

Manual 5

Restoration Projects

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Section 1: Introduction

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

- ✓ This manual
- ✓ The funding boards
- ✓ Where to get information

About this Manual

This manual provides basic information on restoration projects funded by grants from the Recreation and Conservation Funding Board and the Salmon Recovery Funding Board. A restoration project brings a site back to its historic function as part of a natural ecosystem or improves the ecological functionality of a site. These projects generally create, reestablish, or enhance habitat by bringing it back to a healthy, self-sustaining condition. The boards adopted policies in this manual in public meetings.

Use this manual, along with the individual policy manuals for restoration projects in the programs below. The [manuals](#) may be found on RCO's Web site.

- *Manuals 10a, 10b, 10c, and 10f: Washington Wildlife and Recreation Program*
- *Manual 15: Land and Water Conservation Fund*
- *Manual 18: Salmon Recovery Grants*
- *Manual 21: Aquatic Lands Enhancement Account*

Applicants with combination projects also may need the following manuals:

- *Manual 3: Acquisition Projects*
- *Manual 4: Development Projects*

Manual Authority

Authority for the information in this manual is found in several statutes and rules: Revised Codes of Washington 77.85.120, 79A.15.060(1), 79A.15, 79A.25, and Title 286 and 420 Washington Administrative Code. The *Land and Water Conservation Fund Federal Financial Assistance Manual* (U.S. Department of Interior, National Park Service), U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration provide additional guidance for federal grants.

Definitions

For definitions of terms used in this manual, see the [sample grant agreement](#) on the RCO Web site.

Funding Boards

Recreation and Conservation Funding Board

The Recreation and Conservation Funding Board was created in 1964 by a vote of the citizens of Washington. The board awards grant to develop outdoor recreation opportunities and protect the best of the state's wildlife habitat and working lands. This governor-appointed board is 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.

Salmon Recovery Funding Board

The Washington State Legislature established the Salmon Recovery Funding Board in 1991 to administer state and federal funding and to assist with a broad range of salmon-related activities. Its primary goal is to aid the recovery of salmonids (salmon, trout, and steelhead) by providing grants.

The Salmon Recovery Funding Board is composed of five voting members, appointed by the governor, and five non-voting, state agency directors.

Recreation and Conservation Office

The Recreation and Conservation Office (RCO) is a small state agency that manages the two boards' grant programs.

Who Makes Decisions?

Board Decisions

The boards make final decisions for funding, policies, and project changes, although some decisions they have delegated to RCO's director. The following list summarizes many project decisions made by the boards in public meetings or by subcommittees of the boards. 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 Recreation and Conservation Funding Board-funded projects. Cost increases are allowed only in certain grant programs.
- A project cost increase of more than 20 percent of the project total in the grant agreement for Salmon Recovery Funding Board-funded projects. Consult *Manual 18: Salmon Recovery Grants* for more criteria related to cost increases for board-funded projects.
- A "conversion" that changes the project site or how the site is used from that described in the grant agreement, Deed of Right, Assignment of Rights, or conservation easement. See *Manual 7: Long-term Obligations* for more criteria and information about conversions.
- A significant reduction in the project's scope after receiving a grant. Typically, the boards 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 Recreation and Conservation Funding Board or director approval date.

Director Decisions

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

A project sponsor may request that a decision made by the director be reconsidered. 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 roles of the two boards are to award grants and not to act as hearings boards that rules on land use issues. The boards' intent is that all proposals, to the extent possible, meet the following criteria:

- Are the outcomes of a public process in which all interests have had an opportunity to be heard.
- Have resulted from a community-supported decision to submit the application.
- Are ready for implementation.
- Will ensure that maximum benefit is gained from the grant.

The boards' grant allocation meetings must not be the first public meeting in which interested parties have a chance to express views on a project.

Where to Get Information

Contact RCO

Natural Resources Building
1111 Washington Street S.E.
Olympia, WA 98501
E-mail: info@rco.wa.gov

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 grants managers are available to assist by answering questions concerning the information contained in this manual. Please feel free to call.

Other Information Needed

[RCO's Web site](#) provides more information about RCO and its grant programs, including the following:

- Summary fact sheets that describe each program’s goals and funding.
- Grant schedules.
- Grant policy manuals.
- Technical assistance guides.
- State plans that give broad policy background.

Contact RCO for more information about these and other free publications or online tools. Each can be made available in an alternate format for people with disabilities.

Project sponsors are encouraged to review the Washington State Office of Financial Management capital budget instructions. If the project’s match includes federal funds, grant sponsors should review the Office of Management and Budget’s Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards found in Title 2 of the Code of Federal Regulations.

Section 2: Eligible Restoration Projects

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

- ✓ Eligible projects
- ✓ Eligible activities and costs
- ✓ Ineligible costs

Eligible Projects

Restoration Projects

A restoration project brings a site back to its historic function as part of a natural ecosystem or improves the ecological functionality of a site. The result of a restoration project will be habitat that is self-sustaining, which means it does not require continual intervention to function as a natural ecosystem. Restoration may be accomplished as a stand-alone project or as part of a larger project that focuses on acquisition or development.

Restoration projects may do the following:

- Include habitat enhancement¹ or creation.
- Include reintroduction of native vegetation.
- Include altering or removing structures.
- Include wetlands, forests, shrub-steppe, riparian zones, saltwater, freshwater, or other ecosystems or habitats native to Washington State.
- Exclude public use to protect habitat and species.

¹Enhancements are defined as activities to improve the ecological functionality of a site.

- Include areas that are managed primarily for resource preservation and protection.

Combination Projects

Combination projects involve acquisition and restoration. For Recreation and Conservation Funding Board projects, at least 1 month before the board considers approving funding, 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.
- 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 via 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*.

For Salmon Recovery Funding Board projects, properties must be acquired within 18 months of the board funding approval and restoration work must be completed within 3 years of funding approval unless additional time is necessary, can be justified, and is approved by RCO. See *Manual 18: Salmon Recovery Grants* for more details.

Ineligible Projects

With few exceptions, restoration activities that do not contribute directly to habitat conservation or salmon recovery are ineligible for RCO grants.

Activities that are ineligible for reimbursement or match include the following:

- Restoration on property to be acquired with a conditional sales contract, unless the sponsor holds the deed to the property or can demonstrate adequate control and tenure.

- Restoration on property with conflicting deed reversionary clauses or with clauses that significantly diminish habitat conservation or salmon recovery.
- Restoration to mitigate a non-RCO assisted project, element, or action of the project sponsor. Restoration above and beyond required mitigation may be eligible.

Other Considerations

Joint and Cooperative (Partnership) Projects

Some projects will have two or more sponsors. A joint project may be where one agency owns the property to be restored by another or two or more agencies team together to provide financial support for a project. RCO encourages such cooperation. In such cases, depending on control and tenure, public use, or other issues, RCO may ask the applicant's co-sponsor to do the following:

- Sign the RCO application and grant agreement. All parties must meet eligibility requirements to be co-sponsors on the application and grant agreement.

And

- Comply with the Interlocal Cooperative Act² or execute an agreement, policy statement, or resolution. All must certify the following:
 - Which of the parties is the primary sponsor? The primary sponsor must be the fiscal agent for the project.
 - If the grant program requires planning eligibility, all parties must have RCO planning eligibility.
 - The roles and responsibilities of each party.
 - Maintenance and operation responsibilities of each agency or organization.

A draft of any agreement, policy statement, or resolution prepared must be submitted to RCO by the technical completion deadline. A signed agreement is required before RCO will execute a grant agreement. See *Manual 3: Acquisition Projects* or *Manual 4: Development Projects* for additional requirements for Recreation and Conservation Funding Board projects.

²Revised Code of Washington 39.34 at <http://apps.leg.wa.gov/RCW/default.aspx?cite=39.34>

Salmon Recovery Funding Board Projects

Restoration projects funded by the Salmon Recovery Funding Board must contribute to the restoration of natural functions that support salmonid species (see RCO's *Manual 18: Salmon Recovery Grants*).

Eligible Activities

Typical eligible restoration activities include the list below. Because the list is not all-inclusive, applicants must consult specific grant program manuals for additional information.

- Barrier culvert replacement
- Estuary and shoreline restoration
- Habitat enhancement such as plantings native species, invasive plant removal, thinning, and understory burning
- In-stream flow enhancements
- In-stream habitat restoration such as bank stabilization, channel reconfiguration, and woody materials placement
- In-stream passage improvements
- Installation of fencing, gates, and signs
- Removal of structures like bunkers, bulkheads, dikes, levees, tide gates, and pilings
- Road abandonment
- Site augmentation to establish restoration elements
- Transplanting and re-vegetation efforts
- Upland restoration

Eligible Costs

The costs described here generally are eligible for reimbursement. Because the list is not all-inclusive, consult program manuals for more information. Only costs that are reasonable and directly necessary to complete the scope are eligible for reimbursement or as match. Also, eligible activities must be listed in the grant agreement.



Important Note: unless specific pre-agreement costs are allowed (see below), only those costs incurred after executing the grant agreement are eligible for reimbursement.

Eligible Administrative Costs

Administrative costs are necessary to prepare a project for restoration, but do not involve direct restoration activities. These activities may occur before and during actual restoration. Note: In RCO's online PRISM system, these activities are categorized as "architectural and engineering (A&E)" costs.

For Recreation and Conservation Funding Board grants, the administrative allowance is limited to no more than 20 percent of the total restoration cost. The director may approve individual project requests for increases up to 35 percent. Increases above 35 percent require approval of the Recreation and Conservation Funding Board.

For Salmon Recovery Funding Board restoration grants, the administrative allowance is limited to no more than 30 percent of the total construction cost. The director may approve or refer to the Salmon Recovery Funding Board requests for increases.

See Cost Increases in Section 3 for information on how to request an increase.

Costs may include the following:

- **Architectural and engineering services** and consultants to prepare documents for obtaining bids and awarding and preparing contracts for construction, including the following:
 - Preparation of site plans, from schematic to final drawings.
 - Engineering services, including structural, mechanical, electrical, and civil design work.
 - Consultant services, including studies and data collection surveys.
 - Specialty consultant services used in addition to basic architectural and engineering, for example expertise required to meet a special permitting requirement.

- **Bidding.** Services consisting of participation in pre-bid conferences, response to questions from bidders, clarification of bidding documents, attendance at bid openings, documentation and distribution of bidding results, and bid award.
- **Construction supervision** involves directing, supervising, managing, and inspecting other workers and the actual restoration or construction work. Construction supervision is a construction costs for Salmon Recovery Funding Board restoration projects and is considered an administrative cost for Recreation and Conservation Funding Board projects. For details, see Eligible Restoration Costs below.
- **Environmental site planning** including environmental impact statement costs.
- **Miscellaneous** costs including the following:
 - Bid materials
 - Blueprints
 - Film processing
 - Maps
 - Photographs
 - Postage and mailings
 - Printing and reproduction
 - Supplies
- **Project administration** services including the following:
 - Advertising
 - Billing preparation
 - Communication
 - Consultation
 - Contract award
 - Correspondence
 - Meetings
 - Negotiations
 - Progress reports
 - Public hearings
 - Room rental
 - Site visits
 - Taxes (if applicable)
 - Travel directly related to construction
- **Project Closeout.** Services to close out a project once the contractor gives notice that the restoration work is complete. Service may include an inspection to ensure the work complied with the contract, issuance of a list of remaining work required (punch list), final inspections, and issuance of final certificate for payment.
- **Record Documents** (as-builts). Receive and review the contractors' marked-up field records. Supply the record documents to user agency.

- **Surveys** necessary for architectural design, including boundary, wetland delineation, geo-tech, etc.

Eligible Restoration Costs

Restoration costs are for actual construction activities. These activities include costs for labor, materials, and equipment use. They start with site preparation and end with completion of the restoration elements. Restoration costs are eligible for reimbursement only after execution of a grant agreement. See Pre-Agreement Costs below for exceptions.

- **Construction** costs directly related to the execution and construction of the project.
- **Construction supervision** is the supervision, management, and inspection services associated with a project under construction. Complex restoration projects sometimes involve extensive construction supervision typically under the direct guidance of the project designer. It is the direct costs for execution and construction of the project either through construction contract, force account, or donated professional services. It may include evaluating construction methods; determining the labor, equipment, and materials needed; and interpreting construction plans and specifications. These costs may include mileage and per diem for travel to and from the worksite. Construction supervision may be allowable for some Salmon Recovery Funding Board restoration projects and is considered an administrative cost for Recreation and Conservation Funding Board projects.
- **Cultural resources** direct costs and activities necessary to investigate and evaluate a project's undertaking for possible effect on archeological and cultural resources pursuant to Governor's Executive Order 05-05 and Section 106 of the National Historic Preservation Act. Includes survey, consultation, and reporting.
- **Demolition and site preparation** includes costs to remove structures and prepare for restoration.
- **Equipment**³ such as tools or machinery, frequently is required to complete a project. Generally, equipment is eligible for reimbursement only when it is critical and necessary to complete the approved scope of work. In addition, the equipment must cost more than \$250 and less than \$1,000 per item, including all applicable charges such as taxes and shipping. If the equipment exceeds that amount, it is not eligible as part of the restoration project; however, the sponsor may purchase the equipment without grant assistance and charge a use

³Equipment means tangible property (other than land, buildings, and related improvements) with a useful life of more than 1 year that is used on a project.

allowance for the equipment used on the project. See Equipment Use Allowance below. For rules about what equipment is eligible for reimbursement, see RCO's *Manual 8: Reimbursements*.

Equipment is subject to RCO's inventory policies. (See Treatment of Assets in the standard terms and conditions of the grant agreement).

- **Equipment use allowance.** See RCO's *Manual 8: Reimbursements* for details.
- **Materials testing**, if required to ensure that the components included in the project can withstand the stress and will give the structure the needed strength, toughness, flexibility, and suitability the structure likely will experience when used for its intended purpose. General testing is not allowed.
- **Mobilization and demobilization** costs associated with transportation of contractor's equipment and operating supplies to and from the site.
- **Permanent and temporary project signs**, including the purchase and installation of project signs.
- **Permits**, as a construction cost, include staff time to obtain permits to meet such requirements as the National and State Environmental Policy Acts.
- **Project mitigation** costs may be included in the scope of a RCO project if the mitigation is required as a result of the RCO grant-funded project (see Eligible Mitigation Cost information below).
- **Surveys** including onsite staging or construction surveys, and surveys or studies required for permitting.

Eligible Pre-Agreement Costs⁴

Pre-agreement costs are project costs incurred before the start date of the grant agreement. For Recreation and Conservation Funding Board projects, costs may be incurred up to 3 years before the start date of the grant agreement. The following activities are considered eligible, pre-agreement costs and may be performed in advance of an executed grant agreement without forfeiting project or reimbursement eligibility.

For projects receiving federal funding, pre-agreement costs incurred before the federal agreement's effective date are not eligible unless otherwise stated. See grant program manuals for additional information.

Upon execution of a grant agreement, the following costs become eligible:

⁴Recreation and Conservation Funding Board Resolution 2017-29

- Administrative costs (includes engineering and design costs)
- Cultural resources
- Permits
- If cost-effective (i.e. materials are available at a reduced cost), large woody material, culverts, and bridges and associated transportation costs may be eligible for Salmon Recovery Funding Board projects

Any construction or restoration costs (except permits, cultural resources, and surveys) incurred before execution of a grant agreement are not eligible for reimbursement or use as match.

Eligible Mitigation Costs

Mitigation costs may be eligible if the mitigation is required as a result of the grant-funded project's restoration impacts. Whenever possible, project sponsors are urged to mitigate in a manner that results in, or enhances, the fish or other wildlife habitat.

The maximum amount eligible for mitigation is 25 percent of the RCO-funded project for which mitigation is required.

Such mitigation may do the following:

- Occur on a site separate from the assisted project.
- Involve habitat enhancement with no public recreation or access component.
- Involve the creation, enhancement, renovation, or replacement of wetlands, either on or off site.
- Involve transportation or right-of-way improvements.
- Involve landscape buffers.
- Involve the creation or inclusion of a work of art, if required by adopted policy, local ordinance, or law. The amount is limited to no more than 1 percent of the total construction cost.

Property Acquisition for Mitigation Costs

Costs to acquire property for mitigation also may be eligible for reimbursement.⁵ When mitigation is required for a RCO-funded project, a portion of the RCO grant may be used

⁵Manual 3: Acquisition Projects

to buy and develop or restore the mitigation land. The maximum amount of the grant allowed for the mitigation (including purchase of the land and construction costs) is 25 percent of the total construction costs of the RCO-funded project and associated administrative and engineering costs in the grant agreement.

RCO encourages the purchase and development of mitigation land that serves multiple functions such as providing habitat and recreation. Any mitigation property acquired must be included in the grant agreement and included within the legal description of the recorded Deed of Right or Assignment of Rights, whichever is appropriate.

Acquisitions specifically for mitigation purposes related to impacts from other projects are not eligible for funding. See Acquisition of Property for Mitigation in *Manual 3: Acquisition Projects* for more information

Ineligible Elements and Costs

With few exceptions, elements or costs that do not contribute directly to habitat conservation or salmon recovery are ineligible for grants.

The following costs are ineligible:

- Bonus payments of any kind.
- Capital facilities, flood mitigation work, and public works projects such as sewer treatment facilities, surface and stormwater management systems, and water supply systems.
- Ceremonial or entertainment expenses.
- Charges incurred contrary to the policies and practices of the organization involved, or the Recreation and Conservation Funding Board, or the Salmon Recovery Funding Board.
- Charges in excess of the lowest acceptable bid when competitive bidding is required, unless the RCO director authorizes the higher costs, in writing, before the award of a contract.
- Contributed materials if their value cannot be substantiated.
- Costs associated with converting from septic to sewage treatment systems.
- Costs associated with fish harvest and harvest management activities.
- Costs associated with fund-raising activities.

- Costs not directly related to implementing the project such as indirect and overhead charges. (Indirect costs may be eligible for projects with federal funding. Check the program manual to see if costs are allowed.)
- Costs of preparing any grant application.
- Costs of procuring documentation to establish or demonstrate control and tenure for projects funded by the Recreation and Conservation Funding Board. See *Manual 18: Salmon Recovery Grants*, for Salmon Recovery Funding Board projects.
- Damage judgments arising out of acquisition, construction, or equipping of a facility, whether determined by judicial decision, arbitration, or otherwise.
- Deficits and overdraft charges, fines, penalties, interest expenses.
- Donations or contributions made by the participant, such as to a charitable organization, or for organizational memberships and professional affiliations.
- Feasibility costs or studies for Recreation and Conservation Funding Board projects.
- Fishing license buy-back.
- Liability insurance premiums are not allowed in grant projects funded by the Recreation and Conservation Funding Board. See *Manual 18: Salmon Recovery Grants*, for Salmon Recovery Funding Board projects.
- Lobbying or legislative activities.
- Losses arising from uncollectible accounts, other claims, and related costs.
- Maintenance and operation activities, except for equipment maintenance as detailed under Equipment Use allowance in *Manual 8: Reimbursements*.
- Monitoring costs related to long-term effectiveness or long-term compliance.
- Net pens, artificial rearing facilities, remote site incubation systems, and supplementation.
- Operation or construction of hydropower facilities or fish hatcheries.
- Projects identified as mitigation as part of a habitat conservation plan approved by the federal government for incidental take of endangered or threatened species.

- Publicity expenses (except legal requirements for public notice related to bids, etc.).
- Retroactive costs incurred before execution of the grant agreement. See Eligible Pre-Agreement Costs information earlier in this section for exceptions.
- Taxes for which the organization involved would not have been liable to pay.
- Value of discounts not taken.
- Value of personal properties, unless specifically approved in advance by the Recreation and Conservation Funding Board or Salmon Recovery Funding Board.

Applicants must review the applicable [program policy manuals](#) on RCO's Web site for additional information about eligible and ineligible project activities and costs. Also review, *Manual 3: Acquisition Projects* and *Manual 4: Development Projects* for other ineligible costs.

Section 3: General Policies

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

- ✓ Policies to consider when planning a project
- ✓ Grant time limits and extensions
- ✓ Property requirements
- ✓ Environmental requirements
- ✓ Other requirements and things to know

Policies to Consider When Planning a Project

Planning restoration projects can be complicated. Below are some of the Recreation and Conservation Funding Board and Salmon Recovery Fund Board policies to know.

Project Approval and Authorization to Proceed

A project sponsor⁶ may not proceed with an approved project before executing a grant agreement with RCO. To do so may render the project or project elements ineligible for reimbursement. Review this manual's information on eligible pre-agreement costs.

The grant agreement will be prepared in accordance with the components contained in the sponsor's application as approved by the funding boards and forwarded for execution. A [sample grant agreement](#) is on RCO's Web site. Project applicants should review carefully the terms and conditions.

Map Requirements

A boundary map of the project area⁷ is required to identify the area that has an obligation for long-term compliance. The sponsor submits a boundary map with the

⁶An applicant becomes a sponsor on execution of a RCO grant agreement, after funding has been approved.

⁷Washington Administrative Code 286-04-010 (19) "Project area" is defined as a geographic area that delineates a grant-assisted site, which is subject to application and grant agreement requirements.

grant application. Before the project is closed and final reimbursement made, the sponsor and RCO will agree on the boundary map depicting the extent of the project area covered by the grant agreement. The map is used by RCO and the sponsor to ensure compliance with provisions in the grant agreement. Factors to consider when establishing boundary maps include the following:

- Project scope.
- The footprint of the work types⁸ included in the project scope.
- Site management unit or area.
- Past board grant assistance at the site. Consider whether the proposal is for the same project area or an adjacent area that has existing or similar long-term compliance obligations.

Minimum Boundary Map Requirements

The boundary map must include the following:

- RCO project number and name.
- Project sponsor name and signature.
- Date of the map preparation.
- Adjoining streets and roads.
- Boundary line of land protected by the grant agreement.
- North arrow and scale.
- Sponsor signature and date.

Project sponsors also may submit, for the project file, more detailed maps to document other features of the property. Other information that helps identify the property includes adjoining ownerships, adjoining water bodies, natural landmarks, geographic coordinates at the site entrance or corners of the property, survey information, and other measurements. A professional survey is not required; however, if a survey has been completed with RCO funding, the survey must be recorded with the county auditor and a copy provided to RCO.

⁸A PRISM database term that means the land, elements, structures, or facilities (or portion of) that comprise the project scope.

Electronic Submissions

RCO encourages project sponsors to submit electronic files of the property boundaries. RCO accepts polygons files formatted in an ArcGIS Geodatabase (.GDB), ArcGIS Layer Package (.LPK), Shapefile (.SHP), AutoCAD Drawing (.DWG), or GPS Exchange Format (.GPX) in Washington State Plane Coordinate System in NAD83 or HARN datum, or geographic coordinates WGS84.

Grant Time Limits and Extensions

Sponsors must complete funded projects promptly. For this reason, RCO staff, with applicant assistance, establishes a timetable for project completion, including enforceable milestones and a project completion date. To avoid the risk of the Recreation and Conservation Funding Board, Salmon Recovery Funding Board, or director withdrawing the grant, and to help ensure reasonable but timely project completion, accountability, and the proper use of public funds, the following must be accomplished:

Application Phase

- Applicants submit only projects likely to be completed within a specified period of time after the grant award, as shown below:
 - Recreation and Conservation Funding Board projects—maximum 4 years
 - Salmon Recovery Funding Board projects—maximum 5 years
 - Family Forest Fish Passage Projects—maximum two consecutive construction seasons. Projects not completed will be re-evaluated and funding may be terminated.
- Applicants must provide reasonable assurance that the project can be completed within a reasonable timeframe that meets milestones and does not exceed the board-approved implementation period. Reasonable assurance may include such evidence as follows:
 - Appraisals and review are completed.
 - Bid documents are prepared.
 - Environmental assessment is completed.
 - Hazardous substances review is completed.
 - Option agreements are signed.

- Permits are in-hand.
- Property is in escrow.
- Waiver of Retroactivity is in-hand and signed.
- Recreation and Conservation Funding Board⁹ and Family Forest Fish Passage Projects projects: At least 30 days before the funding meeting, when requested by RCO staff, applicants must provide written certification of matching fund availability.

Pre-Agreement Phase

- Applicants must submit the pre-agreement materials requested by RCO within 2 calendar months¹⁰ of funding approval.
- With RCO staff assistance, applicants must develop milestones, to be included in the grant agreement, and a timeline that does not exceed the following:
 - Family Forest Fish Passage Projects 2 years
 - Recreation and Conservation Funding Board projects 2-3 years
 - Salmon Recovery Funding Board projects 2-3 years

Implementation Phase

- RCO staff monitors critical project milestones (for example, ordering appraisals and reviews, starting construction). Unsatisfactory progress may be cause for project termination or other remedies (See the grant agreement—Termination and Other Remedies). Any RCO director decision may be appealed to the Recreation and Conservation Funding Board or the Salmon Recovery Funding Board.
- The grant agreement end date will be written into the grant agreement. It is the date that is the end of the period of performance and all project work must be complete and may be extended only when authorized by the board or director. The director may approve projects to a maximum of what follows:
 - Family Forest Fish Passage Projects 2 years
 - Recreation and Conservation Funding Board projects 4 years
 - Salmon Recovery Funding Board projects 5 years

⁹Washington Administrative Code 286-13-040(3)

¹⁰Washington Administrative Code 286.13.040 (1)(d)

Requests for extensions that would exceed these periods may be referred to the Recreation and Conservation Funding Board or the Salmon Recovery Funding Board for action.

Extension requests must be in writing and provided to RCO not less than 60 days before expiration of the project's completion date. The request must (a) justify the need and (b) commit to a new set of specified milestones. When one Recreation and Conservation Funding Board grant is used to match another, RCO staff will use the earliest grant to determine the 4-year window.

Property Requirements

Control of the Land¹¹

To protect investments made by the Recreation and Conservation Funding Board and Salmon Recovery Funding Board, sponsors must have adequate control of project sites to construct, operate, and maintain the project area for the term required by the grant program and grant agreement. Control and tenure may be documented in several ways, including by showing fee title land ownership, a lease, use agreement,¹² or easement.

For Salmon Recovery Funding Board projects occurring on land not owned by the sponsor, the sponsor satisfies this requirement with the landowner agreement (See *Manual 18: Salmon Recovery Projects*).

Recreation and Conservation Funding Board project sponsors will document control and tenure in one of several ways, including by showing fee title land ownership, a lease, use agreement, easement, or landowner agreement.

As part of a Recreation and Conservation Funding Board application, before executing a grant agreement, the applicant must provide RCO with documentation as described below:

- **Applicant Owns Property.** Current title information for project property *owned by the applicant*; this information must include the following:
 - Legal description.
 - Documentation of deed restrictions and encumbrances.
 - Documentation of current owner.

¹¹RCO Grant Agreement's Standard Terms and Conditions, Provisions Applying to Development, Maintenance, Renovation, and Restoration Projects: Control and Tenure

¹²In general, RCO allows use agreements between public agencies on public properties. RCO requires a lease or easement for restoration on other lands. Contact a RCO grants manager for more information.

- Documentation of easements.
- Explanation of the immediate or potential impacts of any restriction, encumbrance, or easement.

If the property was acquired with RCO assistance, simply provide the project name and timeframe to RCO and a list of any deed restrictions, encumbrances, or easements that may have been added after acquisition.

- **Applicant Does Not Own Property.** Copies of applicable leases, easements, or use agreements for the area or property to be restored including state aquatic lands managed by the Washington Department of Natural Resources. Under this option the lease, easement, or use agreement must meet the following requirements:
 - Must extend for the minimum interest length indicated in the chart below from the date RCO releases the final reimbursement and accepts the project as complete.
 - Must not be revocable at will.
 - Must allow RCO or designee the right of entry to inspect.
 - Incorporate RCO’s sign requirements.

Evidence must be provided by the applicant that the proposed restoration and its intended uses are consistent with, and legally permissible under, the conditions of the lease, easement, or agreement.

Minimum Control and Tenure Length for Land not Owned by Sponsor	
Grant Program	Interest Length
Salmon Recovery Grants (through landowner agreement)	10 years
Aquatic Lands Enhancement Account	25 years
Land and Water Conservation Fund (Easements only, leases are not eligible in this program)	Perpetuity
Washington Wildlife and Recreation Program (Except Farmland Preservation Category easements and Conservation Reserve and Enhancement Program leases)	At least 50 years
Washington Wildlife and Recreation Program’s Farmland Preservation Category	At least 25 years
Washington Wildlife and Recreation Program’s Riparian Protection Category and Conservation Reserve and Enhancement Program lease extensions	At least 25 years

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.

Aquatic restoration projects should follow the Washington Department of Fish and Wildlife's aquatic habitat guidelines for water crossings, stream restoration, and stream bank protection.

- [Water Crossing Design Guidelines](#)
- [Integrated Streambank Protection Guidelines](#)
- [Stream Habitat Restoration Guidelines](#)

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 aquatics 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.

Environmental Requirements

Cultural Resources

Governor's [Executive Order 05-05](#), Archaeological and Cultural Resources, directs state agencies to review acquisition and construction¹³ projects for potential impacts to cultural resources¹⁴ to ensure that reasonable action is taken to avoid adverse impacts 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.

RCO facilitates review under the Governor's executive order. The appropriate lead federal agency facilitates review under Section 106 of the National Historic Preservation Act. If the federal review covers the entire RCO project area, there is no additional review required 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 for archaeological and cultural resources.

RCO starts cultural resources review and consultation early in order to help keep projects on schedule. To do this RCO requires project applicants to provide a map showing the project's area of potential effect. This map or series of maps should show the location of

¹³RCO defines "construction" projects as inclusive of development, restoration, and maintenance project types that have ground-disturbing actions.

¹⁴"Cultural resources" means archeological and historical sites and artifacts, and traditional areas or items of religious, ceremonial, and social uses to affected tribes.

all proposed ground-disturbing activities, including access and staging areas. The map must include a polygon of the entire project area and must include section, township, and range information; project name and number; and sponsor name. A U.S. Geological Survey quad map is the preferred base map, though the applicant may use an aerial base map, as long as section, township, and range information are included on the map. Section lines and numbers must be clearly visible in the map. Applicants may need to attach more than one map—one zoomed out far enough to depict section lines and numbers, and one zoomed in close enough to clearly depict the boundaries of all proposed ground-disturbing activities. A user should be able to determine the location of the project and the area that will be disturbed with the maps that are provided. Applicants will be asked to revise insufficient maps.

Applicants who do not have access to mapping software to create the Area of Potential Effect map may use the Washington Department of Ecology free [mapping tool](#) to draw polygons and create PDF maps. Users may turn on important features such as section, township, range, county, etc.

Important Note: Ground-disturbing activities for any project that occur before completion of the cultural resources review process are not eligible for reimbursement and may jeopardize funding for the entire project.

05-05 Review Process

Using materials from the grant application, RCO consults with the Department of Archaeology and Historic Preservation and affected Native American tribes. The materials provided include the Area of Potential Effect Map, which shows the geographic areas where a project may change directly or indirectly the character or use of historic properties or archaeological resources.

Sponsors may not disturb the ground within the project area (or demolish or alter structures) until receiving approval from RCO.

All consultation through Executive Order 05-05 is initiated by RCO and will involve the applicant, Department of Archaeology and Historic Preservation, and affected tribes. The outcome of the initial consultation may require an applicant to complete a cultural resources survey and continued consultation. RCO must complete consultation before any ground-disturbing activities may occur.

Costs for cultural resources review (survey, monitoring, etc.) are eligible for reimbursement and should be included in the grant application.

Compliance with Section 106 of the National Historic Preservation Act

If federal review is required to comply with Section 106 through federal landownership, permitting, or funding, the sponsor must provide the RCO grants manager with documentation that the review is completed before starting ground-disturbing activities.

The Section 106 Area of Potential Effect may include all ground-disturbing activities subject to the grant agreement, including all staging areas. If there are any activities or areas in the RCO-funded project that are not covered by the Section 106 process, RCO must conduct cultural resources review for those items or areas to meet the review requirements in the executive order.

The sponsor is encouraged to work with the federal permitting agency to align the Section 106 Area of Potential Effect with the complete scope of work in the grant agreement.

State Agencies

State agency sponsors have the responsibility to ensure compliance with cultural resources requirements, either through Section 106 or as lead through Executive Order 05-05. RCO will not initiate review or consultation for projects sponsored by another state agency. Before initiating any ground-disturbing activities, the state agency sponsor must submit evidence of completion of the appropriate cultural resource review process to RCO. RCO will provide a notice to proceed.

Projects on State-owned or -managed Lands (non-agency sponsored)

For projects on state-owned land the state agency landowner (Department of Fish and Wildlife, Washington State Parks and Recreation Commission, Department of Natural Resources, Department of Transportation, etc.) is responsible for ensuring that cultural resources review and consultation is completed in accordance with state and federal laws. Each agency has its own guidelines for meeting these requirements and ensuring appropriate management of cultural resources. Documentation of compliance must be provided to RCO.

Amendments Triggering Cultural Resources Review

During the progress of the project, a sponsor may request a scope change, which could change the project work site or project activities. If the work site expands or if the new work proposed adds, rather than reduces, the amount of construction required to implement the project, these new elements must undergo cultural resources review and consultation before implementation.

If Cultural Resources are Discovered During Project Actions

If archaeological or historic materials are discovered after ground-disturbing activities have started, the sponsor must stop work immediately where the item is found, secure the area, and notify the following tribal governments and state agencies:

- RCO
- Concerned Native American tribes' cultural resources staff
- Department of Archaeology and Historic Preservation

If human remains are discovered during ground-disturbing activities, the sponsors must immediately stop work in the vicinity of the finding, secure the area, and notify the groups listed below in the most expeditious manner possible, in compliance with state law.¹⁵

- RCO
- Concerned Native American tribes' cultural resources staff and cultural committees
- Department of Archaeology and Historic Preservation
- County coroner
- Local law enforcement

The Standard Terms and Conditions of the RCO grant agreement includes Inadvertent Discovery Protocol language. Refer to the agreement for specific instructions. Work may be able to continue in other areas on the project site if a discovery has been made. Work with the grants manager to determine the best course of action.

Other Requirements and Things to Know

Accessibility

When developing public access areas on sites restored with Recreation and Conservation Funding Board grants, sponsors must comply with current accessibility standards. See Accessibility in *Manual 4: Development Projects* for additional information.

¹⁵Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (Revised Codes of Washington 68.50.645, 27.44.055, and 68.60.055)

Scope of Work Changes

The grant agreement may be amended by execution of a grant agreement amendment. Amendments for minor changes in scope and extensions to the project period may be authorized by RCO. Major changes in scope for restoration projects may be authorized only by the Recreation and Conservation Funding Board and Salmon Recovery Funding Board, or for Family Forest Fish Passage Program projects, by the Washington Department of Natural Resources and Washington Department of Fish and Wildlife. All amendment requests shall be made in writing and must include detailed justification, updated milestones, and any other relevant information. Sponsors must submit the request for RCO or board consideration before the change is made.

Cost Increases

On occasion, the cost of completing a project exceeds the amount written into the agreement. Such overruns are the responsibility of the project sponsor. Upon written request, RCO may consider a cost increase in some grant categories if funds are available. Contact a grants manager for more information related to specific grant programs.

The director may approve cost increase requests for Salmon Recovery Funding Board projects. For Recreation and Conservation Funding Board projects, the director may approve requests that do not exceed 10 percent of the total project cost. The Recreation and Conservation Funding Board will consider approval of other amounts.

The project's total approved cost is the basis for such cost increases, which must meet the following criteria:

- The sponsor must have fully explored all practical alternatives to completing the intent of the agreement.
- The sponsor must have had little control over the conditions causing the overrun.
- Any increase must be used only for elements in the grant agreement.

A sponsor must obtain board or director approval for any significant change in project scope and/or design that results in a cost increase request. This approval must be granted before or simultaneously to the cost increase.

Administrative Cost Increases

Administrative charges are limited to no more than 20 percent of the total construction amount for Recreation and Conservation Funding Board projects. The director may approve requests for increases up to 35 percent and the board may approve increases above 35 percent.

Administrative charges are limited to no more than 30 percent for Salmon Recovery Funding Board projects. The director may approve requests for increases above 30 percent.

To request an increase, the project sponsor must submit a written request to RCO addressing the following:

- What amount of administrative cost is requested?
- Why is the additional cost needed?
- What has been accomplished to date? Provide specific information about the scope of work completed.
- How will the additional administrative expenses impact the project scope? Will the original scope of work still be completed?
- What is the updated project completion timeline?

Also, include information on the project's complexity and any efficiency measures taken.

Reporting

In addition to annual billings, sponsors must submit an electronic progress report summarizing the progress to date on all active projects. Due dates for progress and final reports are outlined in the grant agreement milestones. In addition, sponsors of completed projects are required to report on specific matters whenever requested to do so by RCO.

Inspections

Normally, RCO staff conducts four types of project site visits:

- **Pre-award.** Made during the application phase, normally with the applicant to assess the project area and scope of work for eligibility concerns and compatibility with the grant program.
- **Interim.** This inspection, normally coordinated with the sponsor, is made sometime during the project implementation phase to help resolve any apparent or anticipated problems and to monitor project progress.
- **Final.** This site review takes place after the sponsor requests a final payment or final inspection. This request must be made only after the project is complete, architects and/or engineers have made their inspections, and defects have been corrected. It should be scheduled near project completion but still within the

performance period of the contractor. The project must be constructed and functional as described in the grant agreement. When RCO staff's final inspection verifies that the project is complete, the final payment, including retainage, will be made.

- **Compliance.** Performed about every 5 years to ensure the site is managed and maintained as specified in the grant agreement. After making special arrangements with RCO staff, the sponsor's staff also may perform these inspections.

After project funding, the sponsor shall provide the right of access to the project area to RCO, or any of its officers, or to any other authorized agent or official of the State of Washington or the federal government, at all reasonable times, in order to monitor and evaluate performance, compliance, and quality assurance.

Grant Program Acknowledgement and Signs¹⁶

Sponsors must acknowledge Recreation and Conservation Funding Board or Salmon Recovery Funding Board funding assistance, by program if possible, in all projects. This includes the following:

- Written acknowledgement in any news release or publication developed or modified for the funded project.
- Prominent placement of signs at entrances and other locations unless exempted by board policy or waived by the RCO director. The sponsor may build such signs to harmonize with an existing design standard or request a standard acknowledgement sign from RCO.

For sponsor's developing their own signs, below are suggestions for how to incorporate appropriate acknowledgement:

- Funding provided by [insert grant program name].
- Grant funding from [insert grant program name] made available from the [insert funding board name].

Funding acknowledgement signs must be posted before the grant agreement end date and final reimbursement. Project sponsors must provide proof of the funding acknowledgement by attaching photographs or other evidence to PRISM.

- Verbal acknowledgement during all ground-breaking and dedication ceremonies.

¹⁶Washington Administrative Code 286-13-120

Sponsors should notify RCO at least 2 weeks before any project dedication ceremony. Basic acknowledgment sign plates are available for funded projects at no charge. Sponsors should notify RCO 30 days in advance if they want a representative or speaker from RCO at the ceremony.

Additional Rules and Instructions

The Recreation and Conservation Funding Board and Salmon Recovery Funding Board may issue additional or modified rules, instructions, interpretations, and guides from time to time as it believes necessary for the effective conduct of the grant program. Such changes will apply to all projects. Whenever possible, sufficient lead time will be given between the announcement and the effective date to minimize impacts to projects already in process at the time of announcement.

Section 4: Project Construction

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

- ✓ Construction policies

Construction Policies

Following are some Recreation and Conservation Office policies related to construction.

Public Works

Projects financed with a grant from RCO are public works projects. Public works projects are all work, construction, alteration, repair, or improvement that is executed at the cost of the State or any other local public agency.

Prevailing Wage Requirements¹⁷

Prevailing wages must be paid on all projects using contracted labor and financed with state money. Prevailing wages are established by the Department of Labor and Industries for each trade and occupation employed in the performance of the work. Applicants and sponsors should contact the Department of Labor and Industries for specific information about correct wages.

If federal funding is part of the project match, the Davis/Bacon Act must be followed unless the federal funding source is identified specifically as exempt from the requirement in the federal agreement.

If a project is funded by both state and federal sources, the higher of the two wages must be paid.

¹⁷RCO's Grant Agreement Standard Terms and Conditions, Compliance With Applicable Law: Wages and Job Safety

Where a private, nonprofit organization uses state or municipal funds to execute a project, the prevailing wage provisions of Revised Code of Washington 39.12 and 39.04 apply to that project.

For more information, please see [Davis Bacon information](#) on the federal Web site and [state prevailing wages](#) on the Department of Labor and Industries Web site.

Nondiscrimination¹⁸

Except where a nondiscrimination clause required by a federal funding agency is used, the sponsor shall insert the following nondiscrimination clause in each contract for construction:

“During the performance of this contract, the contractor agrees to comply with all federal and state nondiscrimination laws, regulations, and policies.”

RCO Review of Construction Plans¹⁹

Project sponsors must provide RCO with draft construction plans and specifications for review and approval. RCO reviews them to ensure the design is consistent with the list of eligible work types in the grant agreement. In addition, there may be special conditions in the grant agreement that require RCO review of specific elements of the project based upon the grant application evaluation or other concerns.

RCO recommends submitting development, renovation, restoration, or construction plans and specifications at 60 percent complete. Give at least 2 weeks for review.

In addition, RCO requires submitting construction-ready plans and bid specifications for review at least 2 weeks before advertising for bids.

RCO will review the plans and specifications, determine conformance with the grant agreement, and issue a Notice to Proceed.

Notice to Proceed

After RCO reviews the plans and specifications and the cultural resources review requirements are complete, RCO will issue a notice to proceed with construction. However, the notice is contingent on compliance with all applicable laws, permitting requirements, and the terms of the grant agreement.

¹⁸RCO’s Grant Agreement Standard Terms and Conditions, Compliance With Applicable Law: Nondiscrimination Laws, and Provisions Applying to Development, Maintenance, Renovation, and Restoration Projects: Nondiscrimination

¹⁹RCO’s Grant Agreement Standard Terms and Conditions, Provisions Applying to Development, Maintenance, Renovation, and Restoration Projects: Document Review and Approval

Competitive Procurement Requirements²⁰

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 under \$25,000 do not require competition.

Sponsors receiving funds from federal sources also must follow applicable federal laws and regulations.

Change Orders²¹

Construction change orders that impact the amount of funding or change the scope of the project as approved by the boards or RCO need prior written approval from RCO. For Family Forest Fish Passage Program projects, approval is needed by the Washington Department of Natural Resources and Department of Fish and Wildlife. For Land and Water Conservation Fund projects, change orders must be approved by the National Park Service before reimbursement of costs.

When requested, the sponsor must provide justification such as an explanation of the situation necessitating the change, the effects of the change, and the alternatives considered. RCO cannot authorize payments for work performed that is not included in the grant agreement scope of work.

²⁰RCO's Grant Agreement Standard Terms and Conditions, Procurement Requirements

²¹RCO's Grant Agreement Standard Terms and Conditions, Provisions Applying to Development, Maintenance, Renovation, and Restoration Projects: Document Review and Approval

Section 5: Completing a Project

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

- ✓ Closing a project
- ✓ Project area stewardship and ongoing obligations
- ✓ Granting of utility permits
- ✓ Tree removal
- ✓ Allowable uses framework
- ✓ Income and income use

Closing a Project

RCO will close out the project when it determines that all applicable administrative and programmatic requirements of the agreement have been met, or when the project has been terminated. Close out does not affect any of the following:

- RCO's right to disallow costs and recover funds on the basis of a later audit or other review or failure to complete the project.
- The sponsor's obligation to return any funds due as a result of later refunds, corrections, or other transactions.
- Records retention and access as required.
- Future audit requirements.

Retainage²²

RCO generally holds a portion of the grant funds, usually the final 10 percent, until the project has been completed, the project has been inspected, and all required

²²RCO's Grant Agreement Standard Terms and Conditions, Project Reimbursements: Retainage Held Until Project Complete Section

documentation is approved. The amount of funds withheld (retainage) and the timing varies, based on sponsor's performance and compliance with the terms of the agreement.

Final Inspection

Before final acceptance of the contractor's work or accepting a project as complete, the sponsor shall request a final inspection by RCO. The inspection should be requested soon enough so that it may be performed before substantial completion and while the contractor still is within the performance period. The final inspection will review the following:

- Completion of the project scope of work as described in the agreement.
- Site appearance and construction quality.

Administrative Close-out

Within 90 days after the grant agreement end date, all financial, performance and other reports required by the terms of the agreement must be provided to RCO. These may include but are not limited to the following:

- Final report.
- Final request for reimbursement.
- As-built, record-drawings, or conformed set drawings.
- Any cultural resources reporting requirements.
- Project boundary and final boundary map acceptance.
- Recorded notice of grant, if applicable.
- Any outstanding amendments that have been requested and processed.
- All other required documents.

After the project sponsor has completed all administrative steps to close the project, the grants manager will ensure the project was completed in accordance with the scope of work and RCO policies.

If the project was not completed as described in the agreement and RCO policies, the sponsor will be notified of the actions necessary to bring the project into compliance or the amount to be charged back against the project.

Final Payment

Within 30 days of receiving all deliverables, including administrative close out documents, RCO will make final payment to the sponsor. The final payment will include any retainage and reflect any necessary adjustments to the eligible costs.

Granting of Utility Permits

After determining that a pipe or power line will have no adverse effect on present and future public recreation or habitat use of a project site, any permit issued must meet the following:

- Not be an easement giving property rights to a third party.
- State that the pipe or power line will be underground.
- Require that the third party give prior notice to and receive approval from the sponsor to enter the site for construction or maintenance. Regularly scheduled periodic maintenance checks and the method(s) of performance (which must not involve disruption of any recreation or habitat conservation function), must have prior approval on the basis of a schedule. Emergency maintenance would not normally require prior notification and approval. Adequate assurance of surface restoration is also necessary.
- State a *duration* for construction and include language that allows setting a duration for reconstruction.

Tree Removal²³

Tree removal is allowed on funded project sites provided it does not diminish the essential purposes of the grant and meets any of the following:

- Tree removal is included in the grant agreement and project evaluation materials.
- Trees are removed to prevent potential risk to public safety.
- Trees are removed in accordance with a state parks tree assessment or an approved site-specific stewardship plan, including a park master plan, to protect or enhance forest health or the health of species targeted by the grant.

Tree removal must be managed consistently with International Society of Arboriculture (ISA) guidelines and in compliance with the Washington Forest Practices Act (Revised

²³Recreation and Conservation Funding Board Resolution 2012-21

Code of Washington 76.09) and Forest Practices Rules (Title 222 Washington Administrative Code). While revenue may be derived from tree removal, revenue generation must not be its primary purpose.

Income generated on the project site must be managed in accordance with RCO policies on income and income use, later in this manual.

Requests for tree removal that do not meet the criteria in this policy must be reviewed under the allowable uses framework.

Allowable Uses Framework²⁴

RCO grants are intended to support Washington State's habitat, outdoor recreation, and salmon habitat resources. Uses of project sites must have no overall impairment to the habitat conservation, outdoor recreation, or salmon habitat resource funded by RCO.

To be in compliance with the grant, uses of funded project sites must be identified in the grant agreement, allowed by RCO policy, or approved by RCO or the funding board.

For the use to be approved by RCO or the funding board, it must meet all the following criteria:

- The use must be consistent with the essential purposes of the grant (i.e. consistent with the grant agreement and grant program).
- All practical alternatives to the use, including the option of no action, must have been considered and rejected on a sound basis.
- The use must achieve its intended purpose with the least possible impact to the habitat, outdoor recreation, or salmon habitat resource.
 - If the use impacts the type of resource the grant is designed to protect (habitat, outdoor recreation, or salmon habitat), it also must provide at least equivalent benefits to that type of resource so there is no overall impairment.

An approved use of a project site must continue in the way it was approved to remain in compliance with the grant. This policy does not modify other RCO policies, such as cultural resource policies.

Income generated on the project site must be managed in accordance with RCO policies on income and income use.

²⁴Recreation and Conservation Funding Board Resolution 2012-21

Income and Income Use

Use of Income²⁵

The source of any income generated in a funded project or project work site must be compatible with the funding source and the agreement.

Regardless of whether income or fees in a project work site (utility corridor permit, cattle grazing, timber harvesting, farming, etc.) are gained during or after the reimbursement period cited in the agreement, unless precluded by state or federal law, they only may be used to offset any of the following:

- The sponsor's matching resources
- The project's total cost
- The expense of operation, maintenance, stewardship, monitoring, or repair of the facility or program funded by the board grant or of other similar units in the sponsor's system
- Capital expenses for similar acquisition, development, or restoration
- Other purposes explicitly approved by RCO.

If the revenue exceeds the system's operation, maintenance, or monitoring costs, it must be deposited in a capital reserve fund.

This fund must meet the following criteria:

- Be identified in the sponsor's official annual budget for acquisition, development, or restoration of lands or facilities.
- Only be used to further the capital goals and objectives identified in the sponsor's park and recreation, habitat conservation, or salmon recovery plan.
- Only be applied to other board-funded projects in the same category (for example, revenue raised from a RCO Urban Wildlife Habitat grant only may be used to assist other Urban Wildlife Habitat projects).
- Reference the grant agreement.

²⁵Washington Administrative Code 286-13-110

Appendix A: Puget Sound Partnership Action Agenda Self-Certification Form

This letter certifies that the [enter applicant name] is not in conflict with the *Action Agenda* developed by the Puget Sound Partnership under Revised Code of Washington 90.71.310.

I understand that a project designed to address the restoration of Puget Sound cannot be funded if it is in conflict with the *Action Agenda*.*

The following is a brief description of the [enter project name and RCO project number]:

[add project description]

- I certify that this project is within the Puget Sound basin (defined for these purposes as within Water Resource Inventory Areas 1-19).
- I further certify that this project is not in conflict with the *Action Agenda* developed by the Puget Sound Partnership because (please check all that apply):
 - When completed, this project will not result in water quality degradation in Puget Sound and meets or exceeds all permitting requirements.
 - When completed, this project will not result in loss of ecosystem processes, structure, or functions, and meets or exceeds all permitting requirements.

Applicant Name: _____

Applicant Signature: _____

Applicant Title: _____

Date: _____