

JUNE 22, 1973

MAY 29-30, 1973 CONTINUED MEETING OF THE
INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Friday, June 22, 1973
9:00 a.m.

Evergreen Inn
Olympia, Washington

INTERAGENCY COMMITTEE MEMBERS PRESENT:

Mr. Lewis Bell; Mr. John Biggs, Director, Dept. of Ecology; Mr. Carl Crouse, Director, Department of Game; Mrs. Madeline Lemere; Mr. Omar Iofgren, Chairman; Mr. Charles Odegaard, Director, Parks and Recreation Commission.

MEMBERS ABSENT:

Mr. George Andrews, Director, Department of Highways; Mr. Warren Bishop; Mr. Bert Cole, Commissioner of Public Lands; Mr. Jack Rottler; Mr. Thor C. Tollefson, Director, Department of Fisheries; Mr. Robert Anderson, Acting Director, Department of Commerce and Economic Development.

STAFF OF TECHNICAL COMMITTEE & MEMBER AGENCIES PRESENT:

Assistant Attorney General
Marianne Holifield
Mort Tytler

Commerce and Economic Development
None

Ecology, Department of
Beecher, Snipes, Supervisor, Planning and Development

Fisheries, Department of
Don Erickson

Game, Department of
James Brigham
Dan Barnett

Highways, Department of
Willa Mylroie, Research and Special Assignments Engineer

Interagency Committee for Outdoor Recreation
Cole, Kenn - Fiscal Accounts Officer
Costello, Richard - Rec. Res. Specialist
Francis, Stanley E. - Administrator
Frazier, Marjorie M. - Administrative Secretary
Lemcke, Robert S. - Coordinator
Moore, Glenn - Rec. Res. Specialist
Martin, Milton H. - Assistant Administrator

Thompson, Bruce - Planner
Syverson, Roger - Rec. Res. Specialist

Natural Resources, Dept. of
Al O'Donnell, Technical Assistant
Joe Wernex
Lloyd Bell

Parks and Recreation Commission

Paul Bourgault

Jan Tveten

Program Planning and Fiscal Management

Michael Stewart

LOCAL TECHNICAL COMMITTEE MEMBERS PRESENT:

William Fearn, Director, Parks and Recreation, City of Spokane

William Hutsinpillar, Director, Parks and Recreation, City of Yakima

Kenn Hertz, Whatcom County, Director, Parks and Recreation

James Webster, King County Parks Department, Seattle

OTHER AGENCIES, TECHNICAL COMMITTEE MEMBERS PRESENT:

Joseph Preston, representing Bureau of Outdoor Recreation, Seattle

I. CONTINUATION OF MAY 29-30, 1973 MEETING: Chairman Lofgren opened the meeting at 9:20 a.m., stating the Committee was reconvening from its May 29-30 session in Pullman, and declared an Open Public Meeting as filed with the Code Reviser, for consideration and adoption under the Administrative Procedures Act rules for the operation of the Interagency Committee, Statewide Grant-in-Aid Program for Outdoor Recreation and funding for All-Terrain Vehicle Program.

Mr. Lofgren also announced that he had polled the Interagency Committee members regarding the motion of May 30 concerning the eleven unfunded local projects. The consensus was that there were insufficient funds available for these projects, therefore the motion on page 31 of the May 29-30, 1973 minutes was determined to be not germane. Staff was directed by Chairman Lofgren to contact the eleven local agencies involved in the projects and explain the situation to them. The eleven local agency projects not funded at the May 30 meeting were therefore not continued for consideration at this continued May meeting (June 22, 1973). Mr. Lofgren noted, however, that the eleven projects will retain their status and will be part of the review of local projects at the Regular Interagency Committee meeting on October 29-30, 1973, in Spokane, Washington.

II. Rules and Regulations - APA - Procedural Guidelines and All-Terrain Vehicles:

The Chairman called upon Marianne Holifield, Assistant Attorney General, for briefing on the APA Rules. Mrs. Holifield reviewed WAC 286-04-010 Definitions, WAC 286-04-020, Organization and Operations, and WAC 286-04-030 Goals and Objectives.

Mr. Odegaard suggested the goals and objectives be changed to include the words "Provide funds and planning assistance for acquisition and development...", and "Provide funds and planning assistance for a system of public recreational facilities"..., and "assist with funds and planning assistance local government in providing...." -- this making the paragraph WAC 286-04-030 read:

WAC 286-04-030: GOALS AND OBJECTIVES. The goals of the interagency committee for outdoor recreation are to: (1) provide funds and planning assistance for acquisition and development and use of outdoor recreation resources in a manner to maximize preservation of the natural quality of the environment; (2) provide funds and planning assistance for a system of public recreational facilities and opportunities for state residents and visitors; (3) assist with funds and planning assistance local government in providing the type of facilities which, under its jurisdiction, will best serve the local needs for outdoor recreation; (4) encourage

programs which promote outdoor education, skill development participation opportunity and proper husbandry of recreation sources.

WAC 286-16 Chapter was then reviewed by Mrs. Holifield ... "Eligibility for State Outdoor Recreation Grant-in-Aid Assistance", followed by WAC 286-20, "Application Procedure", WAC 286-24, "Funded Projects". Mr. Crouse inquired concerning WAC 286-24-020 (1), "The project contract shall be prepared by the interagency committee staff prior to the Committee meeting when the proposed project will be considered for approval..." and asked if this would cause an undue increase in paperwork for staff. Mr. Francis replied though it would require additional work, in the long run the system would prove itself most satisfactory in that Project Agreements would be available to local agencies following an IAC meeting and thus enable them to commence work on their local projects immediately. The time to process a contract through attorneys, IAC, local agency, etc., will be speeded up as a result and while the system may require minor workload increase, it will streamline the processing of the Project Agreements.

Mr. Fearn, speaking from a local agency point of view, felt it would become difficult for local agencies to enter into a contract prior to funding when it might not be possible after all for the project to commence because it was not funded by the Committee. As a representative of his own local agency, Mr. Fearn stated he would be against this particular proposal.

In response to Mr. Bell's question concerning those projects with BOR funding, Mr. Francis replied though the project agreement process between IAC and the local agency would be augmented, there would still be the need to go through the usual procedure with the BOR federal system and there would be a waiting period for those projects.

Mrs. Lemere expressed concern about the matter of local agency's city council's signing contracts prior to approval of the IAC. She asked Mr. Fearn when ordinarily a contract might be signed or approved by the city council. Mr. Fearn explained the city council's program of review of the projects and stated usually the contract was taken to them for review after the funding had been approved. However, the council is aware of the pending project and the fact that monies may be expended for it. It is the signature before funds are allocated to the local agency which concerned Mr. Fearn.

Mr. Bell felt the park directors and councilmen should have this program placed upon them to insure city council approval of any project. David Brink, Park and Recreation Director, Kirkland, stated a resolution authorizing the park director to proceed with park plans and IAC application is executed long before a contract is brought back to them. The conditions imposed upon the local community now are easy to follow and the program is cleared through the city council before the project is even submitted to the IAC.

Mr. Martin stated IAC has found in most cases when the local agency goes to the council for approval to submit the application to the IAC, at that time they ask for the right to sign the contract agreement and assurance that the project will be sent through. Basically, it is then not necessary to go back to the governing body to have the contract signed.

WAC 284-24-040 - Disbursement of Funds: Mrs. Holifield read the paragraphs relating to disbursement of funds. Discussion followed. Since the paragraphs did not spell out state agency funding nor the reimburseable basis on which IAC remits payments,

staff was asked to rewrite the paragraph using Committee suggestions and present a new WAC 286-24-040 for Committee approval following the morning break in the session.

Mrs. Holifield continued review of WAC 286-26-020 Definitions as follows:

WAC 286-26-020 Definitions (4): Discussion here related to inserting "ATV Vehicles" for "off-road vehicles" to clarify the intensive use and dispersed use. Paragraph (4) was changed to read:

WAC 286-26-020 DEFINITIONS:

(4) "All-terrain vehicle area" shall be divided into two types: (a) Intensive Use - a designated area suitable for high density public use with a sufficient percentage of total site free enough of vegetative cover and of gentle slope to be traversed by ATV vehicles; and (b) dispersed use - an area suitable for low-density, off ATV trail public recreational ATV use and not normally requiring support facilities or on-site staffing.

Mrs. Holifield continued review of 286-26-050 through 070 concerning All-Terrain Vehicle apportionment of funds; distribution of same; and fund accountability.

Chapter 286-99.010: Termination: Mrs. Holifield read the last page, Paragraph (2). Following discussion, this chapter and entire page were deleted from the APA rules and regulations for the Interagency Committee.

Upon completion of Mrs. Holifield's analysis, Mr. Lofgren thanked her on behalf of the Committee for her services to the Interagency Committee during the past year and wished her well in her new responsibilities with the Gonzaga University in Spokane.

Following the morning break, the secretary was asked to read WAC 286-24-040 Disbursement of Funds as written by the staff in response to the Committee's suggestions:

WAC 286-24-040 DISBURSEMENT OF FUNDS: Except as otherwise provided herein the Administrator will provide disbursement of funds allocated to a project only on reimburseable basis, after the agency has acquired or developed the outdoor recreation land with its own funds and on a billing showing satisfactory evidence of property rights and compliance with partial and/or total provisions of the project contract.

- (1) Exception: Funds are appropriated to state agencies by the Legislature.
- (2) Advances: Advance payments may be made for acquisition or development projects following interagency committee approval when the applicant agency demonstrates to the Administrator that it lacks financial resources to purchase the proposed property or complete the development

and then seek reimbursement.

- (3) Partial payment: Partial payments may be made during the course of an acquisition or development project upon a reimbursement basis pursuant to a billing showing satisfactory evidence of partial acquisition or development.

The Chairman introduced Mr. Mort Tytler, Assistant Attorney General, who would complete the day's meeting with the IAC since Mrs. Holifield had to leave for another assignment.

Mr. Tytler informed the Committee that prior to a motion on the APA rules, it was necessary to approve a FINDING OF EMERGENCY to insure the rules going into effect immediately.

IT WAS MOVED BY MR. BELL, SECONDED BY MRS. LEMERE, THAT THE ADOPTION OF THE ADMINISTRATIVE PROCEDURES ACT INCLUDE THE FOLLOWING "FINDING OF EMERGENCY":

"IN ORDER TO PRESERVE THE GENERAL WELFARE, IT IS NECESSARY THAT THESE RULES GO INTO EFFECT IMMEDIATELY BECAUSE ACTION UNDER THESE RULES IS NECESSARY PRIOR TO JULY 1, 1973 IN ORDER TO QUALIFY THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION FOR STATE APPROPRIATED FUNDS AND PROVISIONS ON APPLYING FOR INTERAGENCY COMMITTEE FUNDS MUST BE IN EFFECT BY JUNE 25, 1973 IN ORDER THAT APPLICATIONS FOR FUNDINGS MAY BE RECEIVED IN TIME FOR PROCESSING BY THE INTERAGENCY COMMITTEE PRIOR TO JUNE 30, 1973, AND NOTICE OF RULEMAKING AND OPPORTUNITY TO PRESENT VIEWS HAVE BEEN GIVEN AND AFFORDED.

"THEREFORE, THESE RULES SHALL GO INTO EFFECT IMMEDIATELY UPON BEING FILED WITH THE CODE REVISER AND SHALL REMAIN IN EFFECT UNTIL PERMANENT RULES TO THE SAME EFFECT ARE ADOPTED, OR FOR 90 DAYS, WHICHEVER IS SOONER."

MOTION WAS CARRIED.

IT WAS THEN MOVED BY MR. ODEGAARD, SECONDED BY MRS. LEMERE, THAT THE RULES AND REGULATIONS OF THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION UNDER THE ADMINISTRATIVE PROCEDURES ACT BE ADOPTED BY THE FOLLOWING RESOLUTION:

RESOLVED: WHEREAS, THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION IS A STATE AGENCY ADMINISTERING (1) A GRANT-IN-AID PROGRAM FOR THE ACQUISITION AND DEVELOPMENT OF OUTDOOR RECREATION LAND; (2) AN ALL-TERRAIN VEHICLE PROGRAM OF FUNDING FOR PLANNING AND ACQUISITION AND MANAGEMENT OF ATV RECREATIONAL AREAS AND TRAILS, AND (3) A PLANNING AND COORDINATION PROGRAM FOR STATE AND LOCAL AGENCIES IN REGARD TO ACQUISITION AND DEVELOPMENT OF RECREATIONAL LAND AND COMPREHENSIVE PLANS AS WELL AS RESPONSIBILITY FOR THE WASHINGTON STATEWIDE OUTDOOR RECREATION AND OPEN SPACE PLAN,

AND, WHEREAS, IT IS NECESSARY FOR THE INTERAGENCY COMMITTEE TO ADOPT AND AMEND REQUIRED RULES TO CARRY OUT THE ABOVE PROGRAMS UNDER THE ADMINISTRATIVE PROCEDURES ACT, RCW 34.04; CHAPTER 286-04 THROUGH 286-99,

AND, WHEREAS, A PUBLIC MEETING HAS BEEN HELD ON JUNE 22, 1973, AT OLYMPIA, WASHINGTON, IN CONFORMANCE WITH WASHINGTON STATE LAW TO REVIEW AND ADOPT

SAID RULES SETTING OUT THE ORGANIZATION AND OPERATIONS OF THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION, ELIGIBILITY OF PUBLIC AGENCIES FOR STATE OUTDOOR RECREATIONAL FINANCIAL ASSISTANCE, APPLICATION PROCEDURES, AND REQUIREMENTS FOR PROJECTS THAT ARE ACCEPTED FOR ASSISTANCE, INCLUDING PROJECTS FOR ALL-TERRAIN VEHICLE RECREATIONAL AREAS AND TRAILS,

AND, WHEREAS, IN ORDER TO PRESERVE THE GENERAL WELFARE, IT IS NECESSARY THAT THESE RULES GO INTO EFFECT IMMEDIATELY BECAUSE ACTION UNDER THESE RULES IS NECESSARY PRIOR TO JULY 1, 1973, IN ORDER TO QUALIFY THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION FOR STATE APPROPRIATED FUNDS AND PROVISIONS ON APPLYING FOR INTERAGENCY COMMITTEE FUNDS MUST BE IN EFFECT BY JUNE 25, 1973, IN ORDER THAT APPLICATIONS FOR FUNDING MAY BE RECEIVED IN TIME FOR PROCESSING BY THE INTERAGENCY COMMITTEE PRIOR TO JUNE 30, 1973, AND NOTICE OF RULEMAKING AND OPPORTUNITY TO PRESENT VIEWSHAVE BEEN GIVEN AND AFFORDED;

NOW, THEREFORE, BE IT RESOLVED:

(1) THAT THE INTERAGENCY COMMITTEE DOES HEREBY ADOPT THE RULES DESIGNATED IN WAC 286-04 THROUGH 286-26, A COPY OF WHICH IS ATTACHED, AS ITS OFFICIAL RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT, IT BEING UNDERSTOOD THAT AMENDMENT MAY BE MADE TO SAID RULES FROM TIME TO TIME UPON FILING OF NOTICE OF INTENTION TO ADOPT, AMEND, OR REPEAL SAID RULES AND UPON CONVENING OF AN OFFICIAL PUBLIC MEETING FOR REVIEW AND PUBLIC COMMENTS PRIOR TO ADOPTION;

(2) THAT THESE RULES SHALL GO INTO EFFECT IMMEDIATELY UPON BEING FILED WITH THE CODE REVISER AND SHALL REMAIN IN EFFECT UNTIL PERMANENT RULES TO THE SAME EFFECT ARE ADOPTED, OR FOR 90 DAYS, WHICHEVER IS SOONER.

MOTION WAS CARRIED.

(NOTE: The entire Administrative Rulemaking Order No. 2 as passed by the Inter-agency Committee is APPENDIX "A" to these continued minutes, with Chapters 286-04 to 286-26.)

Following lunch, the Committee reconvened at 1:15 p.m. for continuance of the Open Hearing. Chairman Lofgren asked that the motion passed at the morning's session to adopt the Administrative Procedures Act rules and regulations be re-considered due to the fact that some IAC members were not present when the vote was taken.

IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MRS. LEMERE, TO RE-CONSIDER THE MOTION CONCERNING THE ADMINISTRATIVE PROCEDURES ACT RULES AND REGULATIONS REGARDING THE PROCEDURAL GUIDELINES AND THE ALL-TERRAIN VEHICLE GUIDELINES. MOTION CARRIED.

The secretary was asked to read the RESOLUTION OF ADOPTION.

IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MRS. LEMERE, THAT THE RULES AND REGULATIONS OF THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION UNDER THE ADMINISTRATIVE PROCEDURES ACT BE ADOPTED.

MOTION CARRIED.

III. Procedural Guidelines: Mr. Martin was asked to give the presentation on the

1973 Procedural Guidelines - State and Local documents. He stated both guidelines had been updated to include within them the amendments and suggestions made by the Committee, Technical Committee, and various other groups. The Guidelines will enable the IAC to distribute to state and local agencies the grant-in-aid funds in an equitable and expedient manner. The guidelines also act as a communication tool and enable the staff to present viable projects with correct information to the Interagency Committee for consideration.

Format: Mr. Martin outlined the new numerical system assigned to the 1973 Guidelines as an update to the 1970 Procedural Guidelines. These follow in a consistent manner the type of numerical system used in the Administrative Procedures Act and act as an adjunct to them.

Changes: A system to amend the guidelines will be instituted and each agency, individual, or group receiving the guidelines will also receive amendments to them which can be easily included within the state and local guidelines for updating.

Distribution: Changes to the guidelines proposed by the Committee today will be considered and incorporated within them so that the State Printer can have the guidelines completed and available to the IAC for mailing by June 29, 1973.

Public review of guidelines: Mr. Martin outlined the nine public meetings held for the review of the guidelines, with 672 eligible public agencies being contacted. The meetings were held in Olympia, Bremerton, Vancouver, Yakima, Tri-cities, East Wenatchee, and Bellingham. Input was made in writing by those desiring to suggest changes. Of the 672 agencies contacted, the IAC had remarks on fifty-four of the Procedural Guidelines' 113 sections; and of the 54 sections, 125 comments were received in addition to six comments from private agencies or persons. 134 people were in attendance at the nine meetings as a total. Of the comments made, 93 or 75% were made by six agencies -- one state agency and five local agencies.

Of the 125 remarks on the Procedural Guidelines, 28 were single variety and 11 had at least two comments. The first thirty-seven sections of the Guidelines had one or two comments about them.

The problems relating to and comments dealing with the Procedural Guidelines centered in about six or seven specific areas: (1) planning, (2) meeting dates, (3) donation of land, (4) Community-school concept, (5) real property acquisition law; and (6) contingency fund for development projects. Also application deadlines were commented upon.

Mr. Martin distributed the following memoranda to the Interagency Committee;

- (1) Proposed Changes in Procedural Guidelines - Local Agencies (Yellow paper)
Dated June 22, 1973
- (2) Proposed Changes in Procedural Guidelines - State Agencies (Pink paper)
Dated June 22, 1973

Each sheet indicated changes incorporated into the final draft of the Procedural Guidelines - both state and local. These changes did not include typographical errors or misspelled words which have been routinely corrected by IAC staff. Explanation of each change was given by Mr. Martin as the meeting continued.

Following Mr. Martin's presentation, the Chairman suggested proceeding through each chapter of the Guidelines with the Committee members making suggestions as to changes, followed by an overall adoption of each Chapter as amended.

Briefly, the following comments, suggestions and amendments were discussed and/or passed by the Interagency Committee;

Chapter 01- INTRODUCTIONS:

01.04.000 Goals and Objectives: Mr. James Webster, Assistant Director, King County, Parks and Recreation Department, stated the goals and objectives paragraph needed to be changed to reflect the action taken by the Committee under the APA rules and regulations at the morning session. The Committee acknowledged and so directed that such change be effected. (See APA WAC 286-04-030 Goals and Objectives.

Chapter 03 - ELIGIBILITY REQUIREMENTS: In response to Mrs. Lemere's question, Mr. Martin pointed out that it was not necessary to include entire information on eligibility requirements and planning requirements within the APA since these were given in greater detail within the Procedural Guidelines.

Chapter 03 - GENERAL POLICIES: Mr. Martin noted that the meeting schedules had been changed from four meetings per year to three - April, August and December.

Mr. Bell asked if the Guidelines addressed themselves to a funding formula, and was informed by Mr. Martin that the Guidelines did not include this type of information, that the Committee sets these standards. Both Mr. Bell and Mr. Odegaard felt the Committee had adopted percentages as to the amounts of money it allocates during certain periods; therefore when staff recommends funding all of the money available, then the Committee has no chance to fund projects it might like to see funded. Mr. Lofgren stated this would be in the mechanics of how a project is reviewed rather than a guideline, and therefore should not be included in the Procedural Guidelines.

03.03.001 - Application Considerations and Submittal Deadlines; Mr. Lofgren asked for an explanation of a "technically complete project". Mr. Martin informed him the project must follow all of the IAC application rules and all documents must be attached to it with all details clarified before it can be considered by the Committee, i.e., permits cleared, title, resolution by city, etc.

Mr. Biggs commented upon the submittal deadline dates, inquiring if an extremely viable acquisition project would present itself requiring relatively quick action, would the limitation of three or four months tend to practically eliminate any potential situations that might fall in that category? He felt there should be some exception to the rule - by vote of the Committee - or something similar.

Mr. Martin replied the agencies have the opportunity to obtain a waiver without jeopardizing their project, but they do proceed at their own risk. Mr. Biggs stated he did not like to see IAC close the door to a situation of the kind he had mentioned because of a procedural guideline requirement and he did not like to see a handicap placed upon agencies which might have a viable and extremely valuable piece of property become available yet not be within the time limit as set up in the guidelines.

Chairman Lofgren asked Mr. Odegaard for his comments. Mr. Odegaard stated he shared

some of the concern expressed by Mr. Biggs, especially in regard to the need for an appraisal review and a review appraiser. He felt there was a need to consider the techniques used in appraisal review because many times this will hold up projects some three to four months. Mr. Crouse shared the same concern of Mr. Biggs that valuable property might be lost due to the time limit imposed for project submittals by state agencies.

Mr. Martin replied since state agencies were all located in Olympia, the communication problem was very well taken care of and it would be possible for state agencies to advise the IAC of their programs and problems. These could then be handled through IAC staff and resolutions made. He informed the Committee that it takes the IAC staff 65 hours to process an acquisition project and 98 to 100 hours to process a development project from beginning of the procedure to the end. For the May meeting, 2,500 total hours of work was given to processing of projects. The IAC staff actually had 760 hours to devote to state agencies, but they were given 1,500 hours of processing time. Therefore, IAC staff needs to have a good time lead for processing of applications and thus the Guidelines were aligned to take this fact into consideration and project submittal deadlines given as January 1, May 1 and September 1. Mr. Martin stated IAC staff had the ability to assist state agencies with "urgent" projects at any time. The guidelines will not preclude state agencies from working with IAC along these lines.

Chairman Lofgren recognized Mr. William Fearn, Park and Recreation Director, Spokane, who stated it was difficult for him to study the guidelines because they appear to be "one on top of the other", and he felt staff may have difficulty in processing the applications because of the amount of detail they have in the guidelines and the amount of information they must have from the local agencies as well as state agencies.

Mr. Lofgren then noted it was possible to amend the guidelines at any time through action of the Interagency Committee. In response to Mrs. Lemere's question, Mr. Martin stated that within the proposed motion to approve the Procedural Guidelines was included direction to the Administrator to set up a procedure for updating of them.

At this point, Mr. Lofgren stated it would be more feasible to take BOTH the State and Local Guidelines at the same time in the review in order to expedite the day's work. The Chairman then reverted back to Chapters 01 and 03 of both Local and State Guidelines to insure all comments and suggestions had been made for BOTH State and Local agencies.

IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MRS. LEMERE, TO ADOPT CHAPTERS 01 INTRODUCTION AND 02 ELIGIBILITY REQUIREMENTS AS AMENDED BY THE COMMITTEE. MOTION WAS CARRIED.

03.17.000, page 17: Mr. Odegaard suggested that (1) boundary surveys are more important for an acquisition project than for development, and (2) if a change is made in the guideline, it should be the Administrator's decision whether a boundary survey is required or not rather than having the rule mandatory. Mr. Crouse agreed with Mr. Odegaard. The Administrator was asked if he would object to this type of change. Mr. Francis replied he felt a boundary survey was essential for development, but that in regard to acquisition, the IAC obtains a legal description at the time of acquisition and a boundary survey may not be required. However, the Committee felt the guideline should be altered, and it was therefore MOVED BY MR. ODEGAARD, SECONDED BY MR. BIGGS THAT THE PROCEDURAL GUIDELINE 03.17.000

BOUNDARY SURVEYS BE AMENDED TO INDICATE THAT THE ADMINISTRATOR MAY AT HIS DISCRETION REQUIRE BOUNDARY SURVEYS ON ACQUISITION OR DEVELOPMENT PROJECTS. MOTION WAS CARRIED.

Mr. James Webster, King County, echoed comments of Mr. Bell and Mr. Fearn concerning the deadlines imposed by the guidelines. Local agencies work on a one-year budgetary period as opposed to the state agencies biennial period. If the deadline could be lessened for locals somewhat, it would be helpful to them.

Mr. Martin stated the reason for moving the meeting dates was to accommodate budgetary programs of the various local agencies. Mr. Webster replied he was more concerned with the lead time the IAC would establish with this guideline -- the four month lead time on development projects and the three months on acquisition projects.

Mrs. Lemere then referred to a letter dated June 21, 1973, from Mrs. Joan Blaisdell, Federal/State Coordinator, City of Bellevue, also stating this same point. Copy of Mrs. Blaisdell's letter had been distributed to each Committee member. Mrs. Lemere stated she had also heard from other local agencies concerning this same problem.

There followed discussion on how much lead time was absolutely essential to IAC staff and how far the staff could go to accommodate local agencies. Mr. Martin stated this was the minimum amount of time and that the lead time was needed by IAC staff because of the large amount of projects coming in for review and consideration. There were 90 projects at the last IAC meeting. A Flow Chart of IAC Project Processing was then distributed to each IAC member (dated June 22, 1973) and explanation of it was given by Mr. Martin. He emphasized that the IAC staff is attempting to consolidate some of the areas of responsibility and the flow chart assists in pointing out the time involved in processing applications and the need for deadlines.

There was discussion on shoreline permits and other required permits taking time prior to submission of an application. Mr. Lewis Bell then suggested perhaps IAC had best have two funding sessions per year -- one for state and one for locals. Mr. Martin pointed out permits may be applied for before submission of applications and, in fact, that an agency may submit its application and then its permit. Also, he pointed out that the permits are allowable for some length of time and quoted years in which certain permits could still be in effect.

Mr. James Webster noted there was a restriction on when an agency can perform construction on inter-waters because of fish runs, and if an agency misses that period of time in which to perform the work, it is another wait of about eight months.

The Chairman asked if Mr. Webster had an alternative he would like to recommend. Mr. Webster suggested bringing the deadline down to as small a requirement as possible.

Mr. Biggs suggested the Administrator be authorized to waive the deadline in exceptional situations for a period of 30-60 days. Whereupon Mr. Lofgren stated this would place the Administrator in a peculiar position, and asked Mr. Francis if he would be able to handle this type of authorization. Mr. Francis stated he would be able to do this if the Committee so elected; however, he desired to hold to the deadline approach as outlined in the guideline.

The Chairman then recognized Mr. Ken Hertz, Park and Recreation Director, Whatcom County, who stated this type of problem had been discussed at great length prior to this meeting and it had been brought up at the Technical Review meetings held throughout the state. He felt he had to take exception to previous comments from the audience. Because of the hassle with permits, making applications, considerable delays invoked, etc., it would now be necessary for locals to do some pre-planning at least a year ahead of presenting an application, and he recommended the three to four months lead time be left in the Procedural Guideline for development projects so that locals could insure their planning efforts are completed. Mrs. Mylroie noted that the State Department of Highways is able to plan at least four or five - sometimes six years - ahead of time and that this can be done. Barney Wilson, Park and Recreation Director, Kent, Washington, felt that pre-planning is commendable if the locals have a planning group or section; however, smaller cities are not so equipped and he felt there would be only about six local agencies which would have the ability to do the pre-planning.

Ken Hertz, Park and Recreation Director, Whatcom County, however, stated his smaller county is able to do this type of planning and, in fact, must be prepared to do so for county commissioners approval.

Following this discussion, it was the consensus of the Committee that staff would be able to streamline the procedures in the guidelines and work with the Committee to insure that the proper objectives were being reached. Mr. Crouse and Mrs. Lemere expressed their faith in the staff to continue its review for amendments to the guidelines.

03.18.000 Local and State - Time Limitation on Grant Availability: Mr. Martin referred to this section and suggested paragraph (2) would be deleted:

DELETED: "Project contract amendments requesting extension of time for contract compliance must be submitted in writing with justification to the Administrator for approval consideration."

03.15.001 State Agency - Income derived during project period: Mr. Martin suggested this section should be changed to include the wording "unless precluded by law" at the beginning of the paragraph, to read:

03.15.001 Income Derived During the Project Period - Unless precluded by law income that accrues to an IAC assisted area during the project period from sources other than the intended recreational use will be used....etc.

In explanation, Mr. Martin stated that most of the income from projects will revert to the General Fund agency operating budgets. This wording will leave the door open in the event that if this is not the case, the IAC could use the monies for these purposes.

03.15.002 State Agency - Income Derived After the Project Period: Mr. Martin stated the fourth line would be changed to indicate "operation and maintenance of IAC funded facilities", and the reference 03.08.000 would be changed to 03.06.000. Thus the section would read:

03.15.002 Income Derived After the Project Period: Unless precluded by law and except for income derived from the sale of structures acquired with IAC assistance, nonrecreational income accruing subsequent to the project period, including that from land management practices, must be used only to offset

expenses of operation and maintenance of IAC funded facilities or for park and recreation capital acquisition and development....etc.

IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MR. CROUSE, THAT CHAPTER 03, GENERAL POLICIES, AS AMENDED BY MEMBERS OF THE COMMITTEE BE APPROVED. MOTION WAS CARRIED.

Mr. Lloyd Bell, Dept. of Natural Resources, also asked that the wording "unless precluded by law" apply to 03.15.002. The Committee concurred.

Chapter 04 - ACQUISITION POLICIES:

04.08.000 Local and State Agencies - Encumbrances: Mr. Martin added the following wording to this section "which, in the judgment of the IAC would limit the use of the site disproportionately to the public benefit", making the paragraph read as follows:

04.08.000 Encumbrances: Property rights obtained with IAC funding assistance must be free of all reservations or encumbrances which, in the judgment of the IAC, would limit the use of the site disproportionately to the public benefit.

04.07.000 State Agency - Restrictions on Title to Land Acquired with Outdoor Recreation Funds:

New wording on this section was read by Mr. Martin as follows, delete "applies for reimbursable acquisition costs from the IAC" to "submits billing vouchers to the IAC", so that the section would then read as follows:

04.07.000 Restrictions on Title to Land Acquired with Outdoor Recreation Funds:The deed is to be executed and recorded by the participant after it has taken title to the property, and before it submits billing vouchers to the IAC.....

In response to questions from Mr. Lloyd Bell and Mr. Lewis Bell, Mr. Syverson stated the Assistant Attorney General of the IAC had suggested this type of deed be obtained from the state agency as well as the local agencies; that such stipulation should be included in the Procedural Guidelines. Mr. Lewis Bell then suggested that this stipulation be in all DNR lease agreements. A proposed meeting on July 6 to discuss DNR 50-year lease agreements in the Conference Room of the IAC, was mentioned by Mr. Francis. At this time all lease possibilities will be discussed and such a covenant will no doubt be included as a result of the meeting.

04.11.000 State Agency - Determination of Grant Amount: Mr. Martin asked that the words "is reimbursed" be changed to "may be claimed", making the paragraph then read

04.11.000 Determination of Grant Amount:The actual IAC grant that may be claimed is determined on the basis of the IAC approved total cost or the appraised value or the purchase price, whichever is less.

IT WAS MOVED BY MR. ODEGAARD THAT CHAPTER 04 OF THE PROCEDURAL GUIDELINES AS AMENDED BE APPROVED.

Discussion followed prior to a second. Mr. Crouse commented on 04.10.000, asking why it was necessary to include the sentence: "....legal barriers or public

necessities make it imperative to purchase or lease in lieu of achieving a no cost transfer"...and "The fair market value requirement will only be used in situations where law preempts the selling of land for less than fair market value."

He felt that the IAC does business with some of the smaller counties that have not in effect had a law which states that they can't sell property at less than true market value; but according to this particular guideline unless they do have such a law, then the IAC would have trouble in acquiring property in those areas.

Mr. Syverson explained that the BOR guidelines are similar to those stated in the IAC Procedural Guidelines and there is need to strongly substantiate this particular requirement. The agency must restrict this cost to what is paid for the land unless there is an overriding law which demands an agency receive full compensation at the time of the sale. This guideline is in keeping with the federal version.

Mr. Biggs then said if an agency doesn't happen to have such a law, it will be unable to purchase the property; therefore, it would seem peculiar to state that the agency cannot purchase it. Mr. Francis clarified this issue. The guidelines may work a hardship in the acquisition of public lands by another public agency, but the rules and regulations of BOR is founded upon a very sound philosophy. It is public land and represents recreational potential; therefore it is a public investment. Since the land will be in that particular governmental jurisdiction, it will provide recreational opportunity for citizens of that area.

Mr. Crouse did not agree with Mr. Francis' explanation. He felt that any county could simply pass a county commission ordinance stating it must pay or receive fair market value for the land. The only counties taking advantage of this are the smaller counties; they will not sell to public agencies unless a fair market value for a piece of property is paid. He suggested that this guideline should be omitted so that it could be reviewed more thoroughly by the Committee. He felt IAC may lose the opportunity to purchase recreational lands from this guideline from time to time.

Mr. Lofgren instructed the staff to comply with Mr. Crouse's suggestion.

Mr. Crouse then MOVED TO AMEND THE MOTION OF MR. ODEGAARD TO APPROVE CHAPTER 04 AS AMENDED IN KEEPING WITH STAFF REVIEW OF 04.10.000 REAL PROPERTY ACQUIRED FROM OTHER PUBLIC AGENCIES. MR. ODEGAARD ACCEPTED THE AMENDMENT TO THE MOTION. MR. CROUSE THEN SECONDED THE AMENDED MOTION AND IT WAS CARRIED.

05 DEVELOPMENT POLICIES: Mr. Martin referred to 05.03.000, Ineligible Development Projects. Mr. Lemcke clarified item (6) "Development of areas and facilities for which responsibility for such development is a condition imposed upon the agency by either federal or state requirement." Examples given were: PUD's, Tacoma City Light, Exhibit "R's", and private utilities. Mr. Lewis Bell suggested striking "but not applicable to" and inserting "Provided, however, such ineligibility shall not apply to land acquired or leased for recreational purposes wherein recreational development is a requirement for retention of ownership." Thus, the paragraph would then read in item (6):

05.03.000 Ineligible Development Projects: (6) Development of areas and facilities for which responsibility for such development is a condition imposed upon the agency by federal requirement,

but not applicable to land acquired or leased for recreational purposes wherein recreational development is a requirement for retention of ownership.

Committee concurred in the suggested changes to 05.03.000 (6).

05.08.000 Local Agencies - Permit Requirements: Mr. Martin suggested changing Item (2) - the wording "will" to "may" so that the guideline read as follows:

05.08.000 Permit Requirements: (2).....there is reasonable doubt that the project can proceed as proposed, may be classified as technically incomplete and not considered by the Committee at that meeting.

Mr. Odegaard inquired why it was necessary to have paragraph (2) of Section 05.08.000 in the Procedural Guidelines. Mr. Syverson explained staff was concerned about shoreline permits prior to the time of application to the IAC and the time entailed in obtaining these. At the time projects are taken to the Committee, staff felt it is necessary to know if the permits will be allowed and if the project could stand on its own merits in all respects as a viable and complete project.

Mr. Odegaard felt Section (1) which stipulated that "applications shall contain evidence that a permit has been applied for" should be sufficient. Classifying a project as technically incomplete prior to receipt of evidence that a shoreline permit is in process, jeopardizes the project.

Following discussion, Mr. Lofgren asked for the Committee's opinion by vote on the use of the word "may" rather than "will" in paragraph (2) of 05.08.000. MR. CROUSE, MR. BELL AND MR. LOFGREN VOTED FOR INCLUSION OF THE WORD "MAY" -- MRS. LEMERE AND MR. ODEGAARD VOTED IN THE NEGATIVE.

Mr. Odegaard stated that he was not in favor of Section (2) as it precluded the Committee from deciding whether or not they wanted to even consider it and that it placed the IAC Administrator in the position of deciding prior to the time of the court decision on the appeal.

Mr. Crouse asked to clarify his vote on the wording "may" rather than "will". Technically, this would give the Administrator the authority to handle these projects at his discretion. Appeals regarding denials of shoreline permits were then discussed. Both Mr. Lofgren and Mr. Odegaard commented that monies which the IAC had funded could be help up for some time pending appeals. Mr. Lofgren asked the Administrator what would be gained by including paragraph (2) in the permit requirements guidelines. Mr. Francis replied there has been in the past concern expressed by the Committee about total amounts of Outdoor Recreation Account monies tied up in projects wick are not moving. Many of these are due to lack of permits --agencies in process of securing permits, appeal procedures, etc. It was necessary therefore to insure sufficient information on permits in those projects requiring them so that the projects when presented to the Committee for funding will be considered technically complete. Many are technically incomplete because of the prolonged appeal procedure on shoreline permits.

MR. ODEGAARD MOVED THAT THE WORDING IN PROCEDURAL GUIDELINES PARAGRAPH 05.08.000 BE CHANGED AS FOLLOWS:

PARAGRAPH (2), FOLLOWING THE WORDING "MAY BE CLASSIFIED AS TECHNICALLY INCOMPLETE" DELETE "AND NOT CONSIDERED BY THE COMMITTEE AT THAT MEETING".

THERE WAS NO SECOND TO MR. ODEGAARD'S MOTION AND THE MOTION DIED.

05.11.000 State Agencies - Mr. Martin referred to the paragraph (1) "Eligible Facilities" indicating the change from 75% to 100%, so that the beginning sentence in the paragraph would then read:

05.11.000 MARINA DEVELOPMENT: (1) Eligible Facilities
These are recognized as of prime significance to the public and eligible for up to 100% funding.

Mr. Odegaard at this point commented on 05.02.010, Item #11 of the State agencies:

05.02.010 Item 11: Support facilities relating to the protection of the area and the health, safety, and welfare of facility users, such as fences, signs, erosion control works, storage, first aid, information, and interpretive (not structures).

MR. ODEGAARD MOVED THAT ITEM #11 05.02.010 BE AMENDED TO STATE IN ADDITION THE FOLLOWING

.....AND STRUCTURES DIRECTLY RELATED TO THE OPERATION OF THE FACILITY", pointing out the need to meet safety standards set up by the Legislature for the protection and welfare of the people.

THERE WAS NO SECOND TO THE MOTION AND THE MOTION DIED.

Mr. Odegaard then pursued the question of why the Committee feels it is permissible to buy a structure on the land, but not permissible to build such a facility for the welfare and protection of the people. The Chairman asked for response from Mr. Francis. Mr. Francis stated that the subject of administrative complexes had been discussed many times before by the Interagency Committee. It was felt that the acquisition of a structure presently on the land being purchased is a part of that total acquisition of real property involved. The Procedural Guidelines stated the IAC will not expend outdoor recreation account monies for the building of NEW caretaker's residences, administrative complexes, or maintenance complexes. However, in essence of economy, the IAC would allow conversion of facilities on the land which has been purchased, thus making use of an already-existing facility.

Following Mr. Francis' explanation, IT WAS MOVED BY MR. CROUSE, SECONDED BY MR. BELL THAT CHAPTER 05 OF THE PROCEDURAL GUIDELINES BE APPROVED. MOTION WAS CARRIED.

Chapter 06 - PREPARATION OF AN APPLICATION: Following a brief review by Mr. Martin, IT WAS MOVED BY MR. BELL, SECONDED BY MR. ODEGAARD, THAT CHAPTER 06 OF THE PROCEDURAL GUIDELINES BE APPROVED. MOTION WAS CARRIED.

Chapter 07 - APPLICATION PROCESSING: At this point, Mr. Martin referred to the letter from Mrs. Joan Blaisdell, dated June 21, 1973. The Chairman included in the record of the Committee receipt of her letter.

IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MR. BELL, THAT CHAPTER 07 BE APPROVED BY THE COMMITTEE. MOTION WAS CARRIED.

Chapter 08 - ADMINISTRATION OF APPROVED PROJECTS: Mr. Martin brought to the Committee's attention 08.07.000 and addition of the following two paragraphs:

- State Agencies "To be inserted between the third and fourth paragraphs:
1. The review of satisfactorily prepared appraisals will be completed within 30 days.
 2. For the purpose of complying with the Federal and State Uniform Real Acquisition Policies Act, wherein an agency can only negotiate for property based on an "approved", or reviewed, appraisal, a state agency may, with approval of the Administrator, conduct such a review with qualified staff personnel. The use of the results of the agency review is the sole responsibility of the agency and concurrence with the agency review by an IAC contract review appraiser must be made before Committee consideration for project approval."

Following discussion of these two paragraphs, Mr. Martin called the Committee's attention to 08.10.000 in both State and Local Agencies Guidelines.... "Construction Plans and Specifications" which had been amended to include two weeks rather than 30 days for submittal for bids or initiating construction. The paragraph would then read:

08.10.000 Construction Plans and Specifications: It is required that one copy of all construction plans and specifications be submitted for approval at least two weeks prior to advertising for bids or initiating construction.and etc.

Also, the word "approval" was changed to "review":"The IAC will review the plans and specifications and determine conformance with the IAC Project Contract..."

Mr. Odegaard asked why it was necessary to know about the bid advertisements; Mr. Syverson replied at the time of approval of a project contract, the IAC does not know what the local agency or state agency is doing by way of getting the project started. Only schematic drawings are received on development projects and the bid documents when completed are needed as evidence that the projects are moving ahead in the proper manner. These are reviewed for being in conformance with the approved project.

Following discussion, Mr. Lofgren stated the IAC staff should look at this guideline to streamline the functions necessary and thus assist local and state agencies in expediting their projects. The guideline can then be amended at a later time by review of the staff recommendation before the Committee.

08.10.000 Change Orders: State and Local Agencies: Mr. Fearn asked that this guideline be reviewed and changed to indicate "prior to execution". Following discussion, it was the consensus that this guideline be DELETED and included in the July 23-24 meeting for further discussion.

IT WAS MOVED BY MRS. LEMERE, SECONDED BY MR. ODEGAARD TO DELETE 08.10.000 CHANGE ORDERS FROM THE PROCEDURAL GUIDELINES UNTIL JULY 23-24, 1973 IAC MEETING, FOR FURTHER DISCUSSION. MOTION WAS CARRIED.

Mr. Martin was instructed by the Chairman to follow up on this matter.

08.06.000 State and Local Agencies - Site Inspections: Mr. Martin next reviewed

"Site Inspections" guideline 08.11.000. He proposed deletion of "prior to final reimbursement", so that the sentence would read: "A final inspection will be made to insure that the project has been completed in compliance with the project contract."

Mr. Odegaard suggested adding "coordinate with sponsoring agencies" between the words "inspection" and "to insure": "A final inspection, coordinating with sponsoring agencies, will be made prior to final reimbursement to insure that the project has been completed in compliance with the project contract."

08.06.000 Project Contract Amendments, Local and State Agencies: Mr. Odegaard asked that this guideline be discussed. He asked whether it would be possible to have conference calls on certain urgent amendments, stating the waiting period was too restrictive for state agencies. Mr. Francis replied special meetings could be called should they be necessary to expedite action on a project.

IT WAS MOVED BY MR. CROUSE, SECONDED BY MR. BELL THAT CHAPTER 08 AS AMENDED BE APPROVED BY THE COMMITTEE. MOTION WAS CARRIED.

Chapter 09 - State Agencies - BILLING PROCEDURES: Mr. Martin referred to 09.03.000 State Agencies, and suggested under item 4, 4th paragraph, and in Item D, there be a change from the wording "reimbursement is claimed" to "expenditure is reported", making the guideline read in that portion:

09.03.000 Item D. of 4th paragraph: In this column list expenditures that have been made since the last billing (see "E" below) when expenditure is reported in accordance with regular IAC policy.

Following discussion, IT WAS MOVED BY MR. BELL, SECONDED BY MRS. LEMERE, THAT CHAPTER 09 OF THE PROCEDURAL GUIDELINES AS AMENDED BE APPROVED BY THE COMMITTEE. MOTION WAS CARRIED.

The Chairman then called for an overall motion to adopt the 1973 State and Local Procedural Guidelines. IT WAS MOVED BY MR. BIGGS, SECONDED BY MR. BELL

THAT THE INTERAGENCY COMMITTEE ADOPT THE PROCEDURAL GUIDELINES FOR GRANT-IN-AID ASSISTANCE FOR STATE AGENCIES AS AMENDED AND THE PROCEDURAL GUIDELINES FOR GRANT-IN-AID ASSISTANCE FOR LOCAL AGENCIES AS AMENDED, DATED MAY 30, 1973, AS THE OFFICIAL PROCEDURES OF THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION FOR PROCESSING GRANT-IN-AID REQUESTS FOR STATE AND LOCAL AGENCIES TO BE EFFECTIVE JUNE 22, 1973;

AND, THAT THE INTERAGENCY COMMITTEE INSTRUCT THE ADMINISTRATOR TO REQUIRE THAT APPLICANTS SUBMITTING FUNDING REQUESTS TO THE IAC FOR GRANT-IN-AID ASSISTANCE COMPLY WITH THE CONTENT AND INTENT OF THE ADOPTED PROCEDURAL GUIDELINES; AND

FURTHER, TO DISTRIBUTE THE PROCEDURAL GUIDELINES TO ALL ELIGIBLE STATE AND LOCAL AGENCIES IN THE STATE OF WASHINGTON AND ESTABLISH AND MAINTAIN A SYSTEM TO RECEIVE, PROCESS AND PREPARE FOR SUBMISSION TO THE COMMITTEE REVISIONS PROPOSED TO THE THE ADOPTED GUIDELINES.

THE CHAIRMAN RECORDED THE FOLLOWING VOTES IN ABSENTIA THROUGH LETTERS (APPENDIX B 1-2-3 TO THESE MINUTES) AS DATED BELOW AND RECEIVED FROM MEMBERS OF THE COMMITTEE:

BERT L. COLE NATURAL RESOURCES	JUNE 21, 1973	VOTE FOR ADOPTION OF PROCEDURAL GUIDELINES AND THE ALL-TERRAIN VEHICLE GUIDELINES
ROBERT A. ANDERSON COMM. & ECON.	JUNE 21, 1973	VOTE FOR ADOPTION OF PROCEDURAL GUIDELINES AND THE ALL-TERRAIN VEHICLE GUIDELINES
THOR C. TOLLEFSON FISHERIES	JUNE 21, 1973	VOTE FOR ADOPTION OF PROCEDURAL GUIDELINES AND THE ALL-TERRAIN VEHICLE GUIDELINES

MOTION WAS CARRIED.

Mr. Lewis Bell commended the IAC staff for the excellent work they had performed on writing, editing, and updating the Procedural Guidelines of the IAC. Mrs. Lemere then mentioned it was necessary to advise local agencies of the Evaluation Criteria -- how local projects are evaluated. Mr. Lofgren replied this would be discussed at the July 23-24, 1973, IAC meeting in Bellingham. Deadlines for receipt of applications for the October meeting were then given by Mr. Martin:

August 1 Local Agencies September 1 State Agencies

Mr. Martin also advised there would be a meeting October 29-30 in Spokane of the Committee and another in Olympia, probably on December 18-19, 1973. This would then initiate the procedure of the Committee's meeting three times a year as passed through adoption of the State and Local Procedural Guidelines.

Mr. Lofgren asked that notification be sent to all agencies eligible for funding from the IAC advising of meeting dates and deadline for application submittals.

There was then discussion on when the guidelines would take effect, whether old projects must conform to the new rules and regulations. It was the consensus that only NEW projects would be required to meet the new Procedural Guidelines' rules and regulations.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. ODEGAARD THAT THERE WOULD BE NO RETROACTIVE APPLICATIONS OF THE 1973 PROCEDURAL GUIDELINES WHATSOEVER FOR PROJECTS FUNDED BY THE IAC TO DATE; THAT CURRENT PROJECTS WILL PROCEED TO COMPLETION UNDER THE 1970 PROCEDURAL GUIDELINES. MOTION WAS CARRIED.

IV. All-Terrain Vehicle Guidelines 1973: Chairman Lofgren passed the gavel to Mr. Lewis Bell. Mr. Bell called upon Rich Costello for a report on the All-Terrain Vehicle Guidelines. Mr. Costello reviewed for the Committee the "Guidelines for ATV Funds, May 1973."

Mr. Odegaard questioned whether there was a time period on less than fee title which, in fact, must be had on land to be eligible for funds. May ATV funds be used to acquire land, for, as an example, four years? Mr. Costello replied there had been no time limit set as such. Mr. Odegaard then asked if the agency receives the ATV apportionment, may that agency then use it for another purpose besides trails? Mr. Francis agreed this question had been overlooked, and there should be an amendment to the ATV Guidelines to include assurance that should there be a different use of a trail or because of erosion problems, etc., it may be required to be placed in another location, that the agency would handle this problem at its own cost.

Mr. Crouse asked that the Administrator look at this question carefully; perhaps the IAC might fund an ATV trail that would outgrow its use and it might be placed elsewhere. Mr. Bell, as acting chairman, directed the Administrator to have this information available for the Committee. Mr. Francis stated the staff would write a separate section for this purpose rather than including it within one of the present divisions of the All-Terrain Vehicle Guidelines.

Mr. Costello continued review of the Guidelines. Mr. Odegaard asked if a college or university would be considered a governmental agency and could take part in the program. Mr. Francis replied in the negative. Mr. Odegaard then asked Mort Tytler, Assistant Attorney General, for his opinion. Mr. Tytler stated the language was common in semantics and a college or university is a unit of state government, but sometimes there is disagreement on this question. Mr. Francis stated it was not IAC staff's intention to have colleges and universities included, but that DNR, Game or Parks agencies could arrange for use of those types of lands within their own programs.

Section I, Introduction, (B) (4) (a) Intensive Use (ATV Area)- Mr. Costello suggested that the first sentence be deleted and replaced with the following, "A designated area with an average of at least 25% of the surface area suitable and available for travel by ATV's."

Mr. Costello then referred to page (7) and the Action program of All-Terrain Vehicles. He suggested the following change:

"Action plans and inventories may be updated at any time between funding distributions. However, previous fund distributions shall not change because of such action"

This will provide greater flexibility.

Mr. Costello then distributed an ATV-Distribution Table (APPENDIX C to these minutes). He discussed the distribution table and responded to questions concerning it. Certain other changes were read by Mr. Costello. The entire management and coordination of the All-Terrain Vehicle program was then discussed with questions emanating from Mr. Odegaard and Mr. O'Donnell.

The Chairman then entertained a motion to adopt the All-Terrain Vehicle Guidelines. IT WAS MOVED BY MR. ODEGAARD, SECONDED BY MRS. LEMERE THAT

WHEREAS, GUIDELINES FOR ALL-TERRAIN VEHICLE FUNDS HAVE BEEN PREPARED BY THIS COMMITTEE IN ACCORDANCE WITH ITS AUTHORITY UNDER RCW 46.09 TO "...PRESCRIBE METHODS, RULES, AND STANDARDS BY WHICH SUCH DEPARTMENTS (OF STATE GOVERNMENT), COUNTIES OR MUNICIPALITIES MAY APPLY FOR AND OBTAIN MONIES FROM THE OUTDOOR RECREATION ACCOUNT FOR DEFRAYING EXPENSES AND COSTS FOR PLANNING, DEVELOPMENT, ACQUISITION, AND MANAGEMENT OF ATV RECREATIONAL AREAS AND TRAILS....," AND,

WHEREAS, REVIEW DRAFTS OF THIS DOCUMENT HAVE BEEN WIDELY CIRCULATED AND CHANGES MADE WHERE APPROPRIATE;

THEREFORE, BE IT RESOLVED, THAT THE GUIDELINES FOR ALL-TERRAIN VEHICLE FUNDS, MAY, 1973 ARE HEREBY ADOPTED AS AMENDED BY THE COMMITTEE, AS THE METHODS, RULES AND STANDARDS FOR DISTRIBUTION OF ALL-TERRAIN FUNDS FROM THE OUTDOOR RECREATION ACCOUNT OF THE STATE OF WASHINGTON, EFFECTIVE JUNE 22, 1973.

MOTION WAS CARRIED.

Errors in computation on the ATV Distribution Table were then corrected by Mr. Costello.

The meeting adjourned at 4:35 p.m.

RATIFIED BY THE INTERAGENCY COMMITTEE

as corrected
7/23/73

Omar Lofgren
OMAR LOFGREN, CHAIRMAN

FROM: Interagency Committee for Outdoor Recreation
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 2
Emergency rules
relating to (Name of rules or description of subject matter)

Organization and operations of the Interagency Committee for Outdoor Recreation eligibility of public agencies for state outdoor recreation financial assistance, application procedure, and requirements for projects that are accepted for assistance, including projects for all-terrain vehicle recreational areas and trails.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. _____^① filed with the code reviser on _____^② were regularly adopted as permanent rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be _____^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at Olympia on 22 June 1973 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 25th day of June 19 73

Interagency Committee for Outdoor Recreation
(AGENCY)

Robert E. Jensen
By

Administrator

Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO LOCAL REVISOR'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOUR OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PROVIDED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER PUBLISHED IN RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Administrative Rulemaking Order No. 2

At the continued regular meeting of the Interagency Committee for Outdoor Recreation held at the Evergreen Inn in Olympia on 22 June 1973 the following motion was made by Mr. Odegaard, seconded by Mrs. Lemere, and adopted:

WHEREAS, the Interagency Committee for Outdoor Recreation is a state agency administering (1) a Grant-In-Aid Program for the acquisition and development of outdoor recreation land; (2) an All-Terrain Vehicle Program of funding for planning and acquisition and management of ATV recreational areas and trails, and (3) a planning and coordination program for state and local agencies in regard to acquisition and development of recreational land and comprehensive plans as well as responsibility for the Washington Statewide Outdoor Recreation and Open Space Plan,

AND WHEREAS, it is necessary for the Interagency Committee to adopt and amend required rules to carry out the above programs under the Administrative Procedure Act, RCW 34.04; Chapter 286-04 through 286-99,

AND WHEREAS, a public meeting has been held on June 22, 1973, at Olympia, Washington, in conformance with Washington State Law to review and adopt said rules setting out the organization and operations of the Interagency Committee for Outdoor Recreation, eligibility of public agencies for state outdoor recreational financial assistance, application procedures, and requirements for projects that are accepted for assistance, including projects for all-terrain vehicle recreational areas and trails,

AND WHEREAS, in order to preserve the general welfare, it is necessary that these rules go into effect immediately because action

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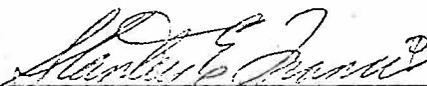
under these rules is necessary prior to July 1, 1973 in order to qualify the Interagency Committee for Outdoor Recreation for state appropriated funds and provisions on applying for Interagency Committee funds must be in effect by June 25, 1973 in order that applications for funding may be received in time for processing by the Interagency Committee prior to June 30, 1973, and notice of rulemaking and opportunity to present view have been given and afforded.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Interagency Committee does hereby adopt the rules designated in WAC 286-04 through 286-26, a copy of which is attached, as its official rules under the Administrative Procedure Act, it being understood that amendment may be made to said rules from time to time upon filing of notice of attention to adopt, amend or repeal said rules and upon convening of an official public meeting for review and public comments prior to adoption;

2. That these rules shall go into effect immediately upon being filed with the Code Reviser and shall remain in effect until permanent rules to the same effect are adopted, or for 90 days, whichever is sooner.

Attest:



Stanley E. Francis
Administrator

FINDING OF EMERGENCY

In order to preserve the general welfare, it is necessary that these rules go into effect immediately because action under these rules is necessary prior to July 1, 1973 in order to qualify the Interagency Committee for Outdoor Recreation for state appropriated funds and provisions on applying for Interagency Committee funds must be in effect by June 25, 1973 in order that applications for fundings may be received in time for processing by the Interagency Committee prior to June 30, 1973, and notice of rulemaking and opportunity to present views have been given and afforded.

THEREFORE, these rules shall go into effect immediately upon being filed with the Code Reviser and shall remain in effect until permanent rules to the same effect are adopted, or for 90 days, whichever is sooner.

ATTEST:



Stanley E. Francis
Administrator

(Instructions for completion on back of page) [Form CR-1: Rev. 3/9/72]
(Additional information may be typed on back of page)

(1) Notice is hereby given in accordance with the provisions of RCW 34.04.025 and _____ ①, that the Interagency Committee for Outdoor Recreation intends to
(name of agency)
adopt, amend or repeal rules concerning: ②

Organization and operations of the Interagency Committee for Outdoor Recreation eligibility of public agencies for state outdoor recreation financial assistance, application procedure, and requirements for projects that are accepted for assistance, including projects for all terrain vehicle recreational areas and trails.

A copy of proposed rules is attached.

(2) (Use only if hearing is to be held)
that such agency will at _____
(time) (day) (date) ③
in the _____
(place)
conduct a public hearing relative thereto:

(3) and that the adoption, amendment or repeal of such rules will take place at 10:00 a.m. Monday, 23 July 1973
(time) (day) (date) ④
in the Leopold Hotel, Bellingham
(place)

(4) The authority under which these rules are proposed is:
RCW 46.09.110 and RCW 46.09.170

(5) Interested persons may submit data, views or arguments to this agency --

(a) in writing to be received by this agency prior to 20 July 1973
and/or (date) ④

(b) orally at _____
(time) (day) (date) ③

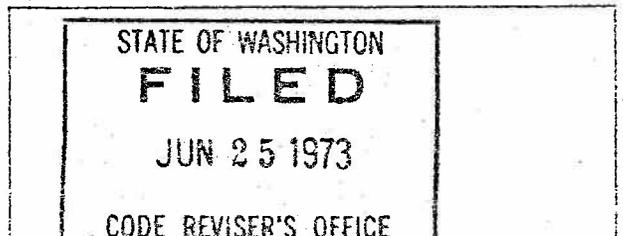
(place)

(6) The additional notice required by RCW 34.04.025 has been made by mailing copies of this notice to all persons who have made timely request of this agency for advance notice of its rule-making proceedings.

(7) This notice is connected to and continues the matter noticed in Notice Nos. 3861, 4028 and 4082 filed with the reviser's office on 2 FEB. 1973, 9 May 1973 and 31 May 1973.
(dates)

Interagency Committee for
Outdoor Recreation
(AGENCY)

Dated: ③ 25 June 1973
[Signature]



CHAPTER 286-04

GENERAL

WAC 286-04-010 DEFINITIONS. For purposes of these rules:

(1) "Interagency committee" means the interagency committee for outdoor recreation, (IAC) created by RCW 43.99.110.

(2) "Chairman" means the chairman of the interagency committee. See RCW 43.99.110.

(3) "Administrator" means the administrator of the interagency committee. See RCW 43.99.130 (Order 1, §286-04-010, filed 12/10/71.)

(4) "Bureau of Outdoor Recreation" (BOR) means the bureau of outdoor recreation, United States Department of Interior.

(5) "Project" means the undertaking which is, or may be, funded in whole or in part with outdoor recreation account money administered by the interagency committee.

(6) "Development" means the construction of facilities necessary for the use and enjoyment of recreational resources.

(7) "Acquisition" means the gaining of rights of public use by purchase, negotiation, or other means, of fee or less than fee interests.

(8) "Planning" means the development of programs of action to increase the availability of recreational resources and/or the preparation of designs and specifications for such resources.

(9) "Action program" means the identification of actions proposed to effectuate the policies and recommendations contained in the plan.

WAC 286-04-020 ORGANIZATION AND OPERATIONS.

(1) The interagency committee for outdoor recreation is an unsalaried committee consisting of the (a) Commissioner of Public Lands, (b) Director of Highways Department, (c) Director of the Ecology Department, (d) Director of the Game Department, (e) Director of the Fisheries Department, (f) Director of the Parks and Recreation Commission, (g) Director of the Department of Commerce and Economic Development, and five citizens appointed by the governor from the public-at-large for a term of three years. The Chairman of the Committee is appointed by the governor from the five citizen members. (RCW 43.99.110)

(2) The interagency committee was created by Initiative 215 (Marine Recreation Land Act of 1964). It is authorized to allocate and administer funds to local and state agencies from the State General Fund Outdoor Recreation Account. This account includes monies derived from (a) unclaimed marine fuel tax refunds; (b) sales of bonds under Referenda 11, 18, and 28; (c) the state apportionments of the federal land and water conservation funds, and (4) from such other sources as the legislature may provide. (RCW 43.99.060)

(3) The interagency committee is authorized and obligated to prepare, maintain and update a comprehensive statewide outdoor recreation and open space plan. (RCW 43.99.122)

(4) The interagency committee does not operate any outdoor recreation facilities.

(5) The work of the interagency committee is performed by a staff under the direction of an administrator appointed by the Committee. The office of the committee and its staff is 4800 Capitol Boulevard, Tumwater, Washington 98504.

(6) (a) Regular meetings of the interagency committee are held according to a schedule adopted by the interagency committee which schedule is reviewed from time to time as need dictates.

(b) Special meetings may be called by the chairman at any time. (RCW 34.04.020(2))

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(7) Reimbursement of Expenses. Members of the Interagency Committee appointed from the public-at-large shall receive per diem and travel expenses while engaged on official business away from their homes officials and employees generally, (RCW 43.99.110)

NEW

WAC 286-04-030 GOALS AND OBJECTIVES. The goals of the interagency committee for outdoor recreation are to: (1) provide funds and planning assistance for acquisition and development and use of outdoor recreation resources in a manner to maximize preservation of the natural quality of the environment; (2) provide funds and planning assistance for a system of public recreational facilities and opportunities for state residents and visitors; (3) assist with funds and planning assistance local government in providing the type of facilities which, under its jurisdiction, will best serve the local needs for outdoor recreation; (4) encourage programs which promote outdoor education, skill development participation opportunity and proper husbandry of recreation sources.

CHAPTER 286-16

ELIGIBILITY FOR STATE OUTDOOR RECREATION
GRANT-IN-AID ASSISTANCE

WAC 286-16-010 SCOPE OF CHAPTER. This chapter contains rules affecting the eligibility of local and state agencies to share outdoor recreation account money for eligible projects available from or through the interagency committee except for funds deposited in the Outdoor Recreation Account to be administered and distributed by the interagency committee for outdoor recreation for the planning, acquisition, development and management of All Terrain Vehicle trails and areas.

WAC 286-16-020. Only public agencies authorized to acquire or improve public outdoor recreation land, including Indian tribes now or hereafter recognized as such by the federal government for participation in the land and water conservation program, are eligible for funding assistance by the interagency committee.

WAC 286-16-030 APPORTIONMENT OF MONIES BETWEEN STATE AND LOCAL AGENCIES. Unless otherwise specified in the enabling legislation, monies available from all sources, including the United States government, shall be divided into two equal shares, one for aid to state agencies and one for aid to local public agencies.

WAC 286-16-040 MATCHING REQUIREMENTS. (1) Local Agencies - Matching Requirements. (a) Insofar as it is possible under the statewide outdoor recreation plan, local project applications will be administered and approved for funding from the outdoor recreation account in a manner that will maximize federal assistance available for the benefit of state and local outdoor recreation projects in Washington.

(b) The interagency committee will not approve any local project where the local share is less than 25 percent of the total project cost, with the remaining share of up to, but not exceeding, 75 percent being composed of state funds, and/or state and federal funds, regardless of federal source.

(2) State Agencies, Matching Requirements. (a) The interagency committee may approve 100 percent funding from the outdoor recreation account for projects proposed by state agencies.

(b) If federal matching money, regardless of federal source, is available, the state agency may be assisted by interagency committee funds so as to achieve 100% funding.

WAC 286-16-050 PROJECTS ELIGIBLE FOR FUNDING. Projects eligible for funding are (1) acquisition, and (2) development projects which encompass the goals and objectives contained in WAC 286-04-030.

WAC 286-16-060. LOCAL AGENCY REQUIREMENTS. Before the interagency committee will consider any project proposed by

state agency, the following steps must be taken by that agency:

(1) Submission to the interagency committee of a capital improvement program.

(2) Submission of a long range capital plan which is to include a long term (20 years) statement of agency outdoor recreation acquisition and development goals.

NEW

WAC 286-16-080 REIMBURSEMENT POLICY. State aid for acquisition or development of outdoor recreation land is intended to supplement and expand the existing capacity of a state or local agency; it is not intended to supplant the agency's own program, or to reimburse the agency for the cost of projects it would have undertaken without the state matching money. Therefore, except as hereinafter provided, the interagency committee will not approve the disbursement of outdoor recreation funds for a project when land has been purchased or the development has been undertaken before the interagency committee has approved the project and a project contract has been signed.

(1) Retroactive costs. Acquisition: Retroactive costs on an acquisition project are those costs incurred after receipt of application but prior to the execution of the project contract or project contract amendments.

(a) When it is determined by an applicant that an emergency exists, which may jeopardize the project, the administrator may, upon a showing in writing of necessity for action prior to normal processing of the application, grant permission by waiver of retroactivity which letter will not be construed as a qualitative approval of the proposed project, but if the project is subsequently approved, the retroactive costs thus incurred will be eligible for assistance.

(b) After a project contract for acquisition has been executed, the applicant agency will not lose its approved state assistance because it thereafter acquires the subject property prior to action on the agency's application for assistance from a federal agency if (1) the applicant agency requests in writing, and receives the permission of the administrator to purchase and (2) the federal agency has notified the administrator that acquisition of the land will not jeopardize the proposed federal funding.

(2) Retroactive Costs. Development. Retroactive costs on a development project are those costs incurred prior to the execution of the project contract or the project contract amendments.

(a) After a project contract for development, which has been funded wholly or partially with federal funds, has been executed, no costs will be eligible for consideration as retroactive, except as provided in WAC 286-16-080(2)(b).

(b) Necessary costs for preparation of a development project incurred prior to project approval may be eligible but must be specifically listed in the project proposal.

(3) Cost Increases: (a) If an agency has applied for financial assistance for an outdoor recreation project, and the project has been approved, the applicant agency may request

increase the state fund assistance by an equivalent amount: and
the request shall be considered on its merits and in relation to
competing requests for available funds.

CHAPTER 286-20

APPLICATION PROCEDURE

WAC 286-20-010 SCOPE OF CHAPTER. This chapter contains the mandatory procedural requirements that must be met by all agencies applying for state aid for acquisition or development of outdoor recreation land and facilities except application for All Terrain Vehicle Funds.

NEW

WAC 286-20-020 APPLICATION FORM. (1) All applications for matching funds for outdoor recreation projects must be submitted to the interagency committee on forms supplied by the interagency committee, with all provisions of the application completed.

(2) If the administrator determines that the applicant is eligible to apply for federal funds, administered by the interagency committee, the applicant must execute the forms necessary for that purpose, prepared by the interagency committee.

NEW

WAC 286-20-030 DEADLINES. Applicant agencies must meet deadlines for submittal of project applications as established and published by the interagency committee.

CHAPTER 286-24

FUNDED PROJECTS

NEW WAC 286-24-010 SCOPE OF CHAPTER. This chapter contains rules relating to the manner of funding projects and the duties of an agency after its project has been funded in whole or part with monies administered by the interagency committee except All Terrain Vehicle funds.

NEW WAC 296-24-020 PROJECT CONTRACT. For every funded project, a project contract must be executed as provided in this section.

(1) The project contract shall be prepared by the interagency committee staff prior to the committee meeting when the proposed project will be considered for approval. The agency shall execute the contract prior to that meeting.

(2) After approval by the interagency committee, the Administrator will execute the contract and the applicant agency will thereafter be bound by the project contract terms.

NEW WAC 286-24-040 DISBURSEMENT OF FUNDS: Except as otherwise provided herein the Administrator will provide disbursement of funds allocated to a project only on reimburseable basis, after the agency has acquired or developed the outdoor recreation land with its own funds and on a billing showing satisfactory evidence of property rights and compliance with partial and/or total provisions of the project contract.

(1) Exception: Funds are appropriated to state agencies by the Legislature.

(2) Advances: Advance payments may be made for acquisition or development projects following interagency committee approval when the applicant agency demonstrates to the Administrator that it lacks financial resources to purchase the proposed property or complete the development and then seek reimbursement.

(3) Partial payment: Partial payments may be made during the course of an acquisition or development project upon a reimbursement basis pursuant to a billing showing satisfactory evidence of partial acquisition or development.

Chapter 286-26

ALL TERRAIN VEHICLE FUNDS

WAC 286-26-010 SCOPE OF CHAPTER. This chapter contains rules affecting the eligibility of agencies to share in all terrain vehicle funds for all terrain vehicle trails and areas.

WAC 286-26-020 DEFINITIONS. For purposes of this chapter, the following shall be defined as follows:

(1) "All-terrain Vehicle" (ATV) means any self-propelled vehicle when used for cross-country travel on trails and non-vehicle roads or any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland and other natural terrain; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, logging and private forestry vehicle, snowmobiles or any military or law enforcement vehicles.

(2) "All-terrain vehicle funds" (ATV Funds) mean those funds deposited in the Outdoor Recreation Account to be administered and distributed by the interagency committee for the planning, acquisition, development and management of ATV trails and areas.

(3) "All-terrain vehicle trail" (ATV trail) means a corridor designated and maintained for public recreational ATV travel which may be either a trail not generally traversable by a conventional two-wheel drive vehicle or a non-highway road which: (1) is any road other than a highway generally capable of travel by a conventional two wheel drive passenger automobile during most of the year and in use by such vehicles, and (2) is private or controlled and maintained by the Department of Natural Resources, the State Parks and Recreation Commission or the State Game Department, and (3) may not be built or maintained by appropriation from the motor vehicle fund.

(4) "All-terrain vehicle area" shall be divided into two types: (a) Intensive use - a designated area suitable for high density public use with a sufficient percentage of total site free enough of vegetative cover and of gentle slope to be traversed by ATV vehicles; and (b) dispersed use - an area suitable for low-density, off ATV trail public recreational ATV use and not normally requiring support facilities or on-site staffing.

(5) "Highway" means the entire width between the boundary lines of every way publicly maintained by the State Department of Highways or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right. (RCW 46.09)

(6) "Management" means the action taken in exercising control over, regulating the use of, and operation, and maintenance of ATV trails and ATV areas.

(2) An All-terrain vehicle trails and area inventory which shall consist of all present and proposed ATV trails and areas on which the applicant permits or will permit public, recreational ATV use.

(3) An application supplied by the interagency committee. The action plan and the inventory must be submitted on or before November 30 of each odd numbered year.

NEW WAC 286-26-050 APPORTIONMENT OF FUNDS. All-terrain vehicle funds shall be apportioned as follows:

(1) Up to 5% of the All-terrain vehicle permit fees may be used to reimburse the Department of Natural Resources for administrative costs upon submission to the interagency committee for outdoor recreation of vouchers detailing the expenses incurred.

(2) The apportionment of the remaining All-terrain vehicle funds to each qualified recipient shall be on a basis determined by the amount of present and proposed All-terrain vehicle trails and all-terrain vehicle areas as defined.

NEW WAC 286-26-060 DISTRIBUTION OF FUNDS. (1) Fund distribution will be made in a timely manner according to a schedule or schedules adopted by the IAC.

(2) In the event a qualified recipient does not apply for All-terrain vehicle funds available to it, such amounts shall immediately revert to the Outdoor Recreation Account for reapportionment and distribution to qualified recipients in the next funding cycle.

NEW WAC 286-26-070 FUND ACCOUNTABILITY. (1) Each agency having received All-terrain vehicle funds during any year, shall provide a summary certified statement of expenditures of ATV funds and corresponding accomplishments to the interagency committee at the time the action plan or plan update is submitted.

(2) Expenditures shall be made for and summarized by planning, acquisition, development and management categories.

(3) All expenses defrayed with ATV funds must be associated with ATV programs identified within an agency's action plan.

(4) State agencies shall account for ATV funds as unanticipated receipts following all pertinent accounting requirements on the Budget and Accounting Act of 1959 (RCW 43.88). Municipalities and counties shall account for ATV funds as Special Revenue Funds following all pertinent accounting procedures of the Budgeting, Accounting, Reporting System Manual for Counties and Cities and other Local Governments (BARS).

(5) Any expenditure made by a recipient of ATV funds not in conformance with the Act must be repaid to the Outdoor Recreation Account for reapportionment and distribution to qualified recipients as part of the next funding cycle.

(6) Any portion of an ATV fund apportionment not expended by a recipient within five years of the date on which it was distributed shall be returned to the Outdoor Recreation Account for reapportionment and distribution to qualified recipients as part of the next funding cycle.

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