

# Manual 13

## Nonhighway and Off-road Vehicle Activities

Education and Enforcement Category

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August 2020

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# At a Glance

## Nonhighway and Off-road Vehicle Activities

<b>Purpose</b>	This program provides grants for information, education, and outreach programs for trail and back-road related outdoor recreation. Grants may provide law enforcement for the benefit of outdoor recreationists.
<b>Who may apply?</b>	<ul style="list-style-type: none"> <li>• Cities and towns</li> <li>• Counties</li> <li>• Federal agencies</li> <li>• Native American tribes</li> <li>• Special purpose districts</li> <li>• State agencies</li> </ul>
<b>Is a plan required?</b>	No
<b>What types of projects are eligible?</b>	<ul style="list-style-type: none"> <li>• Education</li> <li>• Enforcement</li> </ul>
<b>What are the grant limits?</b>	\$200,000
<b>Must I contribute match?</b>	No. However, evaluation scores are weighted to reward projects that include a matching share made up of non-government contributions.
<b>How is my project evaluated?</b>	An advisory committee reviews written responses to evaluation questions then scores and ranks the projects.
<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>• PRISM Online updated to incorporate the written evaluation criteria responses</li> <li>• Removed the 10 percent non-state, non-federal match requirement</li> <li>• Suspended the Matching Shares criterion</li> </ul>

# Section 1: Introduction

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

- ✓ The NOVA program
- ✓ The Recreation and Conservation Funding Board
- ✓ Where to get information
- ✓ The grant process and timeline

### The NOVA Program

In 1972, the Legislature set aside 1 percent of the state's gasoline excise tax<sup>1</sup> to provide funding for what today is called the Nonhighway and Off-road Vehicle Activities (NOVA) program. NOVA is charged with creating access to activities such as cross-country skiing, hiking, horseback riding, mountain bicycling, hunting, fishing, sightseeing, trail and competition motorcycling, and riding all-terrain and four-wheel drive vehicles.

This manual provides information on the Education and Enforcement Category, one of four categories in the NOVA program.<sup>2</sup>

The Education and Enforcement Category is intended to encourage environmentally responsible use of the outdoors and minimize conflicts between users through positive management techniques. By law,<sup>3</sup> the grants may be used only for activities directly related to the recreational activities supported by the NOVA program.

### Recreation and Conservation Funding Board

NOVA is administered by the Recreation and Conservation Funding Board, which is a governor-appointed board composed of five citizens and the directors (or designees) of

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<sup>1</sup>Under Revised Code of Washington 46.09

<sup>2</sup>See the Recreation and Conservation Funding Board's *Manual 14: Nonhighway and Off-road Vehicle Activities* for information on the Nonhighway Road, Nonmotorized, and Off-road Vehicle Categories.

<sup>3</sup>Revised Code of Washington 46.09.520

three state agencies—Department of Fish and Wildlife, Department of Natural Resources, and Washington State Parks and Recreation Commission.

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**

Authority for the policies in this publication is found in Revised Codes of Washington 46.09.530, Off-road, Nonhighway, and Wheeled All-terrain Vehicles and 42.56.040 of the Public Records Act and Washington Administrative Code Chapter 286, including Sections 4, 6, and 13.

The Recreation and Conservation Funding Board adopted these policies in a public meeting and the RCO director approved the manual under the authority granted in Washington Administrative Code 286-04-060.

## **Who Makes Decisions**

The Recreation and Conservation Funding Board makes the final decisions for funding, policies, and projects 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 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.
- Changes in policy; for example, establishing new grant limits or eligible expenditures.

- Time extensions beyond 2 years of the board or director approval date.<sup>4</sup>

## 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.

## Advisory Committee Decisions

The Recreation and Conservation Funding Board establishes the NOVA Advisory Committee<sup>5</sup> to advise it on administration of the NOVA program. The committee recommends policies and procedures for administering grants and evaluates and scores grant applications. The committee submits the resulting ranked lists of projects to the Recreation and Conservation Funding Board for funding consideration in a public meeting.

## 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 [NOVA Education grant page](#).

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<sup>4</sup>NOVA Plan Policy B-5

<sup>5</sup>Revised Codes of Washington 46.09.340

## Other Grant Manuals Needed

The manuals below provide additional information for grants and are available on the [grant manual page](#) of the RCO Web site. Each can be made available in an alternative format.

- *Manual 4: Development Projects*
- *Manual 7: Long-term Obligations*
- *Manual 8: Reimbursement*

## Statewide Strategic Plans

Every third biennium, the Recreation and Conservation Funding Board adopts a plan to guide management, distribution, and expenditure of NOVA funds.<sup>6</sup> Policies in this manual are based on priorities and recommendations from the NOVA plan, state trails plan, and *Washington State Recreation and Conservation Plan*. RCO encourages applicants to review current statewide plans prepared by RCO that relate to program policies and priorities. A summary of relevant NOVA plan priorities is found in Appendix A.

- The [Nonhighway and Off-road Vehicle Activities Grant Program Plan](#)
- [2018 Washington State Trails Plan](#)
- [Washington State Recreation and Conservation Plan 2018-2022](#)

## Grant Process and Timeline

RCO offers grants in even-numbered years, in conjunction with the state budget. The grant process, from application to grant award, spans about a year, 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

**Workshops.** RCO conducts workshop Webinars in the winter or early spring to provide information about the grant programs offered that year.

**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.

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<sup>6</sup>Revised Code of Washington 46.09.370

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 sites 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 sends to the Governor a recommended funding amount for NOVA for the next biennium.

**Applications Due.** Applications are due in early November of even-numbered years. The application includes the data entered in 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.** Grants managers review the applications to ensure they are eligible, identify any issues of concern, and provide feedback on the strengths and weaknesses of each proposal. Applicants then may make changes to improve the projects, if needed. Applicants must complete all modifications and resubmit the 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–Written Process.** The advisory committee members use the application materials, which include the responses to the evaluation questions, cost estimates, maps, graphics, and photographs. The members score 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 list 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 posts the preliminary ranked lists on RCO's Web site. The resulting ranked list of projects is the basis for the funding recommendation to the Recreation and Conservation Funding Board.

**Board Approves Project List.** In an open public meeting, the Recreation and Conservation Funding Board considers the recommendations of the advisory committee, written public comments submitted before the meeting, and public testimony at the



meeting. The board then approves the list of projects. Applicants are cautioned that the board's approval of the project list is not the same as funding approval.

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

**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>7</sup>

**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<sup>8</sup> to submit pre-agreement documents (checklist provided by grants managers.) RCO staff then prepares and issues the grant agreements. Applicants must return the signed agreements within 3 calendar months.<sup>9</sup> Once the agreements are signed, the applicants, now referred to as the 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.

**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 2 years of the grant award. RCO may terminate projects that do not meet critical milestones established in the grant agreement.
- Begin project implementation quickly and aggressively to show measurable progress towards meeting project milestones.
- Submit progress reports at intervals as designated by the RCO grant agreement.

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<sup>7</sup>Washington Administrative Code 286-13-040(3)

<sup>8</sup>Washington Administrative Code 286-13-040(4)

<sup>9</sup>Washington Administrative Code 286-13-040(5)

- Submit reimbursement requests at least once each year.<sup>10</sup>

**Project Completion.** When a project is completed, a sponsor must submit within 90 days the final bill, final report, and supporting documents needed to close the project. 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>10</sup>Washington Administrative Code 286-13-040

# Section 2: Policies

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

- ✓ Eligibility applicants, activities, and costs
- ✓ Bid competition for purchased equipment and services
- ✓ Equipment policies
- ✓ Property requirements
- ✓ Other requirements and things to know

## Eligible Applicants

### Eligible Applicants<sup>11</sup>

- Local agencies (cities, towns, counties, port districts, park and recreation districts, etc.)
- Federal agencies
- State agencies
- Native American tribes
- Nonprofit off-road vehicle organizations (see section below)

### Applicant Requirements

#### Legal Opinion for First-time Applicants

The Recreation and Conservation Funding Board requires all organizations wishing to apply for a grant for the first time to submit a legal opinion that the applicant is eligible

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<sup>11</sup>Revised Code of Washington 46.09.530

to do all the activities below. The legal opinion is required only once to establish eligibility.

- Receive and spend public funds including funds from the Recreation and Conservation Funding Board.
- 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.
- Commit the applicant to statements made in any grant proposal.

### Nonprofit Off-Road Vehicle Organizations<sup>12</sup>

The Recreation and Conservation Funding Board may award grants only to nonprofit off-road vehicle organizations seeking grants for an eligible project that benefits off-road vehicle recreation on publicly owned lands or lands once publicly owned that came into private ownership in a federally approved land exchange completed between January 1, 1998 and January 1, 2005.

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

An eligible nonprofit must be able to contract with the State of Washington, and meet all the following criteria:

- Registered with the State of Washington as a nonprofit corporation per Revised Code of Washington 24.03
- Demonstrate at least 3 years of actively managing projects relevant to the types of projects eligible for NOVA funding. "Actively managing projects" means performing the tasks necessary to manage a NOVA-funded site such as: negotiating for acquisition of property rights; closing on an acquisition; developing and implementing plans; designing and implementing development projects; performing maintenance and operations, education, and enforcement; securing and managing the necessary funds regardless of fund source, and other tasks.

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<sup>12</sup>Recreation and Conservation Funding Board Resolution 2016-28

- Does not discriminate on the basis of age, disability, gender, sexual orientation, income, race, religion.
- Provide a copy of articles of incorporation and by-laws including any amendments.

### Eligible Activities

Education and enforcement activities may be directed only to the following types of visitors<sup>13</sup> (See state law<sup>14</sup> for precise definitions):

- **Nonhighway road recreational users:** A person who drives on back roads<sup>15</sup> or off road to go hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking or canoeing, or gathering berries, firewood, mushrooms, and other natural products.
- **Nonmotorized recreational users:** A person who drives on back roads or off road to participate primarily in nonmotorized activities, including walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, and horseback riding.
- **Off-road vehicle recreational users:** A person who drives on back roads or off road to participate primarily in motorized activities, including riding all-terrain vehicles, motorcycles, four-wheel drive vehicles, or dune buggies (not snowmobiles or go-karts).<sup>16</sup>

Two primary program activities are eligible for funding:

- **Education.** User education programs may include information on safety, land use ethics, laws, opportunities, and environmental issues. Such programs seek to instruct and coordinate with NOVA recreationists in various ways, including the following:
  - Engaging individual NOVA users (preferably by field contacts).
  - Engaging organized NOVA user groups (preferably by field contacts).
  - Providing recreation information, education, and enforcement materials for public distribution to equipment dealers and other public and commercial outlets.

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<sup>13</sup>Revised Code of Washington 46.09.310

<sup>14</sup>Revised Code of Washington 46.09.310(7)

<sup>15</sup>Revised Code of Washington 46.09.310(7)

<sup>16</sup>Such vehicles as snowmobiles and "go-carts" are excluded in the legal definition of an off-road vehicle.

- Providing in-school programs geared toward current NOVA users.
- Working with advisory committees.
- Preparing information for maps, Web pages, and other information sources.
- **Enforcement.** Programs providing law enforcement contact with NOVA recreationists are eligible for funding, especially those that encourage responsible recreational behaviors through positive management techniques. Eligible enforcement activities include the following:
  - Resolving conflicts and complaints.
  - Issuing warnings and citations to violators.
  - Protecting resources and facilities.
  - Preventing vandalism.
  - Providing public outreach and education to NOVA users.

### Ineligible Activities

- Providing Washington Department of Fish and Wildlife game enforcement
- Providing enforcement activities solely for wheeled all-terrain vehicle recreation (see Appendix A, Definitions)
- Patrolling and enforcing trespass in areas closed to NOVA recreationist

### Eligible Costs

Only allowable costs may be included in the project. A cost is allowable if it is reasonable, necessary to complete the approved scope of work, eligible in the grant program, and incurred during the period of performance set forth in the grant agreement. A cost is considered reasonable if the work or materials and the cost reflect what a prudent person would have spent under the circumstances.

NOVA funding shall not, however, be used to replace local law enforcement funding. It shall instead augment local capabilities and result in improved NOVA recreation management.<sup>17</sup>

Note: There are no eligible pre-agreement costs for education and enforcement projects.

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<sup>17</sup>NOVA Plan policy B-1

## Education or Education and Enforcement Programs

Education projects provide information, education, and outreach programs for the benefit of NOVA recreationists to preserve NOVA eligible recreation. In these projects, staff usually patrol trails and recreation areas, handing out educational information and talking with users about trail safety and environmental protection.

Education and enforcement projects encourage responsible recreational behaviors through positive management techniques, including law enforcement. Grants pay for activities that help preserve access for a variety of recreational activities and reduce conflicts between user groups. Typical work includes providing information, resolving conflicts and complaints, issuing warnings and citations to violators, protecting resources and facilities, and preventing vandalism.

Grants may be used only for activities directly supported by the NOVA program.

- **Covering operating expenses:** Typical costs cover staff and direct support expenses. \*Costs must be less than \$1,000.
  - Advertising
  - Consultants
  - Computer software
  - Equipment rental and leases (amounts not to exceed purchase price)
  - Forms, maps, stationary
  - Insurance, liability or general
  - Laundry
  - Meeting rooms
  - Official vehicle operation: fuel or mileage, lease
  - Per diem for food and lodging<sup>18</sup>
  - Postage
  - Postage
  - Printing, binding, copies
  - Publications
  - Repairs, equipment maintenance\*
  - Salary and benefits
  - Storage of program-eligible equipment
  - Stakes and flagging
  - Supplies, general\*
  - Telephone

<sup>18</sup>RCO uses the Office of Financial Management's policies for state employee travel ([www.ofm.wa.gov/policy/10.40.htm](http://www.ofm.wa.gov/policy/10.40.htm)) when per diem is allowed.

- Tools and minor equipment\*
- Training\*
- Travel and transportation
- Uniforms and safety gear
- **Developing education materials**
  - Brochure
  - Curriculum
  - Graphics
  - Maps
  - Public service announcements
  - Publications
  - Videos
  - Web site development

## Purchasing Equipment

- **Purchasing electronic equipment**
  - Cameras
  - Cell phones
  - Computers
  - Monitors
  - Portable display units
  - Printers
  - Projectors
  - Radios
  - Trail counters
  - Video cameras
- **Purchasing accessories and attachments for equipment and vehicles**
  - Accessories to equipment for an enforcement vehicle (radio, lights, siren, push bumper, storage box)
  - Canopy
  - Ramps for loading and unloading equipment
  - Tracks for all-terrain or four-wheel drive vehicles
  - Other accessories
- **Purchasing sound metering equipment**
  - Anemometers
  - Calibrators



- Decibel meters
- Tachometers
- Sound meters
- **Purchasing vehicles**
  - All-terrain vehicles
  - Four-wheel drive vehicles
  - Motorcycles
  - Mountain bicycles
  - Trailers
  - Vehicles

The cost or use value of equipment acquired with grants may not be used in other or subsequent grants.

## **Ineligible Costs**

Costs not *directly* related to the funded program are not eligible for reimbursement or for use as an applicant's matching share. This includes the following:

- Overhead and indirect costs.
- Any personnel cost related to non-NOVA activities, including dispatch services and overhead costs.
- Purchases not wholly dedicated to education and enforcement (purchased items may not be used or prorated among programs).
- Supervisory activities.
- Management of field staff including scheduling, equipment coordination, and review of field work.
- Any payment or allocation to an equipment or vehicle replacement fund.
- Charges in excess of the lowest acceptable bid when competitive bidding is required, unless the RCO director agrees to the higher costs before the award of an agreement.
- Costs associated with securing NOVA grants, including preparation of an RCO application, and travel expenses including per diem for attending RCO or Recreation and Conservation Funding Board evaluation and funding meetings.
- Office rental.

- Firearms, ammunition, and shooting supplies.

### **Bid Competition for Purchased Equipment and Services**

A competitive bid process must be used for expendable property, equipment, and other services, including construction, purchased with NOVA funds. This requirement is to ensure that these services are obtained transparently, as effectively as possible, and without any real or apparent conflict of interest. Avoid such conflicts by doing the following:

- Conduct all procurement transactions in an open and free competitive manner.
- Keep a file on bid procedures (request for proposals, bid invitation, independent cost estimates, selection requirements, and process, etc.)
- Make awards to bidders with offers most responsive to solicitations, considering price, quality, and other factors.

Sponsors shall establish and follow written procurement procedures or follow current state procurement procedures. All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Be aware of organizational conflicts of interest. Contractors that develop or draft specifications, requirements, statements of work, invitations for bids, or requests for proposals shall be excluded from competition for such procurements.

Procurements using federal funds must follow the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, Section 200.317 to 200.326.

### **Equipment Policies**

Grant sponsors may rent, lease, or purchase equipment and vehicles to deliver education programs. Sponsors may purchase equipment when all the following conditions exist:

- The equipment is an essential and necessary component to implement the project or program.
- Purchasing is more cost effective than renting or leasing equipment.
- The equipment is wholly dedicated for education activities; not prorated or used for other, non-permissible uses.

Equipment includes capital equipment<sup>19</sup> and small and attractive assets,<sup>20</sup> as determined by RCO, which are necessary for education projects. For Recreation and Conservation Funding Board grants, equipment means the following:

- **Capital equipment:** Equipment and vehicles that cost \$5,000 or more per unit (including ancillary costs<sup>21</sup>) and have a useful life of more than 1 year.
- **Small and attractive assets:** Those items that cost less than \$5,000 per unit (including ancillary costs), have a useful life of more than 1 year, and are vulnerable to loss. RCO has determined that the following shall be considered equipment and are subject to the following equipment requirements and management:
  - Laptops, notebook computers, tablets, and smartphones with unit costs of \$300 or more.
  - Optical devices, binoculars, telescopes, infrared viewers, range finders, cameras and photographic projection equipment, desktop computers, television sets, DVD players, blu-ray players, and video cameras with unit costs of \$1,000 or more.
  - Mechanized and powered hand tools with unit costs of \$300 or more.
  - Vehicles such as mountain bikes, motorcycles, and ATVs with a per-unit cost of \$300 or more.
  - Trailers for storage and or hauling equipment.
  - Other items as determined by the RCO.

## **Purchasing Equipment**

To maximize the benefit of grant resources and to ensure fair and ethical treatment of bids from suppliers, sponsors shall use a competitive procurement process<sup>22</sup> when purchasing equipment.

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<sup>19</sup>Office of Financial Management State Administrative and Accounting Manual Chapter 30

<sup>20</sup>Office of Financial Management State Administrative and Accounting Manual Chapter 30.40.20

<sup>21</sup>Costs that are directly attributable to asset acquisition, such as freight and transportation costs, site preparation costs, and professional fees that are necessary to place a capital asset into its intended state of operation.

<sup>22</sup>Code of Federal Regulations, Part 200

## Equipment Management

Sponsors must maintain a record of all equipment purchased under a Recreation and Conservation Funding Board agreement that meets the definition of capital equipment or small and attractive assets. The sponsor, not the board or RCO, always takes title. This inventory record begins with the list of any equipment purchases proposed in the project application. Upon board approval of the project, this listing is entered into the grant agreement.

The sponsor shall have, and make available to RCO upon request, equipment records that include the following:

- A description of the equipment.
- Manufacturer's serial number (model, stock, vehicle identification, or other unique number securely affixed to the equipment).
- Source of the equipment, including grant or other agreement number.
- Acquisition date and cost.
- Percentage of sponsor participation in the cost of the project or program for which the equipment was acquired as specified in the grant agreement.
- Location, use, and condition of the equipment and the date the information was reported.
- Ultimate disposition data, including date of disposal and sale price, including the method used to determine current fair market value when a sponsor compensates the Recreation and Conservation Funding Board for its share, if sold.

The sponsor shall establish adequate maintenance procedures to keep the equipment in good condition.

When the sponsor disposes of the equipment (see below), procedures that provide for fair competition, to the extent practicable, and result in the highest possible return, shall be established.

## Periodic Inventory

The sponsor shall conduct a physical inventory of equipment and reconcile the results with previous records at least once every 2 years. This should continue until final liquidation has been made, and inventory records must be maintained just as other records for audit purposes. Any differences in this physical inspection and those shown in the accounting records shall be investigated by the sponsor to determine the causes

of the difference. In connection with the inventory, the sponsor shall verify the existence, current use, and continued need for the equipment. A detailed written report on the results of this inventory shall be provided to RCO upon request.

The sponsor shall institute a control system to ensure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft shall be investigated and fully documented. The sponsor shall promptly notify RCO of any such occurrence.

## Continued Use

The sponsor shall use the equipment in the project or program for which it was acquired for as long as needed, whether or not support continues through subsequent grants from the Recreation and Conservation Funding Board, or program, without making a refund to the program.

The value of equipment use may not be included in any other RCO grant if the equipment was purchased with RCO grant assistance.

When the sponsor disposes of the equipment (see below), procedures that provide for fair competition, to the extent practicable, and result in the highest possible return, shall be established.

## Equipment Liquidation

When the sponsor discontinues use of the capital equipment (assets) for the purpose for which it was funded, the following liquidation procedures shall apply:

- **The sponsor wishes to retain the equipment.** When the sponsor no longer needs the equipment as provided above but wishes to keep it for uses not eligible in the program, the sponsor must compensate RCO as directed under Calculating Program Refund.
- **The sponsor does not wish to retain the equipment.** If the sponsor has no need for the equipment but it still has value, the sponsor shall request disposition instructions from RCO. If so instructed,
  - Original cost of more than \$1,000: The sponsor shall sell the equipment and reimburse the grant program as directed below under Calculating Program Refund.
  - RCO may instruct the sponsor to transfer title to a third party named by RCO who is eligible in the grant program under existing statutes. In such cases, the sponsor will be compensated by the receiving party in the amount equal to the proportional share (as specified in the grant agreement) of the current fair market value of the equipment.

- **The equipment has no value.** This occurs when the equipment has lost value or has outlived its useful life, not due to lack of maintenance. The sponsor may notify RCO and if RCO concurs, the equipment will be removed from equipment inventory reporting requirements.

## Calculating the Program Refund

When selling equipment, the sponsor must refund the grant program RCO's proportional share listed in the grant agreement. The sponsor shall use procedures for the sale that result in the highest possible return.

The sponsor may deduct selling or handling expenses, not to exceed \$100 or 10 percent of the sale amount, whichever is less, from the amount owed to RCO. The sponsor must document and submit any such selling or handling expenses along with the refund to RCO.

A sponsor may not use RCO's portion of the sale to buy replacement or other equipment.

## Property Requirements

### Control and Tenure Requirements

Nonprofit off-road vehicle organizations must establish control and tenure requirements. The tenure must meet or exceed the period of performance and ongoing obligations identified in the RCO grant agreement.

### On Publicly Owned Property

Nonprofit off-road vehicle organizations must execute an RCO Landowner Agreement Form, or comparable agreement, as approved by RCO.

### On Privately Owned Property

Nonprofit off-road vehicle organizations must satisfy the control and tenure requirements in *RCO Manual 4: Development Projects* or provide a lease, easement, or other legally binding agreement for the project property that allows the proposed project and public access.

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## 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.

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

Sponsors must ensure that all materials paid for with Recreation and Conservation Funding Board grants meet current user-friendly and universally accessible standards. Sponsors must, to the highest degree reasonable, make program elements accessible. Publications must reflect compliance with access requirements. Examples include meeting sites for public outreach activities and printed materials made available in alternate formats.

### 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.

### Program Fees and Income

If the grant sponsor receives income from a program paid in part by a Recreation and Conservation Funding Board grant, the recipient must comply with the income policy in *RCO Manual 7: Long-term Obligations* and in the grant agreement.

## Public Disclosure Rules

RCO records and files are public records that are subject to the Public Records Act.<sup>23</sup> More information about [RCO's disclosure practices](#) is available online.

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<sup>23</sup>Revised Code of Washington 42.56



# Section 3: Money Matters

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

- ✓ Grant limit
- ✓ Match requirements
- ✓ Types of match
- ✓ Federal rules
- ✓ Where the money comes from and how it's distributed
- ✓ Records and reimbursement

## **Grant Limit**

The grant limit is \$200,000 per project. This includes expenses for equipment, salaries, and other program costs listed below.

## **Match Requirements**

### **Matching Share**

Match is the project sponsor's contribution to a project. Although match is not required for projects in this program, applicants are strongly encouraged to provide matching resources to demonstrate a local commitment to the project and to make funds available to more projects.

### **Eligible Match**

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

- Appropriations or cash
- Bonds—council or voter
- Corrections labor

- Donations—the value of using cash, equipment use, labor, materials, or services (see Types of Match section below)
- Force account—the value of using sponsor’s equipment, labor, or materials (see Types of Match section below)
- Grants—federal, state, local, and private (see Types of Match section below)
- Other Recreation and Conservation Funding Board grants that meet the requirements outlined below.

### **Not Allowed as Match**

- Existing sponsor assets
- Costs that are double counted. (A cost incurred by a grant sponsor in a project that has been reimbursed by RCO shall not be used as a match or expenditure on another RCO project.)
- Cost that are not eligible for grant assistance
- Cost not included in the grant agreement
- Cost that are not necessary or an integral part of the project scope

### **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, before the board awards the grant, the match must be secured so the project can move forward. Board grants also are intended to enhance the existing capacity of recreation providers and managers. Grants must be used to achieve results that would not otherwise be possible without state funding. Grants should not replace existing funding that would have been used for a project without grant funding.<sup>24</sup>

All matching resources must meet all the following:

- Be an integral and necessary part of the approved project.
- Be part of the scope of work identified in the application and grant agreement.
- Be for allowable work types or elements.
- Be committed by the grant sponsor to the project.

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<sup>24</sup>2013-2018 Washington State Nonhighway and Off-road Vehicle Activities Plan

To qualify, a match must be composed of elements that would be eligible for a NOVA education or enforcement grant.

RCO rules governing projects apply equally to the grant applicant's match. For example, if a grant applicant uses a donated motorcycle as match, RCO rules for equipment management apply to the donated motorcycle 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 review carefully 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 may not be used as match in another board-funded project.<sup>25</sup>

## **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 certification of match forms 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 the 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 are no guarantees that matching funds are available. 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. To prevent a backlog of unspent grants, the sponsor must finish the project by the earliest completion date of the two grants.<sup>27</sup>

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<sup>25</sup>Washington Administrative Code 286-13-045(7)

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

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

## Types of Match<sup>28</sup>

### 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.

### Force Account

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

### Other Grants

In some cases, a sponsor may use funds awarded from a separate grant program as 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.

The use of federal funds as 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<sup>29</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.

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<sup>28</sup>Washington Administrative Code 286-13-045 (2)

<sup>29</sup>Recreation and Conservation Funding Board Resolution 2005-24

- The grant applications are submitted in the same biennium.<sup>30</sup>

For evaluation scoring, an RCO grant used as match will not count toward the award of matching share points.<sup>31</sup>

Matching resources also must conform to the deadlines discussed in Section 1 “Grant Process and Timeline.”

## 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.

## Where the Money Comes from and How It’s Distributed

In 1972, the Legislature set aside 1 percent of the state’s gasoline excise tax to provide funding for NOVA.<sup>32</sup> A second source of funding for this program is off-road vehicle registration fees.<sup>33</sup>

## Distribution of Money

Each year the state treasurer refunds<sup>34</sup> 1 percent of motor vehicle fuel tax revenues and then distributes the money to NOVA programs as shown in Figure 1 below.

The Recreation and Conservation Funding Board may waive any of the “not less than 30 percent” percentages if there are insufficient requests for funds or, in the board’s view, a project has scored too low in evaluations. See the “Do Not Fund Recommendation” in Section 4.

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<sup>30</sup>Washington Administrative Code 286-13-045(7)

<sup>31</sup>Recreation and Conservation Funding Board Resolution 2014-06

<sup>32</sup>Revised Code of Washington 46.09

<sup>33</sup>Revised Code of Washington 46.68.045

<sup>34</sup>Revised Code of Washington 46.09.520

Figure 1: Allocation of Funds



## Funding Process

The Recreation and Conservation Funding Board allocates grants in the Education and Enforcement Category as follows:<sup>35</sup>

1. Staff applies 30 percent of Recreation and Conservation Funding Board's 58.5 percent gasoline tax allocation (Figure 1) to projects in ranked order that could be fully funded.
2. If any money remains, staff may recommend adding money to the lowest ranked project that is partly above and partly below the funding line. Staff may ask the applicant if it can perform a viable project with reduced funding.
3. RCO staff, after consulting with the NOVA Advisory Committee, prepares its funding recommendation for the board, which includes the projects (in ranked order) that can be fully and partially funded.

If any money remains, it is held over for cost increases or the next grant cycle.

## Funding High Benefit Projects

The Recreation and Conservation Funding Board seeks to financially support projects that provide high benefits when compared to costs. At times, this goal becomes a challenge when the number of quality projects exceeds available grant dollars. When this occurs, RCO may ask applicants to voluntarily scale back grant requests or reduce some project elements so more worthwhile projects may be funded.

## 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.

### Records

Applicants 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.

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<sup>35</sup>In a parallel process, the Recreation and Conservation Funding Board allocates NOVA recreation program grants.

# Section 4: Project Evaluation

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

- ✓ How project evaluation works
- ✓ The advisory committee
- ✓ The evaluation criteria

## How Project Evaluation Works

The Recreation and Conservation Funding Board has approved a written evaluation process for NOVA education and enforcement projects.

Project evaluation is based on a set of questions adopted by the Recreation and Conservation Funding Board. The questions are created from statutory and other criteria developed through a public process. The evaluation questions may be found in the following pages.

There are two sections to the evaluation criteria: Advisory committee-scored questions and RCO staff-scored questions. In the first section, the NOVA Advisory Committee (see below) uses subjective criteria to score each project. Scores are based on each applicant's written response to evaluation questions, graphics, and summary application material.

In the second section, RCO staff scores the projects using objective measures, such as matching share. Scores are based on material submitted by applicants.

Scores from sections one and two are combined for a project's total evaluation score.

## Evaluating Education and Enforcement Projects

The purpose of evaluations is to assess the merits of each project and rank them. The evaluation questions are meant to gauge the following:

- Need for the project.



- Benefits of the project.
- Technical merits of the project.
- The degree to which the project meets the policies in the current NOVA plan.

## Evaluation Packet

For scoring purposes, RCO will send the advisory committee the following items prepared by the applicant:

- Project description, summary, and metrics from the application.
- Cost estimate summary.
- Evaluation questions responses (Applicants must respond to the six advisory committee-scored questions individually and attach them to their applications in PRISM. Those without access to PRISM must contact RCO for instructions.) The total of all evaluation responses must not exceed three, single-sided pages.
  - Use white, 8½ x 11-inch paper, with 1-inch margins.
  - Use a regular typeface, such as Arial or Times Roman, 12-point size.
  - At the top of each page, print applicant name, project name, and date written.
  - In order, print the question's number, followed by the question's title, and then the response. Each question must have its own separate answer.
- Visuals (optional; up to two, one-sided pages of photographs or other graphics).
- Maps (two, one-sided pages that show the project's regional location and site location).
- Trail or facility map (one to two, one-sided pages that show the geographic scope and extent of the project including the trails and trail systems, or the facilities (such as campgrounds and trailheads), to be patrolled).
- Letters of support or concern

## Letters of Support

Letters and other documented expressions of project support will be available to the NOVA Advisory Committee through PRISM Online for its review. Applicants should summarize this support in a few paragraphs when responding to Evaluation Question 5:

Project Support. A copy of each letter or document of support must be uploaded to the PRISM Online application.

### **Advisory Committee**

RCO manages the NOVA program with the assistance of a standing advisory committee. The NOVA Advisory Committee's role is to recommend policies and procedures to RCO for administering grants and to review, evaluate, and score grant applications. The Recreation and Conservation Funding Board makes the final funding decisions in open public meetings.

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 nonhighway road, nonmotorized, and off-road vehicle outdoor recreation in Washington.

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

RCO's director may appoint *ex officio* members to the committee to provide additional representation and expertise.

### **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 list is adopted (consideration may take place at the same meeting, but the "Do Not

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<sup>36</sup>Revised by Recreation and Conservation Funding Board January 9, 2014

Fund” recommendation will be discussed before the ranked list is adopted). The board retains discretion in awarding all grant funds.

## Evaluation Criteria

### Policies and Priorities in the NOVA Plan<sup>37</sup>

The Recreation and Conservation Funding Board has adopted the policies, shown in Appendix A of the NOVA plan for the education and enforcement program. The evaluation questions foster these policies and are used to score grant applications.

NOVA–Education and Enforcement Evaluation Criteria Summary				
Scoring	Question	Item	Maximum	NOVA Plan Policy
Advisory Committee	1	Need	15	A-1, B-1, B-4
Advisory Committee	2	Need satisfaction	15	A-1, B-1, B-4
Advisory Committee	3	In-field contacts	10	B-2
Advisory Committee	4	Targeting current users	10	B-3
Advisory Committee	5	Project support	10	A-1, B-4
Advisory Committee	6	Non-government contributions	5	C-3
<b>Total Points Possible</b>			<b>65</b>	

KEY:

Item=Criteria title

Plan Policy=Criteria orientation in accordance with the NOVA plan. The letter-number codes reference corresponding policies in the plan.

### Evaluation Questions

For each advisory committee-scored question (1-6 below) the descriptive text and bullets are provided to help applicants and evaluators. A successful proposal need not address each of these considerations, nor is the listing all-inclusive.

#### Advisory Committee Scored

##### 1. Need. What is the need for an education and enforcement project in the applicant's jurisdiction?

NOVA Plan Policies A-1, B-1, B-4

<sup>37</sup>See Appendix A.

Considerations include the following:

- What NOVA<sup>38</sup> activities now occur in the project area? Few managed (legal) opportunities in the jurisdiction may imply that education and enforcement staff will either have little to do or need to concentrate on stopping use in unsanctioned areas, which implies that the proposal will not directly support NOVA objectives.
- Does the presence of a quality education and enforcement program eliminate a threat to the availability of the NOVA opportunities?
- In comparison to other jurisdictions, how many NOVA recreationists participate in the project area? A high number using facilities in the applicant's jurisdiction implies higher need.

▲ Point Range: 0-5points, which later are multiplied by 3.

0 points      No or very weak need established

1-2 points    Fair to moderate need established

3 points      Strong need established

4-5 points    Very high to exceptional need established

Revised 2004.

**2. Need Satisfaction. To what extent will this project meet the service area's education and enforcement needs identified in Question 1 above?**

NOVA Plan Policies A-1, B-1, B-4

A good education and enforcement program will protect NOVA recreationists and reduce inappropriate behavior, thus helping safeguard the availability of NOVA opportunities. A good proposal will preserve or satisfy important service area opportunities or needs through positive management techniques.

Considerations include the following:

- To what extent do other programs meet education and enforcement needs in this jurisdiction?

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<sup>38</sup>NOVA activities are nonhighway road recreation (anglers, hunters, gatherers, sightseers, etc.), nonmotorized recreation (hikers, horse riders, bicyclists, etc.), and off-road vehicle recreation. For further information, see Revised Code of Washington 46.09.310.

- How much experience and training do personnel assigned to this project have?
- To what extent has the applicant proposed using positive tools and techniques?
- Have the results of program effectiveness reports or client feedback surveys been provided?
  - What do the reports or surveys say?
  - What program improvement follow-up actions have been taken and what have been the results?

▲ Point Range 0-5 points, which later are multiplied by 3.

0 points No or weak evidence of need satisfaction.

1-2 points Fair to moderate evidence. Project fills only a small portion of the apparent or expressed need.

3 points Strong evidence. An important need will be addressed by the project, although that need will not be filled completely by the project as proposed

4-5 points Very high to exceptional evidence. The project fulfills a critical need.

Revised 2004.

**3. In-Field Contacts. To what extent will the project address on-the-ground needs, including in-field contact with NOVA users during the high use season?**

NOVA Plan Policies B-2.

Considerations include the following:

- In what seasons will the project be active? How does this correspond to the actual seasons of high NOVA use?
- On which days (weekends, holidays, etc.) will the project be active in the field?
- When are any project employees scheduled to be absent on leave, attend conferences, training sessions, etc.?
- What portion of the budget is allocated to field support (for example, classroom presentations versus fuel for patrols)?

- What is the likelihood that employees will be directed to duties that are not NOVA related, such as highway patrol and related accident investigation, firefighting, etc.?

▲ Point Range 0-5 points, which later are multiplied by 2.

- 0 points. Evidence is vague or it appears the proposal does not consider or address in-field contacts or use seasons.
- 1-2 points Fair to moderate evidence. The proposal does a poor or below average job of addressing in-field contacts or use seasons.
- 3 points Good. The proposal does an above average job of addressing in-field contacts and use seasons.
- 4-5 points. Very good to excellent. The proposal does an outstanding or exemplary job of addressing in-field contacts and use seasons.

Revised 2004.

**4. Targeting Current NOVA Users. To what extent will the project focus on needs created by current versus potential NOVA recreationists?**

NOVA Plan Policy B-3.

Considerations include the following:

- How successfully does the project directly serve NOVA users? For example, has it been shown that the audience of any proposed classroom instruction, fairs, or mall shows will reach a high number of current NOVA users?
- Have any mass media elements (publications, radio or television spots, Web sites, etc.) been shown to have a favorable benefit-to-cost ratio at reaching current NOVA users?

▲ Point Range 0-5 points, which later are multiplied by 2.

- 0 points Evidence is vague, or it appears the proposal does not consider or address the need to target current NOVA recreationists.
- 1-2 points Fair to moderate evidence. The proposal does a poor or below average job of targeting current NOVA recreationists.
- 3 points Good. The proposal does an above average job of targeting current NOVA recreationists.

4-5 points Very good to excellent. The proposal does an outstanding or exemplary job of targeting current NOVA recreationists.

Revised 2004.

**5. Project Support. To what extent do users and the public (statewide, community, or user groups) support the project?**

NOVA Plan Policy A-1, B-4

Support can be demonstrated in both financial and non-financial ways and varies depending upon the project type. In scoring this question, evaluators consider the type of support that is most relevant to the project. Examples of user and public support and endorsement include the following:

- Voter-approved initiatives and bond issues.
- Donations of labor, equipment, money, or materials to help complete the project.
- Advisory board approval, completion of a public planning process that endorsed this project.
- Positive letters, oral testimony at public meetings, support from friends' groups or user groups.
- Positive (or the absence of extensive negative) media coverage.

▲ Point Range 0-5 points, which later are multiplied by 2.

0 points No or very weak evidence presented.

1-2 points Minimal to fair, specific evidence of support.

3 points Moderate support.

4-5 points Exceptional to overwhelming support.

Revised 2004.

**6. Non-Government Contributions. Does this project reduce government costs through documented donations (labor, equipment, materials), signed cooperative agreements, or signed memoranda of understanding (including no-cost leases, interagency agreements, donations, or similar cost-saving arrangements)?**

Because contributions sometimes “disappear” after project evaluation, it is very important that applicants provide to RCO staff for the project file such documentation as signed agreements or memoranda of understanding.

Considerations include the following:

- The significance of the non-governmental contribution for this project
- The longevity of the commitment for this project.

▲ Point Range 0-5 points.

0 points	No or weak evidence of non-government contributions provided for the current grant request
1-2 points	Little to modest evidence of non-government contributions provided.
3-4 points	Signed documentation of significant, non-government contributions provided to RCO staff.
5 points	Signed documentation of exceptionally high, non-government contributions provided to RCO staff.

Revised 2007



# Appendix A: Definitions

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

- ✓ Definitions
- ✓ Commonly used acronyms

## Definitions

Program definitions are found in Revised Code of Washington 46.09. A few of the more frequently used are repeated here:

**Nonhighway road** means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the past 25 years; or (b) maintenance in the past 4 years.

**Nonhighway road recreation facilities** means recreational facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonhighway road recreational users.

**Nonhighway road recreational users:** A person who drives on back roads or off road to go hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking or canoeing, or gathering berries, firewood, mushrooms, and other natural products.

**Nonhighway vehicle** means any motorized vehicle including an off-road vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain. A nonhighway vehicle does not include the following:

- Any vehicle designed primarily for travel on, over, or in the water
- Snowmobile
- Military vehicles

- Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under Revised Code of Washington 82.36 while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

**Nonmotorized recreational facilities** means recreational trails and facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonmotorized recreational users.

**Nonmotorized recreational users:** A person who drives on back roads or off road to participate primarily in nonmotorized activities, including walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, and horseback riding.

**Off-road vehicle** means any non street-licensed vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain. Such vehicles include, but are not limited to, all-terrain vehicles, motorcycles, four-wheel drive vehicles, and dune buggies.

**Off-road vehicle recreation facilities** include, but are not limited to, off-road vehicle trails, trailheads, campgrounds, sports parks, and use areas, designated for off-road vehicle use by the managing authority.

**Off-road vehicle recreational user** is a person who drives on back roads or off road to participate primarily in motorized activities, including riding all-terrain vehicles, motorcycles, four-wheel drive vehicles, or dune buggies (not snowmobiles or go-karts).<sup>39</sup>

**Off-road vehicle sports park** is a facility designed to accommodate competitive off-road vehicle recreational uses including, but not limited to, motocross racing, four-wheel drive competitions, and flat track racing. Use of off-road vehicle sports parks can be competitive or noncompetitive in nature.

**Off-road vehicle trail** means a multiple-use corridor designated by the managing authority and maintained for recreational use by motorized vehicles.

**Primary Management Objective** is the sponsor's statement of how it intends to manage the grant-funded project, including but not limited to, the primary intended user group (motorized, nonmotorized, and so on).

**Primitive road** is a linear route managed for use by four-wheel drive or high-clearance vehicles that generally is not maintained or paved, a road designated by a county as primitive under Revised Code of Washington [36.75.300](#), or a road designated by a city or town as primitive under a local ordinance.

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<sup>39</sup>Such vehicles as snowmobiles and "go-karts" are excluded in the legal definition of an off-road vehicle.

**Wheeled all-terrain vehicle** is (a) any motorized nonhighway vehicle with handlebars that is 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of 30 inches or less, or (b) a utility-type vehicle that was designed for and capable of travel over designated roads and which travels on four or more low-pressure tires of 20 psi or less, has a maximum width less than 74 inches, has a maximum weight less than 2,000 pounds, has a wheelbase of 110 inches or less, and satisfies at least one of the following: (i) Has a minimum width of 50 inches; (ii) has a minimum weight of at least 900 pounds; or (iii) has a wheelbase of more than 61 inches. (Revised Code of Washington 46.09.310(19)).

For other definitions of terms used in this manual, see the grant agreement. A sample is on the RCO Web site.

# Appendix B: NOVA Plan Policies and Priorities

The policies below are an abbreviated list of what was adopted by the Recreation and Conservation Funding Board for the 2008-2011 NOVA plan and were continued by the board into subsequent NOVA plans. To review the full list of priorities, see the [NOVA plan](#) on the RCO Web site.

## A. The NOVA Program

**Policy A-1    The NOVA Program shall allow agencies to provide quality opportunities for nonhighway road, nonmotorized, and ORV recreationists—opportunities that satisfy user needs, are environmentally responsible, and minimize conflict among user groups. Sponsors will demonstrate accountability and help attain this goal, in part, by reporting on project-related activities.**

**NOVA funding shall augment, not replace, other sources of funding.**

The NOVA program allows user groups and public agencies to work cooperatively to provide nonhighway road, nonmotorized, and ORV recreation opportunities. Because of the program's revenue source and the effects of its funding, the program brings together many interests which are sometimes in conflict. NOVA funds shall be used to provide quality recreation opportunities in a manner that strives to minimize conflict and environmental damage.

NOVA funding is intended to enhance the capabilities of recreation providers and managers. Similar to other RCO funding programs, NOVA funding shall achieve results that would not be possible without state funding. It shall not replace other funding. When NOVA funding is available for maintenance and operation, for example, it shall not be used

to replace or divert monies that would otherwise be available for that purpose.

## **B. Education/Information and Law Enforcement (E&E)**

**Policy B-1 E&E programs shall help preserve NOVA opportunities. E&E funding shall encourage responsible recreational behaviors through positive management techniques.**

Because law enforcement can reduce recreationists' inappropriate behavior, it helps protect the availability of sanctioned NOVA opportunities. NOVA funding shall not, however, be used to replace local law enforcement funding. It shall instead augment local capabilities and result in improved NOVA recreation management. In general, projects that focus solely on enforcement of area closures, or within areas with few or no legal opportunities, shall be discouraged.

**Policy B-2 Encourage projects that primarily employ contact with current NOVA recreationists in the field during high-use seasons.**

To encourage program efficiency, focus scarce E&E and enforcement resources on existing users at the place and time of NOVA activity (for example, Department of Natural Resources- and Forest Service-managed lands). This maximizes the benefit to users, while discouraging activities that have fewer benefits, such as "mall shows" and many in-school (Kindergarten through 12 grades, etc.) programs.

Continue to concentrate scarce funding on expenditures most directly related to E&E activities, such as E&E personnel salaries and benefits, and related materials and equipment that will continue to be reimbursable and eligible as matching credit. Costs not reimbursable or eligible for matching credit include administrative and clerical support, dispatch services, supervision, and costs associated with preparation of NOVA grant applications.

**Policy B-3 Require E&E project applicants to provide project goal and objective information as part of the application process. Encourage applicants to provide demand and need information as a part of the evaluation process.**

It is important that key planning elements, (program goals and objectives, description of demand and need) be retained as part of the application process. Additionally, the requirement for regular progress reports on activities and expenditures will be continued.

**Policy B-4    Establish a funding cap of \$200,000 per project.<sup>40</sup>**

Before adoption of this policy, the limit on E&E project support was based on Full Time Equivalent (FTE) employees (\$45,000 per FTE, established in 1982) and capital equipment (\$30,000). To adjust for inflation, the FTE amount was increased to \$54,000 in 2005. However, caps based on FTEs was cumbersome to calculate, especially when applicants sought funding for multiple FTEs, each of which planned to work a different number of hours annually and at various hourly rates. As a result, in 2007 the cap method was changed from one based on FTEs and equipment to one based solely on individual projects – the same method used in other RCO grant programs with caps.

**Policy B-5    Fund E&E projects for up to two consecutive years.**

Allowing E&E funding to be used for 2 years increases budget certainty for sponsors and may result in higher quality programs. At the same time, it reduces the work associated with annual project evaluation for sponsors, the NOVA Advisory Committee, and RCO.

## **C. NOVA Recreation Facility Acquisition, Development, Maintenance, and Planning**

**Policy C-3    Encourage non-government contributions.**

Contributions of money, materials, and/or services by volunteers, the private sector, nonprofit organizations, and others are important in the NOVA Program. Donations stretch scarce public funding, improve the overall cost-benefit, extend “ownership” to those involved in the project, and help demonstrate broad public support.

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<sup>40</sup>Amended February 2007 by Recreation and Conservation Funding Board Resolution 2007-03.