


# Manual 9

## Boating Facilities Program

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August 2020

# Table of Contents



<b>At a Glance</b> .....	<b>1</b>
<b>Section 1: Introduction</b> .....	<b>2</b>
The Boating Facilities Program.....	2
The Recreation and Conservation Funding Board.....	2
Where to Get Information.....	4
Grant Process and Timeline .....	5
<b>Section 2: Policies</b> .....	<b>9</b>
Program Priorities.....	9
Eligible Applicants .....	10
Eligible Projects .....	11
Environmental Requirements.....	16
Property Requirements.....	19
Other Requirements and Things to Know .....	20
Project Area Stewardship and Ongoing Obligations .....	22
Restrictions .....	23
Definitions.....	26
<b>Section 3: Money Matters</b> .....	<b>27</b>
Grant Limits.....	27
Match Requirements .....	28
Match Reduction.....	31
Types of Match .....	34
Cost Changes.....	36
Federal Rules .....	36
Records and Reimbursement.....	36
<b>Section 4: Project Evaluation</b> .....	<b>38</b>
How Project Evaluation Works .....	38
Boating Programs Advisory Committee .....	40
Evaluation Criteria.....	41
Scoring Criteria .....	42

# At a Glance

## Boating Facilities Program

<b>Purpose</b>	This program provides money to acquire, develop, and renovate facilities such as launching ramps, guest moorage, and support facilities for motorized boats and other watercraft.
<b>Who may apply?</b>	<ul style="list-style-type: none"> <li>• Cities, towns, and counties</li> <li>• Native American tribes</li> <li>• Special purpose districts</li> <li>• State agencies</li> </ul>
<b>Is a plan required?</b>	Yes, an outdoor recreation comprehensive plan is needed to apply.
<b>When are plans due?</b>	<ul style="list-style-type: none"> <li>• Plans are due September 1, 2020. See <i>RCO Manual 2: Planning Policies and Guidelines</i>.</li> </ul>
<b>What types of projects are eligible?</b>	<ul style="list-style-type: none"> <li>• Development or renovation</li> <li>• Land acquisition</li> <li>• Planning</li> </ul>
<b>What are the grant limits?</b>	<ul style="list-style-type: none"> <li>• Acquisition: \$1 million</li> <li>• Development or renovation: \$1 million</li> <li>• Combination of acquisition and development or renovation or acquisition and planning: \$1 million</li> <li>• Planning: 20 percent of estimated construction costs or \$200,000 maximum, whichever is less.</li> </ul>
<b>What must I contribute?</b>	25 percent for local agency projects, nothing for state agency projects
<b>Where must my project be located?</b>	On freshwater or saltwater
<b>How is my project evaluated?</b>	An advisory committee hears an in-person presentation and scores the project.
<b>When are applications due?</b>	November 1, 2020
<b>When are grants awarded?</b>	June 29-30, 2021 (Estimate)
<b>What's new this year?</b>	<ul style="list-style-type: none"> <li>• Changed PRISM Online to make applications easier</li> <li>• Adopted a match reduction policy to mitigate impacts of COVID-19 and suspended the Matching Shares criterion</li> <li>• Removed the 10 percent non-state, non-federal match requirement</li> <li>• Will conduct review and evaluation meetings online only</li> <li>• Increased the maximum points for the Site Suitability criterion (acquisition-only projects)</li> <li>• Revised the evaluation criterion about sustainable projects</li> </ul>

# Section 1: Introduction

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## In this section, you'll learn about the following:

- ✓ The Boating Facilities Program
- ✓ The Recreation and Conservation Funding Board
- ✓ Where to get information
- ✓ Grant process and timeline

### The Boating Facilities Program

The state's citizens created the Boating Facilities Program (BFP) and its managing agency, the Recreation and Conservation Funding Board, in 1964 when they voted to approve Initiative 215.<sup>1</sup> The initiative provided money to enhance the state's marine recreation lands. Today, money continues to be collected from marine fuel taxes.<sup>2</sup>

The program pays for land and facilities that support motorized watercraft recreation. Typical projects include land acquisition and development of boat launches and guest moorage facilities.

### The Recreation and Conservation Funding Board

The Recreation and Conservation Funding Board administers BFP grants. The board is a governor-appointed board composed of five citizens and the directors (or designees) of three state agencies—Department of Fish and Wildlife, Department of Natural Resources, and Washington State Parks and Recreation Commission.

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<sup>1</sup>The Washington Marine Recreation Land Initiative, also known as [Initiative 215](#), was on the November 3, 1964 ballot in Washington and it was approved. The measure assigned taxes on boat fuel to the acquisition and improvement of marine recreation lands.

<sup>2</sup>Revised Code of Washington 79A.25.040

The Recreation and Conservation Office (RCO) supports the board. RCO is a small state agency that manages multiple grant programs to create outdoor recreation opportunities, protect the best of the state's wildlife habitat and working lands, and help return salmon from near extinction.

## **Manual Authority**

This manual is created under the authority granted to the Recreation and Conservation Funding Board in the BFP enabling legislation. It reflects the specific statutory requirements of Revised Codes of Washington 43.17.250 and 79A.25, Title 286 of the Washington Administrative Code, the Recreation and Conservation Funding Board's [Recreational Boating Plan](#), the [Washington State Recreation and Conservation Plan 2018-2022](#), and the board's policies.

## **Who Makes Decisions**

The Recreation and Conservation Funding Board makes the final decisions for funding, policies, and project changes, although some decisions it has delegated to the agency director.

## **Board Decisions**

The following list summarizes many project decisions made by the Recreation and Conservation Funding Board in public meetings or by subcommittees of the board. Each is in accord with statutes, rules, and board policies.

- Initial grant approval.
- A project cost increase of more than 10 percent of the project total in the grant agreement for board-funded projects. Cost increases are allowed only in certain grant programs. Review the cost increase information in this manual for more details.
- A "conversion" that changes the project site or how the site is used from that described in the grant agreement, Deed of Right, or Assignment of Rights. See *RCO's Manual 7: Long-term Obligations*.
- A significant reduction in the project's scope after receiving a grant. Typically, the board will make decisions about scope reductions if the RCO director thinks the project's evaluation score would have been different with the reduced scope. Not included are changes that do not modify significantly the way the public uses a facility, the intended opportunity, or restoration objective funded.
- Changes in policy; for example, establishing new grant limits or eligible expenditures.

- Time extensions beyond 4 years of the board or director approval date.

## Director Decisions

The RCO director, or designee, makes many project decisions based on rules and board policies. The decisions range from authorizing payments, to approving cost increases, to approving payment of charges in excess of lower bids, to terminating projects.

A project sponsor may request that the Recreation and Conservation Funding Board reconsider a decision made by the director. To request reconsideration, the project sponsor must send a letter to the board chair at least 60 calendar days before a board meeting. The request is added to the board's meeting agenda and the project sponsor then may address the board at the meeting. The board's decision is final.

## Not a Hearings Board

The Recreation and Conservation Funding Board's role is to assist in selecting and funding grant proposals and not to act as a hearings board before which land use issues are argued. The board's intent is that all proposals, to the extent possible, have the support of the local community and be ready for implementation to ensure that maximum benefit is gained from scarce Boating Facilities Program funds.

## Where to Get Information

Recreation and Conservation Office

Natural Resources Building

1111 Washington Street

Olympia, WA 98501

[E-mail](#)

Telephone: (360) 902-3000

FAX: (360) 902-3026

Hearing Impaired Relay Service: (800) 833-6388

[Web site](#)

*Mailing Address*

PO Box 40917

Olympia, WA 98504-0917

RCO grant managers are available to answer questions about this manual and grant program. Please feel free to call. In addition, manuals, forms, and most other materials referenced in this manual are available on RCO's Web site on the [BFP grant page](#).

## Other Grant Manuals Needed

The manuals below provide additional information for grants and are available on the RCO Web site. Each can be made available in an alternative format.

- *Manual 2: Planning Policies and Guidelines*

- *Manual 3: Acquisition Projects*
- *Manual 4, Development Projects*
- *Manual 7: Long-term Obligations*
- *Manual 8: Reimbursements*

## Grant Process and Timeline

RCO offers grants in even years, in conjunction with the state budget. The grant process, from application to grant award, spans 9 months, and is outlined below. While the order of the steps in this process remains consistent, visit the RCO Web site for precise dates.

### Even-numbered Years

**Webinars.** RCO conducts Webinars (an online meeting) in the winter or early spring to provide information about the grant programs offered that year.

**Planning Deadline.** September 1 is the planning deadline. This ensures applicants complete the planning process before applying for grants. Agencies that apply for grants in the same year that their planning eligibility expires must ensure that their planning eligibility extends through the board meeting in which the projects first are considered.

RCO's Web site has a list of [eligible applicants](#). To verify or establish eligibility for a specific grant program, contact RCO's planning specialist.

**Entering Applications.** RCO strongly encourages applicants to start the online application early. PRISM Online usually opens by August 1. Applicants log into PRISM Online and select the "+New Application" button to enter grant application information. RCO uses this information to assign an outdoor grants manager. This manager guides applicants through the process, reviews application materials, helps determine whether proposals are eligible, and may visit the project site to discuss site-specific details. Visit RCO's Web site to learn more about [PRISM's components and technical requirements](#).

**Board Submits Biennial Budget Request.** The Recreation and Conservation Funding Board submits to the Governor a recommended funding amount for the next biennium for BFP.

**Applications Due.** Applications are due in early November of even-numbered years. The application includes the data entered into PRISM and all required attachments. Applicants should "submit" the application before the deadline. The Check Application for Errors button on the Submit Application screen will indicate which pages are incomplete. Incomplete applications and applications received after the deadline will be

rejected unless RCO's director has approved a late submission in advance. Follow the requirements in the Applicant's To-Do List online.

**Technical Reviews.** Applicants are encouraged to attend a technical review meeting, where they present their projects to the Boating Programs Advisory Committee and RCO staff, who review projects to ensure they are eligible, achieve boating program priorities, identify any issues of concern, and provide feedback on the strengths and weaknesses of each proposal. Applicants make an oral presentation, illustrated with maps, graphics, and photographs using PowerPoint.<sup>®</sup> Grants managers will review the applications also and send comments to applicants. Applicants then may make changes to improve the projects, if needed. Applicants must complete all changes and resubmit their applications by the technical completion deadline.

### **Odd-numbered Years**

**Technical Completion Deadline.** RCO establishes a technical completion deadline by which applications must be in their final form. After this date, applicants will not be able to make any further changes. RCO will score applicable evaluation criteria as of this date.

**Project Evaluation.** Applicants make an oral presentation, illustrated with maps, graphics, and photographs in PowerPoint<sup>®</sup> to the advisory committee, which scores each proposal against a set of criteria approved by the Recreation and Conservation Funding Board.

**Post-Evaluation Conference.** After project evaluations, RCO staff tabulate the scores and share the results with the advisory committee. The committee discusses the preliminary ranked lists and the application and evaluation processes. The public may join this advisory committee conference call; however, to ensure a fair and equitable process; guests may not testify. Shortly after the conference call, staff post the preliminary ranked lists on RCO's Web site. The resulting ranked lists of projects are the basis for the funding recommendation to the board.

**Legislature Approves Funding.** When it develops the state capital budget, the Legislature generally approves funding for the BFP.

**Proof of Matching Funds.** Applicants with match included in their applications must provide proof of the availability of matching funds by the match certification deadline, which is at least 1 calendar month before board approval of funding.<sup>3</sup> If a state agency has shown a match of some kind in its application, it must provide proof of the availability of matching funds by the certification deadline.

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<sup>3</sup>Washington Administrative Code 286-13-040(3)



**Board Awards Grants.** After the Legislature and Governor approve the capital budget, the board makes the final grant awards, in a public meeting. Applicants are encouraged, but not required, to attend.

**Grant Agreement Materials.** After grant awards, applicants have 2 calendar months to submit pre-agreement documents (checklist provided by grants managers).<sup>4</sup> RCO staff then prepare and issue the grant agreements. Applicants must return the signed agreements within 3 calendar months.<sup>5</sup> Once the agreements are signed, the applicants, now referred to as project sponsors, may begin their projects, according to the terms of the grant agreements. Each agreement will be written and monitored for compliance by RCO staff. See *Manual 7: Long-term Obligations* for more information.

**Successful Applicants' Webinar.** After the board approves funding, RCO publishes online a recorded workshop for successful grant applicants. This workshop covers sponsors' responsibilities to comply with the grant agreement, issues that might come up when implementing the project, billing procedures, amendments for changes and time extensions, closing project procedures, and long-term compliance.

## Ongoing

**Project Implementation.** Sponsors must complete projects promptly. To help ensure reasonable and timely project completion, accountability, and the proper use of funds, applicants will do the following:

- Develop milestones for project implementation and complete projects within 4 years of the grant award. RCO may terminate projects that do not meet critical milestones established in the grant agreement.
  - Acquisition (single site) projects      1-2 years
  - Acquisition (multi-site) projects      2-3½ years
  - Combination projects      2-3½ years
  - Development projects      2-3 years
  - Planning projects      1-3 years
  - Exceptionally complex projects      3½ years
- Begin project implementation quickly and aggressively to show measurable progress towards meeting project milestones.

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<sup>4</sup>Washington Administrative Code 286-13-040(4)

<sup>5</sup>Washington Administrative Code 286-13-040(5).

- Submit progress reports at intervals as designated by the RCO grant agreement.

**Project Completion.** When a project is completed, a sponsor must submit the final bill, final report, and supporting documents needed to close the project as specified in the agreement.<sup>6</sup> If the bill and documentation are not submitted within 6 months of the end date within the agreement, the Recreation and Conservation Funding Board may terminate the agreement without payment.

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<sup>6</sup>Washington Administrative Code 286-13-040(7)

# Section 2: Policies

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## In this section, you will learn about the following:

- ✓ Program priorities
- ✓ Eligible applicants
- ✓ Eligible projects
- ✓ Environmental requirements
- ✓ Property requirements
- ✓ Other requirements and things to know
- ✓ Project area stewardship and ongoing obligations
- ✓ Restrictions
- ✓ Definitions

## Program Priorities

Policies and priorities for the BFP are established in the [Recreational Boating Plan](#). The primary goal is to align grants with the needs of recreational boaters and facility providers. Highlights are summarized below.

- Maintain the high satisfaction the recreating public has with boating experiences and facilities in the state.
- Coordinate with the Department of Natural Resources to ensure grant proposals are consistent with the department's environmental stewardship responsibilities for managing state-owned aquatic lands.
- Consider compatible uses of funded facilities to conserve resources while protecting the facilities' primary users.
- Encourage more state agency applications to obligate grants within the biennium.

## Intent of Grant Program

RCO's boating grants are intended to facilitate physical access to and from water. Because funding for this program comes from gas taxes, grants are for sites and facilities supporting recreational motorboating.

RCO boating grants support facilities provided for guest, public, and recreational boating uses. Guest facilities include launches, docks, and moorage of all kinds as well as associated upland support facilities. Guest use is short-term, for example moorage up to a maximum of 14 consecutive days. Long-term, permanent, private, or exclusive use facilities are not eligible for grants.

RCO grant programs are supported by public funds, so facilities supported by RCO grants are expected to be available to the public at reasonable times.

## Eligible Applicants

Only public agencies legally authorized to develop, operate, and maintain recreational facilities are eligible for grants. By law, the following agencies may apply:

- Cities and towns
- Counties
- Native American tribes
- Park and recreation districts
- Port districts
- Public utility districts
- State agencies

## Applicant Requirements

### Legal Opinion for First-time Applicants

The Recreation and Conservation Funding Board requires all organizations wishing to apply for grants for the first time to submit a legal opinion that the applicant is eligible to perform all the activities below. Note that the legal opinion is required only once to establish eligibility.

- Contract with the State of Washington and/or the United States of America.

- Meet any statutory definitions required for Recreation and Conservation Funding Board grant programs.
- Receive and spend public funds including funds from the Recreation and Conservation Funding Board.
- Acquire and manage interests in real property for conservation or outdoor recreation purposes.
- Develop and/or provide maintenance and stewardship for land and facilities eligible under board rules or policies.
- Undertake planning activities incidental thereto.
- Commit the applicant to statements made in any grant proposal.

## Planning Requirements

To be eligible for a grant, the applicant must submit a comprehensive outdoor recreation plan that has been adopted by the applying organization's governing body.<sup>7</sup> This helps ensure projects have been through a public process and were prioritized by the community. The plan must be accepted by RCO by September 1 in even-numbered years.

Once RCO accepts the plan, the applicant is eligible to apply for grants for up to 6 years from the date the applicant organization adopted the plan. It is the applicant's responsibility to ensure that the plan documentation provided to RCO is current. See *Manual 2: Planning Policies and Guidelines* for more information. Co-sponsors also should consult the Joint and Cooperative Projects in *Manual 3: Acquisition Projects or Manual 4: Development Projects*.

## Eligible Projects

### Acquisition Projects

Acquisition projects are those that purchase or receive a donation of fee or less-than-fee interests in real property. These interests include, but are not limited to, access and trail easements, covenants, water rights, leases, and mineral rights. Acquisition of less-than-fee interests must be for at least 50 years and may not be revocable at will. Properties acquired with grants must be developed within 5 years, regardless of whether or not the sponsor receives another RCO grant.

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<sup>7</sup>Washington Administrative Code 286-13-035(1)

Incidental costs related to acquisitions are eligible for reimbursement. Additional rules for land acquisition are in *Manual 3: Acquisition Projects*.

## Development Projects

A development project is construction or work resulting in new elements including, but not limited to, structures, facilities, and materials to enhance outdoor recreation resources. A renovation project is intended to improve an existing site or structure in order to increase its useful service life beyond current expectations or functions. This does not include maintenance activities. Applicants submitting projects for development and/or renovation must select development as the project type in PRISM Online. Additional guidelines for development projects are found in *Manual 4: Development Projects*. Development projects may include the following activities:

- Construct new or renovate existing facilities
- Design, engineer, and obtain permits to construct facilities
- Perform periodic dredging (see limits on dredging below)

## Examples of Eligible Development Projects

Projects that may be funded include construction and renovation of the following:

- Boat and equipment decontamination facilities<sup>8</sup>
- Invasive species prevention signs
- Moorage floats, fixed docks, and buoys for guest boaters
- Parking and staging areas
- Ramps and fixed hoists for launching, loading floats
- Sewage pump-out stations and porta-potty dump stations<sup>9</sup>
- Upland support facilities, such as restrooms, showers, and picnic facilities used exclusively or primarily by recreational guest boaters

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<sup>8</sup>These facilities also must be on or adjacent to marine recreation land. See Revised Code of Washington 79A.25.010(4).

<sup>9</sup>The Washington State Parks and Recreation Commission manages a grant program under the Clean Vessel Act that also pays for marine sanitation facilities.

- Periodic dredging, which is limited to removing materials deposited in a channel due to unforeseen events; dredging must extend the facility usefulness for at least 5 years<sup>10</sup>

## **Planning Projects**

Planning projects are those that result in one or more of the following: a study, a plan, construction plans and specifications, and permits to increase the availability of outdoor recreational resources.

BFP planning projects are limited to the design and permitting of boating facilities. Planning grant proposals are eligible as stand-alone projects because of the often lengthy period needed to obtain permits for development. These projects typically include design, cultural resources review, permitting, and architectural and engineering services.

Planning projects must result in both of the following:

- Construction-ready bid documents (plans and specifications)
- Permits “in hand” that will allow a sponsor to proceed with development when funds to construct become available

Reimbursement will be dependent upon the progress made toward completing the scope of work in the grant agreement. This means sponsors must complete a task and submit the associated documentation with the reimbursement request to RCO for that task. If a sponsor is unable to complete the design or obtain permits, RCO reserves the right to request repayment of the grant.

## **Combination Projects**

Combination projects involve both land acquisition and facility planning, development, or renovation. To help ensure timely completion of these projects, at least 1 month before the Recreation and Conservation Funding Board considers approving funding for a combined acquisition and development or renovation project, applicants must secure the property by one of the following methods:

- Acquisition under the Waiver of Retroactivity policies and procedures (*Manual 3: Acquisition Projects*).
- Have property in escrow pending grant approval. Closing must occur within 90 days after the funding meeting.

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<sup>10</sup>Revised Code of Washington 79A.25.080

- Obtain an option on the property that extends past the Recreation and Conservation Funding Board funding meeting. Execution of the option must occur within 90 days after this meeting.

If the acquisition is for less-than-fee interest and if not acquired already by a Waiver of Retroactivity, applicants also must provide draft copies of all leases or easements to RCO for review. Execution of the leases or easements must occur within 90 days after the funding meeting.

For the acquisitions to remain eligible, sponsors must follow all the requirements and procedures outlined in *Manual 3: Acquisition Projects*.

## **Other Considerations**

### Phased Projects

The Recreation and Conservation Funding Board recommends that applicants discuss phasing very expensive or complex projects with RCO staff. Phased projects are subject to the following parameters:

- Approval of any single phase is limited to that phase. No approval or endorsement is given or implied toward future phases.
- Each phase must stand on its merits as a viable or complete recreation experience and is not dependent on the completion of future phases or work.
- Each phase must be submitted as a separate application.

Progress and sponsor performance on previously funded project phases may be considered by the Recreation and Conservation Funding Board when making decisions on current project proposals.

### Multi-Site Projects

The following conditions apply to the eligibility of projects that include more than a single location:

- Funding for each worksite may total no more than \$50,000.
- All work types,<sup>11</sup> across all worksites, must be of the same type (for example, all gangways, all pilings, etc.).

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<sup>11</sup>Specific work proposed for a project (i.e. boat launch development, dredging, install boarding float, etc.)



- All worksites and work types must be either saltwater- or freshwater-oriented; No combinations of saltwater and freshwater sites in the same project.
- All work types must meet the Office of Financial Management's capital project criteria, defined in the biennial publication *Washington State Capital Plan Instructions*.
- All worksites must be in no more than two adjacent counties.
- Each worksite's location must be described in a way that makes an RCO site inspection possible.

### **Ineligible Projects, Activities, and Costs**

Several sources are used to determine project eligibility including Revised Code of Washington 79A.25. Projects, activities, elements, and costs not eligible for grants include the following:

- Any facility for leased, exclusive use or moorage for more than 14 consecutive days. Long-term moorage may be allowed if the sponsor has a Use Certification from RCO. See the Commercial and Other Non-recreational Uses section.
- Any facility for commercial use or commercial vessels.
- Maintenance dredging.
- Concession buildings or space.
- Fuel sales equipment including piping, fuel pumps, and storage tanks.
- Mobile vessel transporters.
- Those on waters prohibiting gasoline-powered motors.
- Those primarily for non-gasoline powered watercraft such as canoes, kayaks, or diesel-powered craft.
- Those serving non-boater related fishing, including off-shore platforms or fishing piers

Applicants should review Ineligible Elements, Activities, and Costs in *Manual 3: Acquisition Projects* and *Manual 4: Development Projects* for other items that are ineligible.

## Ineligible Planning Projects

- Design of facilities that do not meet the BFP eligible project criteria.
- Design of facilities that do not provide access to the general public.
- Development of plans for private facilities.
- Master plans, comprehensive plans, or feasibility studies.
- Planning for sites or facilities that will not result in an eligible BFP project.

## Eligible Costs

### Pre-agreement Costs

RCO will pay only for work performed after grant agreements have been signed by both RCO and project sponsors with two exceptions:

- Expenses, such as preliminary designs, environmental assessments, construction plans and specifications, cultural resource surveys, and permits, all of which are incurred within 3 years of the start date of the grant agreement. See *Manual 4: Development Projects* or *Manual 5: Restoration Projects* for additional information.
- Most incidental costs incurred for purchase of real property. Land costs are not allowable as a pre-agreement cost unless RCO has approved and issued a Waiver of Retroactivity. See *Manual 3: Acquisition Projects*.

There are no eligible pre-agreement costs for planning projects.

Construction performed before the execution of a grant agreement and compliance with cultural resource laws will not be eligible for payment and may jeopardize funding for the entire project. Cost associated with the preparation or presentation of the grant application are ineligible.

## Environmental Requirements

Before beginning any work, sponsors must obtain all necessary permits and comply with all applicable environmental regulations, including the National Historic Preservation Act, Endangered Species Act, Clean Water Act, Clean Air Act, and other state and local environmental requirements.

## State Environmental Policy Act or National Environmental Policy Act

Applicants applying for development or land acquisition grants must review and comply with the requirements of the State Environmental Policy Act (SEPA)<sup>12</sup> and the National Environmental Policy Act (NEPA), when applicable. Projects may be classified as categorically excluded from NEPA or SEPA.

### Cultural Resources Review

[Governor's Executive Order 05-05](#), Archaeological and Cultural Resources, directs state agencies to review all acquisition and construction projects for potential impacts to cultural resources<sup>13</sup> to ensure that reasonable action is taken to avoid, minimize, or mitigate adverse effects to these resources. The federal government, through Section 106 of the National Historic Preservation Act, requires the same compliance for projects with federal involvement, for example, projects on federal lands, with federal funds, or those that require a federal permit.

### Review Process

RCO facilitates review under the Governor's executive order. The appropriate lead federal agency facilitates review under the National Historic Preservation Act. If the federal review covers the entire RCO project area, there is no additional review needed to meet state requirements. Both processes require review, analysis, and consultation with the Washington Department of Archaeology and Historic Preservation and affected Native American tribes.

After the initial consultation, a funded project may be required to complete further cultural resources review and continue the consultation process to determine next steps. Costs for cultural resources review (survey, monitoring, etc.) are eligible for reimbursement and should be included in the grant application.

Sponsors must complete the consultation process and satisfy all requirements before beginning any ground-disturbing activities (including demolition). Ground disturbance or demolition started without approval will be considered a breach of the grant agreement. Typically, cultural resources approval will be authorized as part of the notice to proceed.

For acquisition projects, cultural resources requirements must be completed before final reimbursement will be made.

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<sup>12</sup>Revised Code of Washington 43.21C

<sup>13</sup>Cultural resources are archeological and historical sites and artifacts, and traditional tribal areas or items of religious, ceremonial, and social uses.

See RCO Manuals 3, 4, or 5 for additional details on the cultural resource review process.

## **Invasive Species**

The Washington Invasive Species Council developed [protocols](#) for preventing the spread of invasive species while working in the field. The Recreation and Conservation Funding Board encourages grant sponsors to consider how their projects may spread invasive species and work to reduce that possibility. Invasive species can be spread unintentionally during construction and restoration activities. Here is how it could happen:

- Driving a car or truck to a field site and moving soil embedded with seeds or fragments of invasive plants in the vehicle's tires to another site. New infestations can begin miles away as the seeds and fragments drop off the tires and the undercarriage of the vehicle.
- Moving water or sediment infested with invasive plants, animals, or pathogens via boots, nets, sampling equipment, or boats from one stream to another.
- Moving weed-infested hay, gravel, or dirt to a new site, carrying the weed seeds along with it, during restoration and construction activities. Before long, the seeds germinate, and infest the new site.

The key to preventing the introduction and spread of invasive species on projects is twofold: use materials that are known to be free of invasive plants or animals in the project and clean equipment both before and after the job. Equipment to clean should include, but not be limited to, footwear, gloves, angling equipment, sampling equipment, boats and their trailers, and vehicles and tires.

## **Sustainability**

The Recreation and Conservation Funding Board encourages grant sponsors to design and build sustainable projects to maximize the useful life of what they build and do the least amount of damage to the environment.

The board encourages sponsors to use sustainable design, practices, and elements in their projects. Examples may include use of recycled materials; native plants in landscaping; pervious surfacing material for circulation paths, access routes, trails, and parking areas; energy efficient fixtures; onsite recycling stations; and composting.

## Property Requirements

### Landowner Acknowledgement of Application

As part of any grant application for acquisition of real property, the project sponsor must demonstrate that the landowner is aware of the project sponsor's interest in purchasing property rights. Applicants may meet this requirement by completing one of four options as detailed in *RCO Manual 3: Acquisition Projects*.

### Control of the Land

To protect investments made by the Recreation and Conservation Funding Board and to ensure public access to those investments, sponsors must have adequate control of project sites to plan, construct, operate, and maintain the areas for the term required by the grant program and grant agreement. This "control and tenure" may be through land ownership, a lease, use agreement, or easement. See Manual 4: Development Projects for more information.

### Projects on State-owned Aquatic Lands

If a project will occur over, in, or alongside a navigable body of water, an authorization to use state-owned aquatic lands may be needed.

All marine waters are, by definition, navigable, as are portions of rivers influenced by tides. Navigable rivers and lakes are those determined by the judiciary, those bounded by meander lines, or those that could have been used for commerce at the time of statehood. The Department of Natural Resources' aquatic land managers will help the grant applicant determine if the project will fall on state-owned aquatic lands and provide more information on its authorization process. See the [land manager coverage map](#) online for contact information for the Department of Natural Resources aquatic land managers.

If the project is on state-owned aquatic lands, the grant applicant will need to secure a lease or easement (use authorization) to use those lands from the Washington Department of Natural Resources. Securing a lease or easement may take up to a year. RCO requires the executed lease or easement within 60 days after board funding approval to show control and tenure for the site. The lease or easement is required before the project will be placed under agreement, unless RCO's director approves an extension in advance.

The following online resources may be helpful to review:

- [Grant Projects on State-owned Aquatic Lands](#)

- [Leasing State-owned Aquatic Lands](#)
- [Boundaries of State-owned Aquatic Lands](#)
- [Caring for Washington's Nearshore Environments](#)

## Department of Natural Resources' Review of Project Scope

Local government applicants that need to secure a use authorization meeting board policy must do all the following:

- Meet with the Department of Natural Resources to review the proposed scope of work.
- Complete a Joint Aquatic Resource Permit Application (JARPA) and give a copy to the Department of Natural Resources.
- Attach to the grant application a Scope of Work Acknowledgement Form (signed by the Department of Natural Resources) by the technical completion deadline.

State agency applicants must follow the same procedure when developing a new facility where one currently does not exist. RCO will coordinate an interagency, in-person review of proposals for all other state agency projects.

## Other Requirements and Things to Know

### Number of Grant Proposal Allowed

In general, RCO does not limit the number of grant proposals from a single applicant during the biennial grant cycle. However, each proposal must be for a different scope of work. Each application must stand alone on its own merits with a viable, recreation experience and not be dependent on other projects or future phases of work.

A grant proposal for the same project or scope of work may be submitted to another RCO grant program only if it is being used as match. Each proposal must identify the other RCO matching grant proposal. RCO recommends applicants contact staff to discuss options for phasing costly, interrelated, or complex project proposals.

## Accessibility

Facilities or elements<sup>14</sup> constructed with RCO grants and sponsor match are required by law to be accessible regardless of whether there are specific standards adopted in the State Building Code, Americans with Disabilities Act, or Architectural Barriers Act, as amended. Other federal laws, guidelines, and best practices also may apply to achieve accessibility. In case of conflict between minimums, the one providing the most access shall prevail. RCO shall have final determination.

RCO encourages sponsors to exceed the minimum accessibility standards and use a design principle that maximizes universal accessibility for all. See *Manual 4: Development Projects* and the RCO Web site for detailed information about how to make the facility meet [accessibility requirements](#).

Plans, project applications, cost estimates, and construction drawings must reflect compliance with facility access and signing requirements.

## Competitive Bid Requirements<sup>15</sup>

Grant sponsors shall follow current state procurement procedures or write their own. When buying things, grant sponsors shall provide open and free competition, to the maximum extent practical. Be aware of organizational conflicts of interest. Contractors that develop specifications, requirements, statements of work, invitations for bids, or requests for proposals cannot be hired for the resulting work. Grant sponsors receiving federal money also must follow federal laws and regulations.

## Prorating Projects

If a project will benefit a variety of recreational activities, RCO grants will pay for only the percentage of the project that is used for boating activities eligible in this program. Sponsors must prorate their costs based on that percentage and include documentation to validate the prorated percentage in the application materials. Applications will not be considered for funding if costs are not prorated appropriately.

For example, if the grant applicant proposes to build a breakwater that will protect moorage for all boats, grant applicants should identify the percentage of non-eligible boats that would benefit from the project and deduct that cost from the grant application. If 70 percent of the boats in the marina have permanent moorage (a non-

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<sup>14</sup>A facility is all or any portion of buildings, structures, site improvements, elements, and pedestrian routes or vehicular ways located on site. An element is an architectural or mechanical component of a building, facility, space, or site (2010 ADA Standards for Accessible Design, Department of Justice, September 15, 2010).

<sup>15</sup>RCO's grant agreement standard terms and conditions, Section 16

eligible use), the grant applicant may include only the 30 percent of project costs associated with short-term guest moorage. Applicants should include an explanation of prorating in their grant application materials as well as data to validate their methods.

## **Fees and Income**

User or other fees may be charged for areas and facilities acquired or developed with RCO grants. See *Manual 4: Development Projects*, and Washington Administrative Code 286-13-110 for more information.

## **Public Disclosure Rules**

RCO records and files are public records that are subject to the Public Records Act.<sup>16</sup> More information about [RCO's disclosure practices](#) is available online.

## **Project Area Stewardship and Ongoing Obligations<sup>17</sup>**

An RCO grant comes with long-term obligations to maintain and protect the project area<sup>18</sup> after a project is complete. The long-term obligations are in RCO's grant agreement. A [sample grant agreement](#) may be found on RCO's Web site.

RCO recognizes that changes occur over time and that some facilities may become obsolete or the land needed for something else. The law discourages casual discards of land and facilities by ensuring that grant sponsors replace the lost value when changes or conversions of use take place.

In general, the project area funded with an RCO grant must remain dedicated to the use as originally funded, such as outdoor recreation, habitat protection, farmland preservation, or salmon recovery purposes, for as long as defined in the grant agreement. For development and restoration projects, the period is determined by the type of control and tenure provided for the project.

A conversion occurs when the project area acquired, developed, or restored with RCO grant funding is used for purposes other than what it was funded for originally. See RCO *Manual 7: Long-term Obligations* for a discussion of conversions and the process required for replacement of the public investment. Non-compliance with the long-term obligations for an RCO grant may jeopardize an organization's ability to obtain future RCO grants.

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<sup>16</sup>Revised Code of Washington 42.56

<sup>17</sup>Revised Code of Washington 79A.25, Washington Administrative Code 286, RCO's grant agreement standard terms and conditions, and *Manual 7: Funded Projects*.

<sup>18</sup>Washington Administrative Code 286-04-010(19). Project area is the defined geographic area where the project occurs and is described in the project's boundary map.



After a project is complete (that is, after RCO's final reimbursement and acceptance of the project), RCO documents that were signed by the sponsor continue to govern the project area described in the boundary map for which funds have been granted.

Changes may be made only with the prior approval of the board. If a compliance issue arises, RCO staff works with sponsors to resolve the issue. Unresolved, identified issues could result in restrictions on applying for or receiving future grants.

## **Restrictions**

The restrictions described in this section apply only to portions of a facility funded by BFP grants *and* those support facilities needed for recreational motorboats.

### **Recreational Motorboats Have Priority**

To comply with state law,<sup>19</sup> a sponsor must operate the BFP-assisted facility in a manner that assures that recreational boaters have continuous and reasonable access. In case of conflict, non-commercial, guest recreational boating activities shall have priority.

Sponsors must manage and enforce requirements consistent with this section. Rules that are more restrictive may be adopted by the sponsor if the intent is to achieve a desired recreational experience, reduce conflicts, and achieve a desired level of environmental quality.

### **Access Restrictions**

The use of card, punch code, or similar privileged locking devices to restrict access to grant-assisted restrooms, showers, or moorage floats is allowed for management purposes. However, the general public<sup>20</sup> must have access to such facilities at reasonable times (for example, daylight hours) without restriction. This provision does not apply when access is closed to all, such as during repairs or maintenance, or during a low recreational use season (see below).

### **Commercial and Other Non-recreational Uses**

#### **Use Certification**

Approval to use a BFP facility for commercial, non-motorized watercraft, non-guest boating, or non-recreational purposes, explained later in this section, is contingent on

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<sup>19</sup>Revised Code of Washington 79A.25

<sup>20</sup>The term "public" refers to members of the general public who are recreational motorboaters. Organizations may open BFP-funded facilities to other recreationists if these users do not conflict or compete with recreational motorboaters and their use is of a de minimis nature.

the sponsor's written request for a Use Certification. The written request must include specific dates not to exceed a calendar year in duration, exact facilities affected, maps, recreational and non-recreational use data, and monitoring and site plans. RCO must approve the request before the activity begins. This request for certification must guarantee, and any approval will be conditioned upon, the following:

- The use will not interfere with guest, recreational motorboating. Some portion of the facility always must be available to meet off-season or recreational uses.
- BFP project elements will be returned completely to guest, recreational use not later than the third Friday in April. Exceptions are listed under the "Other Uses Regardless of Season" and "Launch Facilities" sections below.
- The use or activity will be safe.
- The use will not damage the facility.
- The sponsor will conform to the board's income policies (Washington Administrative Code 286-13-110 and *Manual 3: Acquisition Projects* or *Manual 4: Development Projects*).

## Peak Season

From at least the third Friday in April through September 30, use of a BFP facility for commercial, non-motorized watercraft; non-guest boating; or other non-recreational boating activities is prohibited. Exceptions to this policy are listed below in the Other Uses Regardless of Season and Launch Facilities Sections.

If provided with written justification, RCO's director may adjust the length of the "High Recreational Use Season" or authorize other exceptions.

## Off Season

From October 1 to the third Friday in April, and after a Use Certification has been approved by RCO, BFP facilities may be used for the following:

- Moorage of non-commercial recreational vessels
- Moorage of recreational rental boats for concession operation purposes
- Moorage of commercial vessels
- Support of fishing equipment or boat machinery repair or storage
- Support of salmon net pens or other aquaculture activities

## Other Uses Regardless of Season

Use of a BFP facility for the following purposes is contingent on a Use Certification approved by RCO before the activity begins:

- Concession activities that enhance the recreational experience, if performed by an agent of the project sponsor, or through a use agreement with the sponsor.
- Activities such as on-water boat sales, shows, or public events.
- Moorage of watercraft used by a sponsor, or a contractor of the sponsor, while engaged in a construction, renovation, repair, or maintenance activity that lasts more than 10 days.
- Short-term moorage for commercial vessels during loading and unloading of passengers when the destination is a recreation site or facility accessible only or primarily by boat. This includes "general tour" vessels (motorized and non-motorized harbor tours, dinner cruises, sightseeing, private ferries, sports game-day transportation, and so on).

Regardless of the use certification, the board or the RCO director may deny or rescind approval for the other uses based on a review. This review may include any of the following:

- Any possible immediate or cumulative impact on recreational boaters' ability to use the facility during such events
- How well the sponsor has met its use certification guarantees

## Launch Facilities

Launch facilities must be designed and used primarily for public, non-commercial, recreational, motorboat launching and retrieval. Unless otherwise restricted by the grant sponsor, these facilities occasionally may be used for a commercial purpose, including launching and retrieving commercial vessels. This commercial use or activity must not do the following:

- Restrict or diminish public recreational use
- Cause damage to the launch or related facilities
- Cause an unsafe condition

## Definitions

- **Commercial Use:** The use of any marine craft, facility, or marine recreation land in a way that normally is intended to yield a profit or for purposes other than enjoyment, sport, leisure, or pleasure. This includes, but is not limited to, the following:
  - Commercial fishing, loading or unloading of freight, marine equipment servicing
  - Use of areas by concessionaire operations
  - Use involving research or development of underwater resources
  - On-water vessel sales or demonstration of vessels available for sales
  
- **Commercial Vessel:** Includes, but is not limited to, any vessel that is the following:
  - Used or retained primarily for commercial purposes
  - Operated by a person who has been engaged or will be using it to engage in a commercial activity during the current course of travel or passage
  - Held for charter
  - Used for the transport of freight or non-recreational fish catches
  - Used primarily for research or development of underwater resources
  - Used for the transport of passengers for profit, charter, or fee
  
- **Commercial Vessel Used for Personal Recreational Purposes:** A commercial vessel is considered a recreational vessel when it is used solely for personal enjoyment, sport, leisure, or pleasure, and not combined with any commercial use as defined above.
  
- **Guest Recreational Boating:** Recreational boats using moorage for a maximum of 14 consecutive days are considered short-term, guest recreational boating.

# Section 3: Money Matters

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**In this section, you'll find out about the following:**

- ✓ Grant limits
- ✓ Match requirements
- ✓ Match reduction
- ✓ Types of match
- ✓ Cost changes
- ✓ Federal rules
- ✓ Records and reimbursement

## Grant Limits

The Recreation and Conservation Funding Board establishes grant limits for its programs. The grant limits for each category are below. BFP funds may not exceed 75 percent of a project's total cost, except for state agency projects. See the match reduction policy for other exceptions. By statute, half of available boating funds are reserved for local agency projects and half for state agency projects.

## Local Agencies and Native American Tribes

The board allows grants up to the following:

- \$1 million for a development project
- \$1 million for a land acquisition project
- \$1 million for a project that combines acquisition and planning OR acquisition and development
- \$200,000 for a planning project

- Planning means architecture and engineering, environmental review, cultural resources, and permitting. See the section on planning projects earlier in this manual for more information.
- Grant limit will be 20 percent of the estimated construction cost or \$200,000, whichever is less.

## State Agencies

The total of all BFP dollars requested by any single state agency may not exceed twice that estimated by the Recreation and Conservation Funding Board to be available for state agencies in a grant cycle.

## Administration, Architecture, Engineering

Direct administrative costs for acquisition of real property are limited to no more than 5 percent of the total acquisition cost.

Architecture and engineering costs for development and renovation projects are limited to 20 percent of the total development project cost.

Additional information about eligibility and reimbursement maximums for these elements is contained in *Manual 3: Acquisition Projects* (administration costs) and *Manual 4: Development Projects* (architectural and engineering costs).

## Match Requirements

### Matching Share

Match is the project sponsor's contribution to a project. By requiring a match for grants, the Recreation and Conservation Funding Board intends to meet statutory requirements, foster and demonstrate a local commitment to the project, and allow state funding to be available to a greater number of projects.<sup>21</sup>

### Local Agencies and Native American Tribes

Local agencies and Native American tribes must contribute at least 25 percent of the project's total cost in matching resources.

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<sup>21</sup>Recreation and Conservation Funding Board Resolution 2005-24

## State Agencies

State agencies do not need to provide a match.<sup>22</sup> However, all applicants are encouraged to find ways to reduce government costs as much as possible. This is reflected in the project evaluation criteria.

## Eligible Match<sup>23</sup>

A sponsor's matching share may include one or combination of the following:

- Appropriations and cash
- Bonds—council or voter
- Conservation futures
- Corrections labor
- Donations—the value of using cash, equipment, labor, materials, property rights, or services (see Types of Match section below)
- Force account<sup>24</sup>—the value of using a sponsor's labor, equipment, and materials
- Grants—federal, state, local, and private (see Types of Match section below)
- Local impact and mitigation fees (see Types of Match section below)
- Proceeds of a letter of credit or binding loan commitment
- Other Recreation and Conservation Funding Board grants that meet the requirements outlined below.

## Not Allowed as Match

- Existing sponsor assets such as real property or developments.
- Costs that are double counted (that is, a cost incurred by a grant sponsor in a project that has been reimbursed by RCO shall not be used as a match on another RCO project).

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<sup>22</sup>Washington Administrative Code 286-13-045(5)

<sup>23</sup>Washington Administrative Code 286-13-045(3)

<sup>24</sup>"Force account" means to use the applicant's resources as opposed to that of contractors, volunteers, or others.

- Costs that are not eligible for grants.
- Costs that are not necessary or an integral part of the project scope.
- Costs associated with meeting a mitigation requirement for another project or action (e.g. permit requirement, Federal Energy Regulatory Commission relicensing, Habitat Conservation Plan, legal settlement, etc.). See Mitigation Funds as Match below.
- Costs for items not included in the grant agreement.

### **Recreation and Conservation Funding Board Match Requirements**

Recreation and Conservation Funding Board grants are intended to be the last source of funding for a project. In other words, the required match must be secured so the project can move forward. Board grants also are intended to supplement the existing capacity of a sponsor, not to replace existing funding that would have been used for a project without grant funding.<sup>25</sup>

All matching resources must be all of the following:

- An integral and necessary part of the approved project
- Part of the work identified in the application and grant agreement
- For eligible work types or elements
- Committed to the project

RCO rules governing projects apply to the grant applicant's match. For example, if a grant applicant uses donated land as a match, RCO rules requiring the land to remain in recreation use forever apply to the donated land as well.

In many grant programs, particularly those where match is not required, the Recreation and Conservation Funding board adopted evaluation criteria to encourage applicants to contribute matching shares. This typically is reflected in the criteria when points are given for non-governmental contributions or for exceeding the minimum match requirements. Applicants should carefully review the evaluation instrument to determine if this applies to their projects.

Except for grant applications submitted within the same biennium, matching resources or board grants committed in one board-funded project must not be used as match in another board-funded project.

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<sup>25</sup>Washington Administrative Code 286-13-045(6)



## Match Availability and Certification

To help ensure Recreation and Conservation Funding Board projects are ready for implementation upon approval, applicants must have matching funds available for expenditure before the Recreation and Conservation Funding Board approves funding. All applicants are required to sign and submit a Certification of Match Form to ensure their projects are included in the funding recommendation. Applicants are advised to plan for projects whose match depends on citizen votes or passage of ballot measures. This certification is due at least 1 calendar month before Recreation and Conservation Funding Board action.<sup>26</sup> The forms and deadlines for certifying match are on the RCO Web site.

RCO may declare projects ineligible if there is no guarantee that matching funds are available and those projects may be passed over in favor of projects with the match in place. Such decisions are based on the Recreation and Conservation Funding Board's confidence in the applicant's ability to have the match in place when required.

When another Recreation and Conservation Funding Board grant is used as match, the certification of match will be tentative, conditioned on receipt of the other grant or on the sponsor providing the match from other resources. The applicant will have 6 months from the time of the first grant award to certify the match requirements of that grant.<sup>27</sup> To prevent a backlog of unspent grants, the sponsor must finish the project by the earliest completion date of the two grants.

## Match Reduction<sup>28</sup>

The Recreation and Conservation Funding Board adopted the following three policies to reduce match for local governments and Native American Tribes:

- Communities in need
- Underserved populations
- Counties in need

## Communities in Need

If the grant applicant is a city, town, tribe, or eligible special purpose district with 20,000 residents or fewer, and the median household income is 60 percent or less than the state

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<sup>26</sup>Washington Administrative Code 286-13-040(3)

<sup>27</sup>Recreation and Conservation Funding Board Resolution 2005-24

<sup>28</sup>Recreation and Conservation Funding Board Resolution 2020-13

median household income (\$66,174 as of 2017), the applicant’s match is identified in Table 1.

**Table 1. Minimum Match for Communities in Need**

Jurisdiction’s Median Household Income as a Percent of State Median Household Income	Minimum Match Required
0-50%	10%
50.01-60%	20%
60.01-99.99%	25%

Additional requirements are as follows:

- The maximum reduced match dollar amounts shall not exceed the grant limit or \$500,000 per project, whichever is less.
- If a project is sponsored by more than one organization, all must qualify for some match reduction. Minimum match shall be assigned based on the primary sponsor of the application.
- If the jurisdiction is home to a college or university and 20 percent or more of the jurisdiction’s population is college-enrolled (as identified by the U.S. Census Bureau), the jurisdiction’s median family income and state’s median family income shall apply in place of its median household income and the state median household income. Removing the college-enrolled population may make an otherwise ineligible jurisdiction eligible for a reduced match in this policy (based on the remaining population amount).

## Underserved Populations

If the grant applicant is a city, town, tribe, or special purpose district with a median household income 60 percent or less than the state median household income, and the project is located in a census block group where the median household income is less than 70 percent of the state median household income (\$66,174 as of 2017), the following minimum match in Table 2 applies.

**Table 2. Minimum Match for Underserved Populations**

Census Block Group’s Median Household Income as a Percent of State Median Household Income	Minimum Match Required
0-55%	10%
55.01-60%	20%
60.01-69.99%	25%

Additional requirements are as follows:

- The maximum reduced match dollar amounts shall not exceed the grant limit or \$500,000 per project, whichever is less.
- If a project is sponsored by more than one organization (co-sponsors), all must qualify for some match reduction. Minimum match shall be assigned based on the primary sponsor of the application.
- If the jurisdiction is home to college or university and 20 percent or more of its population is college enrolled (as identified by the U.S. Census Bureau), the jurisdiction’s median family income and state’s median family income shall apply in place of its median household income and state median household income. Removing the enrolled population also may qualify the jurisdiction for the Community in Need policy.

### **Counties in Need**

A county shall have match reduced if its median income is less than 70 percent of the state median income, it is distressed (as defined by Washington Employment Security Department), and 60 percent or more of its land base is in a non-taxable status.

The below table shows the match reductions (from 25 percent) for eligible counties.

**Table 3: County Match Reductions**

County	Minimum Match Required
Ferry County	10%
Okanogan County	15%
Pacific County	20%
All Other Counties	25%

Additional requirements are as follows:

- The maximum reduced match dollar amounts shall not exceed the grant limit or \$500,000 per project, whichever is less.
- If a project is sponsored by more than one organization (co-sponsors), all must qualify for some match reduction. Minimum match shall be assigned based on the primary sponsor of the application.

### **Policy Intent**

- Reduce the match required for smaller jurisdictions and counties whose ability to raise match is constrained.

- For a low-income jurisdiction (city, town, tribal area, eligible special purpose district) of any population size, reduce the match required for projects in a census block where the income is less than the jurisdiction as a whole.
- Provide relief to agencies and organizations impacted by the COVID-19 pandemic so they can continue their parks and recreation investments in support of public health, community development, and economic development goals.<sup>29</sup>

## Data Sources for Determining Match Reduction

For all four policy statements, the data source for income and population shall be the best and most currently available from the U.S. Census Bureau, the Washington State Office of Financial Management, or other sources as may be appropriate.

For jurisdictions' boundaries that do not align with U.S. Census or other data geographies, RCO shall estimate population and income based on U.S. Census block groups or other reliable data sources.

If the applicant's determination of its income, population, or taxable land base does not align with RCO estimates, it may provide alternate data, which may be approved by the RCO director.

## Types of Match

### Donations

Donations are eligible only as matching funds and are not reimbursable. This means RCO will not pay more than the sponsor's out-of-pocket expenses. Valuing donations of equipment, labor (including inmates, community service labor, and volunteers), and material is discussed in *Manual 8: Reimbursements*. RCO strongly encourages applicants to secure written confirmation of all donations they plan to use as match and attach the donation letters to their PRISM Online applications.

Donated land must expand existing recreation lands or stand on its own as a viable recreation area. Review *Manual 3: Acquisition Projects* before taking title to property that will be donated and used as match. Manual 3 outlines the requirements for valuing the property and for securing a donation statement from the seller.

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<sup>29</sup>Recreation and Conservation Funding Board Resolution 2020-13

## Force Account

Force account refers to use of a sponsor's staff (labor), equipment, or materials. These contributions are treated as expenditures.

## Other Grants

In some cases, a sponsor may use funds awarded from a separate grant program as its match. Other grants are eligible as long as the purposes are similar and grant sources do not restrict or diminish the use, availability, or value of the project area. These grants are eligible only as matching funds and are not reimbursable.

The eligibility of federal funds to be used as a match may be governed by federal and state requirements and thus will vary with individual program policies.

Applicants must clearly identify in the grant application all grants to be used as match. RCO will help determine if the source is compatible with Recreation and Conservation Funding Board grants.

## Recreation and Conservation Funding Board Grants as Match<sup>30</sup>

Another Recreation and Conservation Funding Board grant may be used to help meet the match requirements if all the following conditions are met:

- The grants are not from the same Recreation and Conservation Funding Board grant program.
- Only elements eligible in *both* grant programs are counted as the match.
- Each grant is evaluated independently and on its own merits, as if the match were coming from elsewhere.

The grant applications are submitted in the same biennium.<sup>31</sup> For evaluation scoring, an RCO grant used as match will not count toward the award of matching share points.<sup>32</sup>

## Mitigation Funds

The Recreation and Conservation Funding Board allows use of impact fees and mitigation cash payments, such as money from a fund established as a mitigation

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<sup>30</sup>Recreation and Conservation Funding Board Resolution 2005-24

<sup>31</sup>Washington Administrative Code 286-13-045. Matching resources also must conform to the deadlines discussed in *Grant Process and Timeline* in Section 1.

<sup>32</sup>Recreation and Conservation Funding Board Resolution 2014-06

requirement, as match if the money has been passed from the mitigating entity to an eligible applicant, and the board's grant does not replace mitigation money, repay the mitigation fund, or in any way supplant the obligation of the mitigating entity.

## Cost Changes

### Cost Overruns

Project cost overruns are the responsibility of the sponsor. Also, the Recreation and Conservation Funding Board will not reimburse more than the sponsor's actual expenditures.

If unused funds are available, RCO may consider a cost increase. Additional information about requesting a cost increase is in *Manual 3: Acquisition Projects* and *Manual 4: Development Projects*.

### Cost Increases

Cost increases for approved projects may be granted by the board or director if financial resources are available. Each cost increase request will be considered on its merits. The director may approve a cost increase request as long as it does not exceed 10 percent of the project's initial approved grant amount. The director's approval of an acquisition project cost increase is limited to a parcel-by-parcel appraised and reviewed value. See *Manual 3: Acquisition Projects* and *Manual 4: Development Projects* for more details on cost increases.

## Federal Rules

For all projects funded with federal funds or other grants that are used by RCO as match to a federal source, grant administration is governed by [Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) and RCO may require additional information.

## Records and Reimbursement

### Sponsors Must Pay First

RCO pays grants through reimbursement. Sponsors may request reimbursement only after paying employees and vendors. RCO does not provide money before vendors are paid. Except as otherwise provided below, RCO will pay only at the percentage identified in the grant agreement after the sponsor has presented an invoice documenting costs incurred and compliance with the provisions of the grant agreement.

RCO will not pay more than the grant sponsor's out-of-pocket costs.

Reimbursement shall not be approved for any donations, including donated land. RCO may pay an escrow account directly for RCO's share of the approved cost of land and related costs if the sponsor indicates a temporary lack of money to buy the land on a reimbursement basis. Before release of RCO grants into escrow, the sponsor must provide RCO with a copy of a binding agreement between the sponsor and the seller, all required documentation, and evidence of deposit of the sponsor's share, identified in the grant agreement, into an escrow account.

Billing procedures are explained further in *Manual 8: Reimbursements*

## **Records**

Sponsors must keep detailed records of all funded project costs including force account values and donated contributions. Refer to *Manual 8: Reimbursements* for details and instructions regarding audits, record retention, and documents required for reimbursement.

## **Audits**

All records relevant to projects funded by the Recreation and Conservation Funding Board must be on file with the grant sponsor and are subject to audit by the State and inspection by RCO. If the auditor's inspection of the records discloses any charges incorrectly claimed and reimbursed, cash restitution of the incorrect amount must be made to the board.

# Section 4: Project Evaluation

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**In this section, you'll find out about the following:**

- ✓ How project evaluation works
- ✓ The Boating Programs Advisory Committee
- ✓ Evaluation criteria

## How Project Evaluation Works

Project evaluation is the competitive process adopted by the Recreation and Conservation Funding Board to guide it in allocating funds to grant applicants.<sup>33</sup> It is based on a set of board-approved evaluation questions. The questions are created from statutory and other criteria developed through a public process. The evaluation questions are on the following pages.

There are two sections to the evaluation criteria. In the first section, the Boating Programs Advisory Committee uses subjective criteria to score each project. Scores are based on each applicant's response to evaluation questions, graphics presented during the evaluation meeting, and summary application material made available in advance of the presentation.

In the second section, RCO staff scores the projects using objective measures, such as matching share, population, and conformance to growth management planning. Scores are based on material submitted by applicants and information obtained from the state Office of Financial Management and the Department of Commerce.

Scores from both sections are combined for a project's total evaluation score. The resulting ranked list is the basis for funding recommendations to the Recreation and Conservation Funding Board, which makes the final funding decisions in an open public meeting.

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<sup>33</sup>Washington Administrative Code 286-13-020



## General Evaluation Policies

While evaluation meetings are open to anyone, they are not public hearings. As such, only authorized applicant representatives may address the evaluation team. At these meetings, an RCO staff member serves as moderator. Scoring is confidential.

## Evaluating Projects

Evaluations of projects involve an applicant's in-person oral and graphic presentation to the advisory committee. RCO provides the committee with summary application materials. **Note: During the 2020 grant cycle, RCO will host review and evaluation meetings online only. This change is for applications submitted by November 1, 2020.**

## Growth Management Act Compliance

The Recreation and Conservation Funding Board considers an organization's compliance with the Growth Management Act when awarding grants for public facilities.<sup>34</sup> The board gives preference through evaluation scoring to town, city, and county applicants who are required to plan under the Act.<sup>35</sup> Scoring for compliance with the Act and other staff-scored evaluation criteria are based on the organization's status as of the category's technical completion deadline. RCO uses information reported by the Washington State Department of Commerce for scoring Growth Management Act compliance. Agencies in compliance receive a zero score on the question; out of compliance status results in a minus one (-1) score.

At the time of application, applicants should consult their organizations' planning departments or contact [Washington State Department of Commerce's Growth Management Services](#), to determine their compliance statuses. If an organization is out of compliance, this advance inquiry may give the organization time to change its status before the technical completion deadline. RCO is not responsible for changing an organization's compliance status with the Growth Management Act.

## Evaluating Combination Projects

Projects involving both acquisition and development or planning are evaluated on all of criteria for both types of projects. To ensure equal treatment for combination projects, the scoring multiplier for some evaluation criteria is half of that used for individual acquisition, development, or planning projects.

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<sup>34</sup>Revised Code of Washington 43.17.250

<sup>35</sup>Revised Code of Washington 36.60A

### **Boating Programs Advisory Committee**

RCO manages the BFP and the Boating Infrastructure Grant program with the assistance of a standing advisory committee. The Boating Programs Advisory Committee's role is to recommend policies and procedures to RCO for administering grants and to review, evaluate, and score grant applications.

In recruiting members for the committee, RCO seeks to appoint people who possess a statewide perspective and are recognized for their experience and knowledge of outdoor recreation and boating in Washington. Representatives from the Department of Natural Resources, Department of Fish and Wildlife, and State Parks and Recreation Commission also serve on the advisory committee. RCO's director may appoint *ex officio* members to the committee to provide additional representation and expertise.

Check RCO's Web site for the current [committee membership](#).

### **Do Not Fund Recommendation<sup>36</sup>**

Occasionally during evaluations, the advisory committee may express significant concerns about a project, such that it would like to discuss a "Do Not Fund" recommendation. If this occurs, the advisory committee may discuss its concerns at the post-evaluation meeting, which takes place after application scores are tabulated.

If a "Do Not Fund" recommendation is scheduled to be considered, RCO will notify the applicant in writing, identify the significant concerns expressed by the evaluators, and invite the applicant to attend the post-evaluation meeting to respond to questions. The applicant also may submit a written response to the evaluators' concerns. To ensure all projects are treated equally, no additional testimony from applicants or visitors is taken at the post-evaluation meeting. The advisory committee determines a "Do Not Fund" recommendation by a simple majority vote of the committee members that participated in application evaluations.

RCO staff will forward to the board a summary of the "Do Not Fund" recommendation and any committee member comments. The board will consider the advisory committee's recommendation at a regularly scheduled public meeting, before the ranked lists are adopted (consideration may take place at the same meeting, but the "Do Not Fund" recommendation will be discussed before the ranked lists are adopted). The board retains discretion in awarding all grant funds.

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<sup>36</sup>Recreation and Conservation Funding Board Resolution 2014-06

## Evaluation Criteria

Boating Facilities Program Evaluation Criteria Summary				
Scored by	Question	Item	Project Type <sup>37</sup>	Possible Points
Advisory Committee	1	Need	All	15
Advisory Committee	2	Site Suitability	Acquisition	20
			Combination, Development, Planning	15
Advisory Committee	3	Urgency	Acquisition	10
			Combination	5
Advisory Committee	4	Project Design	Development	10
			Combination of Acquisition and Development	5
Advisory Committee	5	Planning Success (architecture and engineering only)	Planning	10
			Combination of Acquisition and Planning	5
Advisory Committee	6	Sustainability	Combination, Development, Planning	5
Advisory Committee	7	Cost-benefit	All	10
Advisory Committee	8	Boats on Trailers	All	5
Advisory Committee	9	Boating Experience	All	6
Advisory Committee	10	Readiness	All	5
RCO Staff	11	Proximity to People	All	1
RCO Staff	12	Growth Management Act (local agencies) Preference	All	0
<b>Total</b>				<b>72</b>

<sup>37</sup>All project types=Acquisition, development or renovation, combination, and planning (architecture, engineering, or permit-related). Combination projects include both acquisition of real property and either development or planning activities.

## Scoring Criteria

### Scored by the Advisory Committee

**1. Need.** Is the project needed?

Consider whether the project addresses boater needs as described in the *Boating Grant Programs Plan*. Consider the goal of the project and how it relates to the service area and the following:

- Inventory of existing sites and facilities
- Physical condition of the inventory
- Un-served or under-served populations
- Amount of use of existing sites
- Potential use of proposed sites
- How the project meets the need

Is the project named by location or type as a priority in an adopted plan? Examples of such plans include comprehensive, shoreline, port, waterfront access, park, open space, capital improvement, and capital facilities.

For example, a proposal for a new site in a large city with few existing sites likely would seem to fill a substantial need and could receive a high score. A proposal for improving a geographically remote site accessing an important sport fishery in high demand also could receive a high score.

▲ Point Range: 0-5 points, which staff later multiplies by 3.

**2. Site Suitability.** Is the site well-suited for the intended recreational uses?

Consider the following:

- The site's size and location
- Topography and soil conditions
- Existing facilities or development (if any)
- Adjacent land uses
- Natural features or attractions (such as productive fishing locations)

- Alternatives that may have been considered

In general, sites more suitable for the intended uses should get higher scores.

- ▲ Point Range: 0-5 points, which staff later multiplies by 3 for combination, development, and planning projects and by 4 for acquisition-only projects.

**3. Urgency** (any project with acquisition as a component). How urgent is the need for funding from the Recreation and Conservation Funding Board?

If grant funding is not made available, will public access or use be lost? Consider the availability of alternatives. Where none exist, the significance of BFP funding may be higher. BFP funding shall augment, not replace, other sources of funding available to the grant sponsor.

- ▲ Point Range: 0-5 points, which staff later multiplies by 2 for acquisition-only projects.

0 points	No evidence presented.
Low score	Minimal urgency. Site opportunity appears to be in no immediate danger of a loss in quality or to public use in the next 2 years.
Medium score	Actions are under consideration that could result in the opportunity losing quality or becoming unavailable for future public use.
High score	Actions will be taken that will result in the opportunity losing quality or becoming unavailable for future public use.

**4. Project Design** (development or acquisition and development projects only). Is the proposal appropriately designed for the intended use?

Recreation and Conservation Funding Board policy rewards design standards and construction techniques intended to maximize service life, minimize routine maintenance, and avoid environmental impacts.

For example, if users of a proposed boat ramp can be expected to be power loading, solid concrete ramp construction may be more appropriate than concrete plank construction. In harsh marine conditions, steel piling or concrete could be expected to have a longer service life than timber piling.

Evaluators should consider design and construction elements such as the following:

- Accurate cost estimates
- Aesthetics
- Future maintenance needs\*
- Innovative and creative elements\*
- Materials and specifications\*
- Risk management
- Space relationships\*
- User friendly elements

\*User-friendly and universally accessible considerations

- ▲ Point Range: 0-5 points, which staff later multiplies by 2 for development-only projects.

Revised February 9, 2016 by Recreation and Conservation Funding Board Resolution 2016-10.

**5. Planning Success** (planning or acquisition and planning projects only). What potential does this project have to successfully complete the required documents needed to start a development project?

Evaluators are asked to judge how likely it is that the project will result in development in the near future. Factors to consider include the following:

- Cost-effective design and construction standards.
- Site conditions that might require extraordinary or unique architectural and engineering efforts.
- The results of public involvement.
- Whether design approaches are untested or have tested successfully.
- The experience or expertise of the organization that will do the work.
- The complexity or feasibility of environmental mitigation that could be required.

- ▲ Point Range: 0-5 points, which staff later multiplies by 2 for planning-only projects.

- 6. Sustainability** (development, combination, and planning projects only). Sustainability reflects choices made to balance the desired benefits and potential impacts of a project on the surrounding landscape and community. Please discuss how your project's location or design supports your organization's sustainability plan or how you considered the ecological, economic, and social benefits and impacts in the project plan.

Examples of sustainability factors that could be part of a project or maintenance plan are provided below for consideration but are not all-inclusive. Applicants and evaluators should treat this list as a guide, not a checklist. Applicants are encouraged to be creative in expressing the sustainability factors of their projects, and evaluators should score projects based on the extent to which applicants have considered and addressed the benefits and impacts of their projects whether they discuss one of the factors below or many.

#### **Ecological Factors**

- Minimizes impacts to, or improves ecological function of, surrounding lands
- Includes low-impact design or other green building techniques that reduce water, energy, resource consumption, or greenhouse gas footprint
- Provides a buffer to future natural disasters or anticipated climate impacts
- Includes landscaping that supports native species and/or pollinator habitat

#### **Social Factors**

- Addresses an identified disparity in social or environmental services
- Encourages access via multi-modal and active transportation choices
- Promotes opportunities for physical activity, social and cultural connections, or community education

#### **Economic Factors**

- Uses materials that support local producers, are recycled or recyclable, increase the project's anticipated lifespan, or reduce future maintenance costs
- Creates efficiency in the provision of public services (i.e. stormwater infiltration, increased tree canopy, carbon sequestration, etc.)
- Maximizes lifespan or reduces future operational costs

- Supports a local economic development initiative

▲ Point Range: 0-5 points

Adopted January 2020, Recreation and Conservation Funding Board Resolution 2020-06

**7. Cost-Benefit.** Do the benefits of the project outweigh the costs?

Having reviewed the technical and other merits of the project proposal, evaluators now are asked to determine its overall cost-benefit.

Cost can be more than dollars. It also can be unacceptable harm to the environment or something that causes unnecessary ill will for boaters.

Benefit is the gain realized with the requested level of public investment. It can be gain for boaters, the environment, or the public, or some other gain.

Proposals demonstrating greater net benefits should score higher than proposals with limited value, or with value at too great a cost.

▲ Point Range: 0-5 points, which staff later multiplies by 2.

**8. Boats on Trailers.** Does the proposed project predominantly serve boats on trailers?

▲ Point Range: 0-5 points.

Added February 9, 2016 by Recreation and Conservation Funding Board Resolution 2016-10.

**9. Boating Experience.** How will the project affect the boating experience?

Boaters are increasingly concerned about the quality of the boating experience. Although the meaning of a quality experience is highly personal, evaluators should consider the complex relationships among the following:

- The size and location of the water body to be accessed.
- The number and types of boats using that water body.
- The traditional or historic use of the water body.
- The number and types of additional boats that could gain access.
- Current and expected boat speeds.

Evaluators are asked to consider the overall potential impact of a proposal.



▲ Point Range: -2 to 3 points, which staff later multiplies by 2.

-2 or -1 points      Proposal will harm or disrupt a quality boating experience.

0 points              Proposal will not change the boating experience.

1 to 3 points        Proposals will enhance or improve quality boating.

**10. Readiness.** Is the project ready to proceed?

The Recreation and Conservation Funding Board policy encourages proposals that are ready for immediate implementation. That is, an applicant should be ready to start work as soon as a grant agreement is signed.

Acquisition proposals that have completed negotiations should get a higher score than a proposal for which negotiations still are underway or have not yet started.

Development proposals with permits in hand should score higher than proposals that are in the process of securing permits.

An architecture and engineering proposal may merit a high score if it is clear that work on the permit or plan can start immediately.

▲ Point Range: 0-5 points.

## Scored by RCO Staff

**11. Proximity to People.** Is the project site in a populated area?

The Recreation and Conservation Funding Board policy is to give preference to projects in urban areas. Urban areas are defined in Revised Code of Washington 79A.25.250 as a town or city with a population of 5,000 or more, or a county with a population density of 250 or more people per square mile.

Is the project in an area meeting this definition?

▲ Point Range: 0-1 point.

0 points      No

1 point      Yes

**12. Growth Management Act Preference.** Has the applicant made progress toward meeting the requirements of the Growth Management Act?<sup>38</sup>

State law requires the following:

- A. Whenever a state agency is considering awarding grants to finance public facilities, it shall consider whether the applicant<sup>39</sup> has adopted a comprehensive plan and development regulations as required by Revised Code of Washington 36.70A.040 ("state law").
- B. When reviewing such requests, the state agency shall accord additional preference to applicants that have adopted the comprehensive plan and development regulations. An applicant is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations if it meets any of the following:
  - Adopts or has adopted within the time periods specified in state law.
  - Adopts or has adopted by the time it requests a grant or loan.
  - Demonstrates substantial progress toward adopting within the time periods specified in state law. An agency that is more than 6 months out of compliance with the time periods has not demonstrated substantial progress.
- C. A request from an applicant planning under state law shall be accorded no additional preference based on subsection (B) over a request from an applicant not planning under this state law.

Scores for this question are based on information from the state Department of Commerce, Growth Management Division. If an agency's comprehensive plan, development regulations, or amendments have been appealed to a Growth Management Act Hearings Board, the applicant cannot be penalized during the period of the appeal. Scoring occurs after RCO's technical completion deadline.

▲ Point Range: -1 to 0 points

- 1 point Applicant does not meet the requirements of Revised Code of Washington 43.17.250.

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<sup>38</sup>Revised Code of Washington 43.17.250 (Growth Management Act preference required.)

<sup>39</sup>All references to applicants in this question refer to counties, cities, and towns only.

0 points Applicant meets the requirements of Revised Code of Washington 43.17.250.

0 points Applicant is a nonprofit organization, or state or federal agency.