (e.g., partner contributions, cash, in-kind, and donated value) will be given additional consideration in the scoring process. For scoring information, see Appendix 4 - SCORING CRITERIA, at the end of this document.

### **ADDITIONAL INFORMATION**

Colorado Parks and Wildlife recognizes that maintaining wildlife-compatible agriculture on the landscape is an important benefit which can be realized through appropriately crafted CEs and

land management plans (“management plans”). All CE projects funded through the CWHP will have an accompanying management plan that must be agreed upon by the landowner and CPW prior to closing the project. The management plan typically includes provisions for the type, timing, and duration of livestock grazing and recreational activities and overall management of vegetation to protect or enhance the property’s conservation values identified in the CE. Landowners are encouraged to provide a clear vision of the future of their property, ideally in the proposal, prior to entering CE and management plan negotiations.

CE’s are required to be monitored annually in order to fulfill stewardship and enforcement responsibilities. Third party CE holders will submit an electronic copy of the annual monitoring report to CPW for each CE that receives funding through the CWHP. The annual deadline for submitting these reports for the prior year is January 31<sup>st</sup>.

In the CE, CPW will reserve the right to enforce the terms of the CE should a third party fail at this obligation.

Proposals may include only a CE, only an AE, or both a CE and an AE.

In limited circumstances, fee title purchases by CPW may be considered for properties with exceptional habitat or recreational values where a CE or a public AE is not possible. Fee title purchases are considered primarily for properties that are within or adjacent to State Wildlife Areas (SWA), and where the purchase would enhance management of an SWA. All reasonable options in lieu of fee title purchases will be pursued.

A State Wildlife Area is a property where public use has been acquired by CPW. A State Habitat Area (SHA) is a property that was acquired primarily for habitat protection, but does not provide public access.

If a public AE is conveyed to CPW as part of this proposal, either in perpetuity or for a term of years, the property will be designated a State Wildlife Area. If a CE only is conveyed to CPW (no public access is granted) the property will be designated a State Habitat Area (SHA). CPW will work with the landowner to install appropriate signage reflecting the property’s SWA designation. Whether signage is required for a SHA depends upon the financing for the easement.

Under Colorado law, CPW is subject to the terms of the Colorado Open Records Act, CRS §24-72-101, et seq. and the terms of the transaction become a matter of public record after the project is completed and closed. Additionally, it is important for CPW and our major funding partners to provide accurate information to the public regarding the CWHP efforts to protect vital Colorado habitats and provide hunting and fishing access. Applicants should be aware that after a project is closed, information about the transaction, including funding amounts provided by CPW, may be used for internal CPW planning and public information purposes.

Colorado Parks and Wildlife does not provide legal advice to applicants. Applicants are **strongly encouraged** to consult their legal, financial, and tax advisors when contemplating any real estate transaction associated with the CWHP.

Applicants should contact local CPW Area Wildlife Manager or his/her designee to discuss the merits of the proposal and to accurately describe species use, habitat composition, and the ecological functions of the property. If applicants would like a review of their proposal before the May 18<sup>th</sup> submission deadline (including the Proposal Budget Form), applicants may send parts

or the entire proposal up to two weeks before the May 18<sup>th</sup> deadline. Draft applications must be sent to [Amanda.nims@state.co.us](mailto:Amanda.nims@state.co.us) no later than 5:00pm on Monday, May 4<sup>th</sup>.

Answer all questions fully, or use “N/A” if not applicable - leave no questions blank. Please do not instruct evaluators reviewing the proposal to refer to other parts of the application for answers; take the time and space provided to answer each question fully. Be strategic with where information is provided and avoid providing duplicative information throughout the application. Include page numbers at the bottom of each page of Part 2 - Funding Proposal Application.

**If any questions are discovered to have been deleted, the proposal will be disqualified from consideration.**

### **CONTACT INFORMATION**

For additional information about the CWHP or the application process, please contact:

Colorado Parks and Wildlife  
Amanda Nims, CWHP Manager  
(303) 291-7269  
[amanda.nims@state.co.us](mailto:amanda.nims@state.co.us)

## **PROPOSAL INSTRUCTIONS**

The 2020 CWHP RFP application has been designed to provide a consistent and standardized system for collecting information which will be used to assess each proposal by evaluating strategic conservation impacts, ecological and biological significance, public benefits, project support, and project feasibility. Proposals must be accurate and complete. **Incomplete applications will not be considered.**

Any request for significant modifications or changes to a proposal after the proposal deadline (5:00 pm on Monday, May 18, 2020) will not be considered.

The **Part 2 - Funding Proposal Application** is organized into the following sections:

- Proposal Title Page
- Proposal Contact Info
- Data Abstract Sheet
- Vicinity & Property Maps
- Executive Summary
- Real Estate Interest Offered
- Habitat Information
- Land Management
- Water Interests
- Mineral Rights & Alternative Energy
- General Property Information
- Funding & Financial Information
- Proposal Budget Form
- Photos
- Supplemental Maps
- Signatures Page
- Conflict of Interest Disclosure

## Letters of Support

### Proposal Title Page

Direction on how to name your 2020 proposal:

“Property Name: Conservation Real Estate Interest(s) Proposed for Funding”

#### Real Estate Interests Funded by CWHP:

CE = held by CPW or third party

CPW Public AE = held by CPW

CPW Fee Title = “Fee Title” conveyed to CPW

#### Proposal Name Examples:

Colorado Ranch: Third party CE

Colorado Ranch: CPW CE

Colorado Ranch: AE

Colorado Ranch: Third party CE & AE

Colorado Ranch: CPW CE & AE

Colorado Ranch: Fee Title

In this proposal, “property” should only refer to the land to be encumbered by CE or public AE, or to be acquired by fee title. Throughout the application, be mindful to speak only of the property being offered for conservation in 2020, and be careful not to refer to any excluded parcels for consideration as “property.”

### Vicinity & Property Maps

#### **Maps**

Maps are required and must match the legal description provided by Applicant in Part 3 - Supplemental Information.

1. The Vicinity Map should display identifiable landmarks and show boundaries of the property and its relationship to the surrounding landscape. It should also depict the surrounding land ownership (state, federal, other CE’s, and private land) and the current development and infrastructure (subdivisions, roads, streets, power lines, railroad lines, etc.).
2. The Property Map should clearly identify the property’s boundaries and depict human-made and important natural features. The Property Map must identify the location of existing physical and legal access to the property and any building envelopes proposed. If applicable, identify public access location information: if a public AE is being offered on part but not all of a CE property, the AE’s boundaries should be identified separately from the CE’s boundaries. Ideally this map should be laid on a color aerial photograph.

Additional maps relevant to the proposal will also be accepted, but only in the designated area at the end of Part 2 - Funding Proposal Application.

Third party applicants are required to submit maps as separate attachments to this proposal in jpeg or other standard viewable file format. More information about this is below, under “How to Submit a Proposal.” Third party applicants are also required to submit GIS shapefiles of the

property's geographic boundary, proposed building envelopes, and other relevant shapefiles (roads, subdivision lines, etc). Shapefiles should be projected as UTM Zone 12 or 13 in NAD 1983 datum.

Landowners offering a CE or fee title to be acquired by Colorado Parks and Wildlife may, but are not required to, submit their maps separately.

#### Data Abstract Sheet

For the question that asks for the "property's total acreage," it is possible the property's total acreage" may differ for the CE and public AE. For example, a property may be a total of 500 acres, and a CE is offered on all 500 acres but public access is only offered on 450 acres. The answer to this question is 500 acres.

Applicants are strongly encouraged to consult a qualified appraiser to estimate the value of the fee title, CE, and/or public AE being offered in the proposal.

Capital Costs refer to the amount CPW will contribute towards the purchase price of the property interest (CE, AE, fee title). Due Diligence Direct Costs refer to non-Capital Costs required to get to closing. These include the price of the appraisal, baseline report, closing costs, etc.

To estimate the donation value of a CE or AE, subtract the total funding amount requested of CPW from the estimated value of the CE or AE and total matching funds. For example:

Estimated value of CE: \$2,000,000  
CE - Total matching funds provided: \$1,000,000  
CE - Total funding amount requested from CPW: \$500,000  
Estimated landowner donation value of the CE: \$500,000

Estimated value of the AE: \$800,000  
AE - Total matching funds provided: \$0  
AE - Total funding amount requested from CPW (purchase price): \$800,000  
Estimated landowner donation Value of the AE: \$0

For the questions asking, "Total funding amount requested from CPW," this figure should mirror Part 4 - Proposal Budget Form, under Sources of Funds / Total Sources of Funds / CPW Funds. The total funding amount requested from CPW should include what is being requested for both Capital and Due Diligence Direct Costs.

For information on funding restrictions, please see "Funding & Financial Information," below.

#### Executive Summary

The Executive Summary should summarize all salient features of this proposal: name of property; property location; acreage; what conservation real estate interests are being offered and to whom; the property's conservation values; the urgency of the project; details of the public AE, if applicable; what reserved rights are being requested for a CE, if applicable; if there are conservation lands adjacent to the property; how much funding is being requested of CPW and how that will be broken down by totals requested for Capital and Due Diligence Direct Costs; the

donative value provided by the landowner; who the other funding partners are involved in the project and what they are contributing; any other information the applicant finds critical to convey. It is important to speak to how the proposal addresses the Colorado Wildlife Habitat Program’s 2020 funding priorities and preferences. The Executive Summary should not exceed 400 words.

The CWHP RFP process includes evaluation of each proposal by dozens of people across the state. The same information is requested in different ways to help the evaluators fulfill their specific role in administering the Program and determining whether the proposal should be prioritized for funding.

**Proposal Contact Information**

Please contact CWHP Manager with any questions about these sections.

**Real Estate Interest Offered**

**CE to CPW or a third party**

A CE is a perpetual real estate interest in land created by a legal agreement between a landowner and qualified entity which limits uses of the land in order to protect the property’s conservation values. Conservation values may include wildlife habitat and agricultural land. Each CE is drafted to address a property’s specific conservation values. When a CE project closes, the landowner maintains ownership of the property while the qualified entity holds the CE and the right to enforce and defend the terms of the CE in perpetuity.

A CE is documented by a deed that is recorded at the local Registry of Deeds. The Deed of Conservation Easement runs with the land and all future landowners are required to abide by the terms of the CE in perpetuity.

Samples of CE and management plan language can be found at: <https://cpw.state.co.us/aboutus/Pages/LandWaterCWHP.aspx>

**Building Envelopes**

A building envelope is an area within a CE boundary which is reserved for existing and future building sites and is subject to the rights and restrictions defined by the CE.

Alternatively, a landowner may choose to exclude a portion of their land from the CE entirely for existing or future building sites. In this case, no portion of the building site would be subject to the CE. Either scenario has appraisal implications which should be discussed with a qualified appraiser.

For a graphic illustration of the difference between a building envelope and an excluded parcel, please see CPW’s website: <http://cpw.state.co.us/aboutus/Pages/LandWaterCWHP.aspx>

Building envelopes must be identified on the proposal’s Property Map.

**An example of how to fill out the “Proposed Building Envelope Table” found in Part 2 - Funding Proposal Application:**

<u>Name of (BE)</u>	<u>Size</u>	<u>Approximate</u>	<u>Intended Use</u>	<u>Existing</u>	<u>Planned</u>
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#		<u>(Acreage)</u>	<u>Location</u>		<u>Structures</u>	<u>Structures</u>
1	Headquarters BE	10 acres	SE corner of property off HWY 40	Residential and ag operations	Residence, Garage, Shop, Barn, Shed	Hay shed, shop, barn, other ag buildings as needed
2	Agricultural BE	5 acres	North central part of ranch	Ranching operations	None at this time	Large hay barn
3	Cabin BE	5 acres	SW corner of property	Single family home and associated outbuildings	None at this time	Cabin, garage, shop, shed

### Public AE to CPW

CPW public AE's provide access to a landowner's property for the purposes of public hunting, fishing, wildlife viewing, or a combination of the three. Or in some cases, the AE may provide access through the property to other non-private land(s). A public AE may be term-limited or perpetual, and may provide limited or unlimited public access. Please discuss what would be appropriate for you and your property with your local CPW Area staff.

Proposals that include perpetual public access with a wide-range of wildlife-related recreational opportunities are generally more competitive in the scoring and evaluation process.

*In order for the proposal to be considered, specific and detailed descriptions of the public access offered must be provided.*

**An example of how to fill out the "Proposed Public Access Table" found in Part 2 - Funding Proposal Application:**

<u>Public Access Offered (Hunting, Fishing, Wildlife Viewing, Other)</u>	<u>Access: Year round or seasonal?</u>	<u>Access restrictions/ limitations:</u>	<u>Future Improvements Needed to accommodate public access:</u>	<u>Estimated costs for future improvements</u>
Fishing Access	Year Round	Walk in only	Parking lot	\$3,000
Big Game Hunting	Seasonal	Walk in only	Parking lot	\$2,500

The answers to "estimated costs for future improvements" helps CPW understand how much CPW will need to budget to build these improvements. Improvements related to public access are generally paid for by CPW.

### Fee Title to CPW

To acquire the real estate interest of fee title is to acquire a property in its entirety. Fee title purchases by CPW will be considered in very limited circumstances where CE's or public AE's are not possible and where the property contains exceptional habitat or recreational values. Fee title purchases are considered primarily for properties that are within or adjacent to State Wildlife Areas, where the purchase is a strategic priority, and where the purchase would enhance

management of an SWA. All reasonable options in lieu of fee title purchases will be pursued per CPW Policy and Title 33-4-102.7 C.R.S.

#### Habitat Information

Applicants are encouraged to speak with local CPW staff for assistance with this section.

This section asks for the “Data Source” to inform CWHP reviewers where the information came from in answering what habitat types and rare plant communities are found on the property. Please respond with the layman proposal evaluator in mind. For example, please answer by responding with the public agency, company, individual, or other data source, rather than answering with, “publicsamdata.lpk.”

#### Land Management

“Working farm or ranch” may be defined as agricultural land actively used for crop production and/or the raising of livestock.

#### Water Interest - Mineral Rights & Alternative Energy

Please contact CWHP Manager with any questions about these sections.

#### General Property Information

Congressional Districts:

<https://www.govtrack.us/congress/members/CO#representatives>

#### Legal Description

Accurate and complete legal descriptions are required. Legal descriptions for most Properties can be found in the property’s vesting deed(s). Include the accurate and complete legal description of the property as one of the attachments required in Part 3 - Supplemental Information. If more than one parcel is involved, include the legal descriptions for each parcel offered in this proposal. If they exist, include legal descriptions for any building envelopes, Rights of Way, etc. Incomplete or inaccurate legal descriptions may disqualify a proposal from consideration.

#### Funding and Financial Information

Funding Restrictions: There may or may not be restrictions for the money CPW applies to successful proposals. It is important to indicate the source of all matching funds so CPW may identify any funding conflicts. Federal funding requires the landowner meets specific qualifications and that additional restrictive language be added to the CE.

All proposals will be subject to an independent appraisal, and appraisal review, to verify value. Funding requests in this proposal will be used to estimate total project costs, expressed as a percentage, and applied to the actual appraised value such that:

If the appraised value is lower than the value estimated in this proposal, CPW will offer the amount equal to the percentage requested of CPW. For example, if the value estimated in the application is \$200,000, and the applicant requests

CPW provide \$150,000 (applicant providing 25% match), the applicant is requesting 75% from CPW. Therefore, if the appraisal is \$150,000, CPW can only offer 75% of the appraised value (\$112,500).

If the appraised value is higher than the value estimated in the proposal, CPW will offer the dollar amount requested from CPW in the proposal.

#### Proposal Budget Form

When filling out the Proposal Budget Form, be sure to read all notes at the bottom of the form. Estimate your funding request carefully, accurately, and realistically. Contact CWHP Manager with any questions about the Proposal Budget Form.

Proposals that demonstrate funding leverage (partner contributions, cash match, in-kind value) will receive additional points in the scoring process.

#### Photos

In addition to requiring photos embedded within Part 1 - Funding Proposal, high resolution photographs of the property are also required as separate attachments to this proposal in JPEG or other standard viewable file formats. Please limit the number of photographs to no more than six (6) high quality images.

Photographs will be published in presentation and printed materials related to the CWHP scoring and evaluation process. By submitting this proposal, the landowner agrees to allow CPW's use of the photographs without restriction.

#### Supplemental Maps

In addition to the Vicinity Map and Property Map included at the beginning of Part 1 - Funding Proposal, applicants may also submit additional maps that demonstrate information the applicant finds relevant to the proposal. For example, supplemental maps may include particular wildlife habitats, land use and threats, detailed water resources, etc.

#### Signatures Page & Conflict of Disclosure Form

Please contact CWHP Manager with any questions about this section.

#### Support Letters

Please provide up to 5 letters of support.

### **PART 3 - SUPPLEMENTAL INFORMATION**

PART 3 - Supplemental Information must be submitted in order for the proposal to be considered complete. In one single PDF file, in the order they are listed on the checklist, include the property's legal description(s) and related property reports. When submitting the full proposal,

place the first page of Part 3 - Supplemental Information on top of all the supplemental documents so that it acts as a cover sheet.

## **HOW TO SUBMIT A PROPOSAL**

Proposals will be accepted between Wednesday, April 15, 2020 and 5:00 PM on Monday, May 18, 2020.

Proposals must be submitted electronically in PDF and/or Microsoft Word formats. CPW encourages applicants to email proposals, but will also accept proposals by USPS mail or hand delivery if received by the above-referenced deadline. For those mailed or hand delivered, proposals must be submitted on USB flash drive. Proposals submitted by fax or paper copy will not be accepted. If files are too large to transmit in one email, applicants may send multiple emails, or use a file sharing service such as Dropbox, or provide a link to a shared Google drive.

Email proposals to: [Wildlife.RealEstateProposals@state.co.us](mailto:Wildlife.RealEstateProposals@state.co.us)  
The subject line should include the title of your proposal followed by 'CWHP 2020 Proposal.'  
For example, "Colorado Ranch CE & AE - 2020 CWHP Proposal"

For email submissions, attach Parts 1, 2, and 3 of the proposal with the following file naming convention:

"Name of Property - Year - Part #"

For example:

Colorado Ranch - 2020 - Part 1  
Colorado Ranch - 2020 - Part 2  
Colorado Ranch - 2020 - Part 3

\*\*\*Additionally, while maps and photos must be embedded within Part 1 - Funding Proposal, maps and photos must also be separately submitted as individual files.\*\*\*

For submission of individual photos, maps, and third party GIS shapefiles, use the following file naming conventions:

"Name of Property - map - type of map,"

"Name of Property - photo #"

"Name of Property - shapefile (type)"

For example:

Colorado Ranch - map - vicinity  
Colorado Ranch - map - property  
Colorado Ranch - map - supplemental - wildlife  
Colorado Ranch - map - supplemental - threats  
Colorado Ranch - Photo 1  
Colorado Ranch - Photo 2  
Colorado Ranch - Photo 3  
Colorado Ranch - shapefile (BE)  
Colorado Ranch - shapefile (roads)  
Colorado Ranch - shapefile (boundaries)

If multiple emails are sent to submit the proposal, mention in the text of the email how many emails are being submitted. For example, "this is email 1 of 3," "this is email 2 of 3," "this is email 3 of 3," etc.

Upon submission, if you do not receive an email within 24 hours confirming CPW has received your proposal, contact CWHP Manager Amanda Nims at (303) 291-7269.

After submission, CPW staff may be in touch by email if additional information is required. In your response, be sure to include the original email for context. All responses will become official parts of the proposal to be reviewed by evaluators.

Submit hand delivered or mailed proposals through the USPS (in the form of a USB flash drive) to:  
Colorado Parks and Wildlife  
Attn: Amanda Nims, Real Estate Section  
6060 Broadway  
Denver, CO 80216

The USB flash drive should be clearly labeled with identifying information about the proposal. For example, "Colorado Ranch 2020 CWHP Proposal," and an appropriate phone number to contact if there are issues retrieving the files on the flash drive.

## APPENDIXES

### Appendix 1 - ELIGIBLE DUE DILIGENCE DIRECT COSTS

#### Eligible Costs for Real Estate Transactions Receiving CWHP Funds:

Fee title, CE, or public AE acquisitions are eligible for funding. CPW will not reimburse indirect costs incurred by a third party involved in a transaction, including staff time or in-house counsel. The purpose of this document is to outline which *additional costs* are also eligible for CWHP funding.

Due Diligence Direct Costs listed below are eligible for reimbursement and may also be used as matching funds:

- Title Policy
- Appraisal
- Mineral Remoteness Letter
- Baseline Documentation Report
- Environmental Hazards Assessment
- Survey, if required by CPW
- Closing Costs
- Third party attorney fees - costs of legal services, excluding in-house counsel, for representation of a third party in the transaction. **Please note:** there is a cap of \$20,000 per project on CPW's reimbursement of attorney fees. Landowner attorney fees are not eligible to receive CPW funds or to be used as a match.

Copies of invoices or other proof of expense will be required for reimbursement.

#### **CPW will also consider the following eligible cost:**

Stewardship Endowment. If the project budget includes a request for funding a third party's stewardship endowment, detailed information must be provided on how the endowment request is calculated. CPW funds may be used for post-closing monitoring and reporting, but not legal

defense. Requests must be matched by an equivalent cash contribution by the applicant and/or partners; CPW will pay up to and including 50% of the total endowment, up to a cap of \$10,000.

For CE's and public AE's to be held by Colorado Parks and Wildlife, CPW will pay for the required Due Diligence Direct Costs required to get to closing. CPW encourages all landowners to retain personal legal, financial, and tax representation. This representation cannot be paid for by CWHP funding.

Failure to close:

In the event a project fails to close, CPW has the authority, but is not obligated, to reimburse Due Diligence Direct Costs, and will be considered on a case-by-case basis.

## Appendix 2 - FUNDING SOURCES

Funding for the 2020 CWHP is approximately \$11,000,000. Unless directed otherwise by the applicant in the proposal form, CPW will determine the mix of Habitat Stamp and/or GOCO funding applied to specific projects prior to closing.

### **CPW's Habitat Stamp**

- All funds must be used for the benefit of wildlife habitat or public access to such habitat.
- Priorities for the expenditure of Habitat Stamp funds shall include protecting big game winter range and migration corridors, acquiring public access for wildlife-related recreation, including fishing, hunting and wildlife viewing, protecting habitat for species of concern, and preserving the diversity of wildlife enjoyed by Coloradans.
- A citizen committee, known as the Habitat Stamp Committee, appointed by the Governor and confirmed by the Senate, reviews projects and makes funding recommendations to the CPW Director and the Parks and Wildlife Commission annually.
- Real property interest acquisitions shall emphasize the acquisition of easements and ensure that all other avenues are pursued prior to fee title acquisition. CE's and fee title purchases are allowed.
- Fee title purchase using Habitat Stamp funds shall be primarily for the purpose of providing access to the public for wildlife-related recreation, and shall be made available to the public for hunting or fishing, subject to Commission rules.
- CE acquisitions by certified organizations are allowed by the statute that created the Habitat Stamp, but must also be in compliance with any applicable federal law that requires CPW to ensure that projects funded with "Wildlife Cash" remain in compliance with the original purposes. Wildlife Cash refers to license revenue, which includes income from the sale of Habitat Stamps; therefore the rules associated with use of the Habitat Stamp funds are the same as those for Wildlife Cash. Specifically, CPW has the responsibility to ensure protection of the conservation values described in the CE's funded by Habitat Stamp funds. To do this, 1) there must be a management plan acceptable to CPW for protecting the conservation values described in the CE; 2) CPW must have the right to access the property for a minimum of annual compliance monitoring of the CE and management plan; and 3) CPW must have the right to enforce the CE if violations occur and are not remedied. If these provisions cannot be met, then the project cannot receive Habitat Stamp funds. *Per Colorado Revised Statute 33-4-102.7:* No third party CE shall be obtained using proceeds from the sale of Habitat Stamps unless the requesting organization contributes at least 15% of the purchase price of the CE or 15% of the purchase price is secured using non-CPW funding. However, if, in the Commission's

discretion, sufficient hunting or fishing access is provided, the 15% contribution requirement may be waived.

### **GOCO funds awarded to CPW's wildlife programs**

The mission of GOCO is: To help preserve, protect, enhance, and manage the state's wildlife, park, river, trail, and open space heritage.

A portion of CWHP funding is provided to CPW through a cooperative MOU to help fulfill GOCO and CPW common goals:

- Protect priority landscapes for wildlife.
- Integrate land and water conservation strategies.
- Protect critical wildlife habitats through the acquisition of easements.
- Provide appropriate programs for maintaining Colorado's diverse wildlife heritage.
- Provide meaningful outdoor recreation experiences across Colorado.

## **Appendix 3 - HABITAT AND SPECIES INFORMATION**

*Habitat and Species Information for CWHP Proposals.*

**Big Game:** Bighorn sheep, elk, moose, mountain goat, mule deer, pronghorn, and white-tailed deer.

**Big Game Migration Corridors:** A relatively narrow, well-defined area where higher than average density of animals traditionally make movements between seasonal ranges (emphasis on sagebrush, mountain shrub, pinyon-juniper, oakbrush, and aspen habitats). Applicants should consult the local CPW Area Wildlife Manager or his/her designee to determine if the project property is considered part of a migration corridor.

**Big Game Winter Range:** Habitat that supports high concentrations of wintering big game species (emphasis on sagebrush, mountain shrub, pinyon-juniper, oakbrush, and aspen habitats). Applicants should consult the local CPW Area Wildlife Manager or his/her designee to determine if the project property lies within identified winter range.

**DAU:** Data Analysis Unit

**Species of Greatest Conservation Need:** Wildlife species identified by Colorado's State Wildlife Action Plan (SWAP) that are in need of conservation attention. A comprehensive revision to the SWAP was recently approved by the US Fish and Wildlife Service in March 2016. For species information, please see the following link to the SWAP:

<http://cpw.state.co.us/aboutus/Pages/StateWildlifeActionPlan.aspx>

**Species Richness:** The number of different species supported by the project property.

**Threatened and Endangered Species:** Those species that have federal or state threatened or endangered status designations. A list of threatened and endangered species is found on CPW's website: <http://cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>

**Wetlands:** Wetlands are transitional lands between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes

of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season (Cowardin et al. 1979).

Wetland types include:

- Submerged aquatic (semi-permanent flooding with aquatic plants)
- Emergent marsh (seasonal or semi-permanent flooding)
- Wet meadow (high water table with grass/sedge/rush community)
- Shrublands and floodplains (seasonal flooding with shrubby vegetation)
- Peatlands/fens (flooded during growing season, low decomposition rate)
- Springs, seeps and sloughs (groundwater discharge site)
- Riverine (sand/gravel bars, other wetlands associated with stream channel)
- Playas (temporary lakes in pastures or prairies, flooded seasonally or less often)
- Lakes and reservoirs (included here because of their association with strategic wetlands and migratory waterfowl habitat)
- Artificial wetlands

**Riparian Areas:** Riparian areas are those plant communities adjacent to and affected by surface or ground water of perennial or ephemeral water bodies such as rivers, streams, lakes, ponds, or playas or drainage ways. These areas have distinctly different vegetation than adjacent areas or have species similar to surrounding areas but exhibit more vigorous or robust growth form (Definition used in CPW's riparian mapping project). For more information, visit: <https://cnhp.colostate.edu/cwic/tools/mapper/>

For the purpose of evaluation, the significance of a wetland or riparian habitat is how it supports priority wildlife species listed below. While the size of the target habitat will have some influence in judging the merits of the habitat, the availability and persistence of habitat useful to priority wildlife species and documented use by any of these species are most important.

**Priority Waterfowl Species associated with wetlands/riparian areas:**

Mallard

Northern Pintail

Gadwall

American Wigeon

American Green-winged Teal

Blue-winged Teal

Cinnamon Teal

Lesser Scaup

**Priority Nongame Species associated with wetlands/riparian areas:**

Birds

Bald Eagle  
Least Tern  
Southwestern Willow Flycatcher  
Piping Plover  
Western Snowy Plover  
Western Yellow-billed Cuckoo  
Long-billed Curlew  
Greater Sandhill Crane  
American Bittern  
Short-eared Owl  
Red-naped Sapsucker  
Lewis's Woodpecker

Fish

Northern Redbelly Dace  
Southern Redbelly Dace  
Brassy Minnow  
Arkansas Darter  
Plains Orangethroat Darter

Herptiles

Yellow Mud Turtle  
Common Garter Snake  
Boreal Toad (S. Rocky Mtn. Population)  
Northern Leopard Frog  
Plains Leopard Frog

Mammals

Meadow Jumping Mouse (both subspecies)  
River Otter  
Dwarf Shrew

**Appendix 4 - SCORING CRITERIA**

**2020 CPW Scoring Criteria** - Each proposal will be evaluated by CPW staff to determine:

- 1) Strategic Conservation Impact - up to 50 points
  - Project impact
  - Connectivity to a larger conserved landscape
  - Property Condition
  - Urgency
  - Proximity to CPW lands
- 2) Big game Habitat Values - up to 45 points
  - Species richness
  - Relative importance to breeding grounds
  - Winter range
  - Migration corridors
  - Adjacency to wildlife crossings
- 3) Riparian/Wetland Habitat Values - up to 40 points
  - Habitat for priority waterfowl species
  - Habitat for wetland-dependent non-game species
- 4) Hunting Access Values - up to 40 points
  - Public hunting opportunity/Level of CPW control of access
  - Harvest potential
  - Accessible acres

- 5) Fishing Access Values - up to 40 points
  - Lake or stream acreage
  - Fishery quality
  - Public fishing opportunity/Level of CPW control of access
  
- 6) Other Scoring Considerations - up to 85 points
  - Working Farm or Ranch status
  - Public Access for Wildlife Viewing
  - Third party CE acquisition
  - Local, state, regional, or federal conservation plans
  - Special status species (species of concern)
  - Leverage
  - Facilitates sustainability and protects wildlife diversity
  - Facilitates partnerships
  
- 7) Adverse Considerations - up to 100 points may be subtracted
  - The project involves a fee title purchase that does not fall within a Regional or State priority.
  - The project includes a known factor that diminishes the quality of the habitat now or in the future; or project includes a known factor that would impact conservation values or impede CPW's ability to close the transaction.
  - The project has an impractical cost or funding request is unrealistic, or the proposal does not support CPW's mission.
  - Incomplete proposal or lacks pertinent information.

Score is determined by adding the points for all categories, dividing by the maximum points possible, then multiplying by 100. The maximum possible score for CPW staff criteria is 100.

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**2020 Habitat Stamp Committee Scoring Criteria** - Each proposal will be evaluated by the Habitat Stamp Committee to determine:

- 1) Effectiveness of the project - up to 65 points
  - Protecting big game winter range.
  - Protecting big game migration corridors.
  - Acquiring public access to wildlife-related recreation, including fishing, hunting, and wildlife viewing.
  - Protecting habitat for species of concern (special status species or threatened and endangered species).
  - Preserving the diversity of wildlife enjoyed by Coloradans.
  - Riparian areas.
  - Wetland habitats.
  - Proximity to protected lands.
  
- 2) Project Leverage - up to 15 points
  - Partnership contribution, cash, in-kind, or donated property value match.

- Opportunity to leverage conservation on adjacent or associated lands.
- Cost effectiveness.

3) Urgency and Opportunity - up to 10 points

- Effectiveness of addressing habitat threats.
- Uniqueness of the opportunity to act proactively to achieve significant conservation.

4) Socioeconomic Values and Feasibility - up to 10 points

- Level of local non-financial support for the project.
- Readiness of the project to be completed quickly.

*\*Up to 5 points may be subtracted for each of the following elements:*

- *Restrictions on water rights needed for habitat;*
- *Potential for mineral development that negatively impacts habitat;*
- *Fee title proposals that do not provide adequate recreational opportunities;*
- *Pending litigation that could decrease the value of the property.*

Maximum score for the Habitat Stamp Committee criteria is 100 points.

### Appendix 5 - CWHP 2020 RFP TIMELINE

2020 Colorado Wildlife Habitat Program funding: up to \$11M

April 15th: Official opening of Request for Proposals. Application materials available on CPW's website, <http://cpw.state.co.us/aboutus/Pages/LandWaterCWHP.aspx>

May 4<sup>th</sup>: 5:00 pm deadline to submit for review and feedback some or all parts of draft application to [Amanda.nims@state.co.us](mailto:Amanda.nims@state.co.us)

May 18<sup>th</sup>: Proposals due by 5:00 p.m.

May - August: CPW staff compiles applications and reviews and scores each project based on scoring criteria; scores are shared and discussed with the Habitat Stamp Committee (HSC). CPW Regions and the HSC rank proposals and develop recommendations for the CPW Director and Commission.

July 16-17: CPW Commission is updated on proposals received and the review process.

Late August: CPW Director meets with the Leadership Team to review and consider proposals and to review staff's recommendations and HSC recommendations. CPW Director forms first round of funding recommendations to the Commission.

September 2-3: Commission votes on the first round of funding recommendations.

After September 3: Landowners and project partners are notified of the status of their proposals by email or follow-up letters. CPW Real Estate and Water staff research proposal transaction details for those projects still in consideration.

Mid-October: CPW Director meets with the Leadership Team to form final recommendations for projects that will move into negotiations (considered “Tier1” projects), be placed in waiting status (“Tier 2”), or be removed from consideration. The CPW Director considers both the HSC and CPW’s staff input in making the final funding recommendations, and develops final recommendations with CPW senior staff input based on RFP criteria.

November 19-20: The Commission determines which projects are selected to move forward for negotiations.

After November 20: Decision notices go out to landowners and partners by email or follow-up letters.

January, 2021: Tier 1 landowners are contacted by CPW Real Estate staff to begin negotiations.

July, 2021: Funding becomes available, subject to completion of all required due diligence and CPW approval. Closing dates must be approved by CPW.

(END)