

**Policy Changes to the Nonhighway and Off-road Vehicle Activities Grant Program
Adopted by the Recreation and Conservation Funding Board (RCFB)
July 13, 2016 (Item 8A) (Bellevue WA.)
Resolution #2016-28**

The RCFB adopted the following policy statements applicable only to the Nonhighway and Off-road Vehicle Activities grant program:

1. Grant Limits

- “The maximum grant for all Maintenance and Operations projects in the Nonmotorized and Nonhighway Road categories shall be \$150,000.”
- “The maximum grant for all Acquisition, Development, and Planning projects in the Nonmotorized and Nonhighway Road categories shall be \$200,000.”
- “There shall be no annual spending maximum for Maintenance and Operations projects.”

Table 1. Summary of Proposed Grant Limits for NOVA Recreation Grants

Category	Maintenance and Operation	Land Acquisition, Development, Planning, and Combination
Nonhighway Road	\$150,000 per project	\$200,000 per project
Nonmotorized	\$150,000 per project	\$200,000 per project
Off-road Vehicle	\$200,000 per project*	No limit*

**Does not represent a change in policy (existing limit)*

2. Technical Review of Grant Applications

- A. “NOVA Nonmotorized (NM), Nonhighway Road (NHR), and Off-Road Vehicle (ORV) project applications shall only undergo an application review for eligibility and completeness by RCO staff and not a technical review by the NOVA Advisory Committee.”

3. Nonprofit Off-Road Vehicle Organization’s Eligibility

- A. “An eligible nonprofit off-road vehicle organization must be able to contract with the State of Washington, and meet all of the following criteria:
 - Registered with the State of Washington as a non-profit per RCW 24.03
 - Demonstrate at least 3 years of actively managing projects relevant to the types of projects eligible for funding in the applicable Nonhighway and Off-Road Vehicles Activities (NOVA) category. “Actively managing projects” means performing the tasks necessary to manage a NOVA funded site; such as negotiating for acquisition of property rights, closing on an acquisition, developing and implementing plans, designing and implementing development projects, performing maintenance and

operations, education and enforcement, securing and managing the necessary funds regardless of fund source, and other tasks.

- Does not discriminate on the basis of age, disability, gender, sexual orientation, income, race, religion."

B. Defining the term "Publicly Owned Lands" as used in RCW 46.09.530.

"For the purposes of making grant applications and project agreements available to nonprofit off-road organizations per RCW 46.09.530, publicly owned lands are defined as those lands which are owned, leased, or otherwise controlled and managed by a federal, state, or local government through statute or other legal authority, fee simple ownership, easement, lease, or interagency agreement; or memorandum of agreement or similarly formal document."

C. Establish Control and Tenure Requirements.

Project and Ownership Type	Policy Statement
Planning and Development Projects on <u>Publicly Owned</u> Property.	<p>"Nonprofit off-road vehicle organizations that propose a planning or development project on publicly owned property must either:</p> <ol style="list-style-type: none"> 1. Secure control and tenure of the project site as described in Manual #4, for the period required by Development projects, or 2. Co-sponsor the grant along with a NOVA eligible land owner."
Planning and Development Projects on <u>Privately Owned</u> Property.	<p>"Nonprofit off-road vehicle organizations that propose a planning or development project on privately owned property must secure control and tenure of the project site as outlined in Manual #4 for the period required for development projects; and demonstrate through easement, lease, or other legally binding agreement that the public will have access to the completed project for the required term. For planning projects, the project area does not have to be available to the public until the actual planned project (development) has been completed."</p>

Project and Ownership Type	Policy Statement
<p>Maintenance and Operations, and Education and Enforcement Projects on <u>Publicly Owned</u> Property</p>	<p>“Nonprofit off-road vehicle organizations that propose to maintain and/or operate, or propose education and enforcement projects, must execute an RCO Landowner Agreement Form; or comparable agreement, as approved by RCO. The tenure must meet or exceed the period of performance and on-going obligations identified in the RCO Project Agreement.”</p>
<p>Maintenance and Operations, and Education and Enforcement Projects on <u>Privately Owned</u> Property</p>	<p>“Nonprofit off-road vehicle organizations that propose to maintain and/or operate a NOVA eligible facility, or propose education and enforcement activities, must:</p> <ul style="list-style-type: none"> • Satisfy the control and tenure requirements in Manual #4; or • Provide a lease, easement, or other legally binding agreement for the project property that allows the proposed project and public access; The tenure must meet or exceed the period of performance and on-going obligations identified in the RCO Project Agreement.”