

Proposed Agenda Recreation and Conservation Funding Board Regular Meeting

April 27-28, 2016

Natural Resources Building, Room 175
Olympia, WA, 98501

Time: Opening sessions will begin as shown; all other times are approximate.

Order of Presentation: In general, each agenda item will include a presentation, followed by board discussion and then public comment. The board makes decisions following the public comment portion of the agenda item.

Public Comment: If you wish to comment at the meeting, please fill out a comment card and provide it to staff. Please be sure to note on the card if you are speaking about a particular agenda topic. The chair will call you to the front at the appropriate time. Public comment will be limited to 3 minutes per person. You also may submit written comments to the board by mailing them to the RCO, attn: Wendy Loosle, Board Liaison, or at wendy.loosle@rco.wa.gov.

Meeting Accommodations: Persons with disabilities needing an accommodation to participate in RCO public meetings are invited to contact us via the following options: 1) Leslie Frank by phone (360) 902-0220 or e-mail leslie.frank@rco.wa.gov; or 2) 711 relay service. Accommodation requests should be received at least three business days prior to the meeting to ensure availability. Please provide two weeks' notice for requests to receive information in an alternative format and for ASL/ESL interpretation requests.

WEDNESDAY, APRIL 27

OPENING AND MANAGEMENT REPORTS

| | | |
|-------------------|---|--|
| 9:00 a.m. | Call to Order | <i>Chair</i> |
| | <ul style="list-style-type: none"> Roll Call and Determination of Quorum Review and Approval of Agenda | |
| 9:05 a.m. | 1. Consent Agenda (Decision) A. Board Meeting Minutes – February 9-10, 2016 <u>Resolution 2016-12</u> | <i>Chair</i> |
| 9:15 a.m. | 2. Director's Report (Briefing) <ul style="list-style-type: none"> Director's Report Legislative, Budget, and Policy Update Grant Management Report Projects of Note <ul style="list-style-type: none"> Railroad Bridge Trestle Extension (RCO Project #10-1364D) Naches Spur Rail to Trail (RCO Project #10-1596) Fiscal Report (<i>written only</i>) Performance Report (<i>written only</i>) | <i>Kaleen Cottingham</i> <i>Wendy Brown</i> <i>Marguerite Austin</i> <i>Kat Moore</i> <i>Alison Greene</i> |
| 10:00 a.m. | 3. Introduction of Governor's Outdoor Recreation Policy Advisor | <i>Jon Snyder</i> |
| 10:15 a.m. | 4. State Agency Partner Reports <ul style="list-style-type: none"> Department of Natural Resources State Parks and Recreation Commission Department of Fish and Wildlife | <i>Jed Herman</i> <i>Peter Herzog</i> <i>Joe Stohr</i> |
| 10:45 a.m. | General Public Comment for issues not identified as agenda items. Please limit comments to 3 minutes. | |

10:50 a.m. **BREAK**

BOARD BUSINESS: BRIEFINGS & DISCUSSIONS

11:05 a.m. **5. Department of Natural Resources' Natural Heritage Program:
How Proposed Acquisitions are Prioritized** *Jed Herman*

12:00 p.m. **LUNCH**

1:00 p.m. **6. Follow-Up on Board Performance Measures** *Scott Robinson*

BOARD BUSINESS: BRIEFINGS & DECISIONS

- 1:45 p.m. **7. Implementation of the Legislative Changes to the Washington Wildlife and Recreation Program (WWRP)**
- A. Overview of Policy Implementation for the Next Two Years **(Briefing)** *Wendy Brown*
- B. Early Action Board Decisions Needed to Align Board Policy with New Law **(Decisions)** *Leslie Connelly*
- Nonprofit Conservancy Organizations Eligibility in the Habitat Conservation Account
Resolution 2016-13
 - Definition of Farmland in the Farmland Preservation Category
Resolution 2016-14
 - Evaluation Question on Statewide Significance in the Urban Wildlife, Critical Habitat, and Natural Areas Categories Evaluation Criteria
Resolution 2016-15
- C. Upcoming Requests for Direction in July for October Decisions **(Briefing)** *Adam Cole*
Leslie Connelly
- Funding Allocations in the Local Parks and State Parks Categories
 - Funding Allocation in the Urban Wildlife Habitat Category
 - Forest Land Preservation Category Policies and Evaluation Criteria
-

3:00 p.m. **BREAK**

BOARD BUSINESS: BRIEFING

3:15 p.m. **8. Department of Health:
Healthy Communities Program** *Kathryn Akeah, Healthy Communities Manager*
Amy Ellings, Healthy Eating Active Living Manager

4:00 p.m. **ADJOURN FOR THE DAY**

THURSDAY, APRIL 28

OPENING

9:00 a.m. **Call to Order** *Chair*

A. Roll Call and Determination of Quorum

BOARD BUSINESS: BRIEFING

9:05 a.m. **9. Land and Water Conservation Fund: Outdoor Recreation Legacy Partnership** *Marguerite Austin*

BOARD BUSINESS: DECISIONS

9:20 a.m. **10. Follow-up on Definition of “Project Area” and Formation of a Committee** *Leslie Connelly*
 Resolution 2016-16

9:50 a.m. **11. Conversion Request: Methow Valley Community Trail Phase 3** *Myra Barker*
 (RCO Project #[97-1181](#)AD)
 Resolution 2016-17

BOARD BUSINESS: BRIEFING

10:15 a.m. **12. State Parks Allowable Use Requests on RCO Funded Trails** *Myra Barker*

10:45 a.m. **BREAK**

BOARD BUSINESS: REQUEST FOR DIRECTION

11:00 a.m. **13. Nonhighway and Off-road Vehicle Activities Policy Changes** *Adam Cole*

11:30 a.m. **14. Proposed Changes to Project Type Definitions for Nonhighway and Off-road Vehicle Activities and Recreational Trails Program** *Adam Cole*

12:00 p.m. **LUNCH**

BOARD BUSINESS: DECISIONS

1:00 p.m. **15. Nonhighway and Off-road Vehicle Activities Program Funding** *Wendy Brown*
 A. Allocation of Funding per Legislative Budget Provisos (***Briefing***)

 B. The Departments of Natural Resources and Fish and Wildlife request reinstatement as alternates on the 2014 ranked lists *Darrell Jennings*
 Resolution 2016-18 (WDFW)
 Resolution 2016-19 (DNR)

1:30 p.m. **16. Washington Wildlife and Recreation Program, State Parks Category Criteria Changes for 2016** *Adam Cole*
 Resolution 2016-20

2:00 p.m. **17. Firearms and Archery Range Safety Policy Changes for Recreation Grant Programs** *Adam Cole*
 Resolution 2016-21

2:30 p.m. **ADJOURN**

Recreation and Conservation Funding Board
Resolution #2016-12
April 27-28, 2016 Consent Agenda

BE IT RESOLVED, that the following April 27-28, 2016 Consent Agenda items are approved:

A. Board Meeting Minutes – February 9-10, 2016

Resolution moved by: _____

Resolution seconded by: _____

Adopted Date: _____

Recreated content from the [summary minutes of the February 28-March 1, 2002](#) regular meeting of the Interagency Committee for Outdoor Recreation.

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

RESOLUTION #2002-01 Consent Agenda Policy

The IAC hereby resolves: To achieve benefits of efficiency and better use of public meeting time, the IAC will handle certain items on its business meeting agendas on a "consent agenda" basis. IAC's policy for consent agenda items will be as follows:

Criteria for placing an action item on the "Consent Agenda" are:

- Action item is non-controversial
- Action item is not precedent-setting
- Action will not establish or significantly change IAC policy or prior decisions

Examples of items suitable for inclusion on the "Consent Agenda" (assuming above criteria are met):

- Time extensions beyond the director's authority
- Minor conversions (i.e., boundary-line adjustment) or project scope changes
- Minor policy changes over 10%
- Previous meeting's Minutes

Process for announcing the "Consent Agenda" items for each meeting:

- Staff identifies consent items, and places on the agenda mailed prior to the meeting.
- Before the meeting, IAC members may request the Chair or Director to place the item on the regular discussion agenda. A request to withdraw ('pull') a consent item, and place it on the regular agenda, should be made at least 3 working days before the IAC meeting. (If a consent item is to be pulled, staff will notify any affected proponents, and try to secure their presence for discussion of the item on the regular agenda portion of the IAC meeting. IAC members are encouraged to notify the Chair or Director as early as possible if a consent item needs to be pulled, so that proponents have as much advance notice as possible to attend if desired.)
- If a consent item attracts public inquiry or opposition, it will be moved to the regular agenda and presented.

Meeting Day / IAC Action Process:

- The Consent Agenda will be considered near the start of the business meeting session. This will allow board members to identify questions, if any, and allow staff to obtain additional information if needed to respond to an information inquiry.
- The board's review materials will consist of a briefing paper only, without separate staff or proponent presentations. No discussion shall take place regarding any item on the consent agenda beyond members' questions for clarification. Staff will be available to respond to brief clarifying or informational inquiries, but in most cases proponents will not be present. No testimony will be taken.

- No debate will be allowed on the motion for the consent items. The resolution of approval will encompass all listed items.
- If a board member objects to consideration of any specific item within the resolution, that item can be removed from consent consideration and be acted on separately as appropriate.

Implementation:

The IAC will use this policy for its agendas for meetings through March 2003. Staff is directed to implement this policy, and, prior to the end of March 2003, seek board guidance on whether to continue or modify the consent agenda policy and implementation after March 2003.

Adopted this 28th day of February, 2002, at Olympia, WA.

Resolution moved by: Cleve Pinnix

Resolution seconded by: Bob Parlette

Adopted / Defeated / Deferred

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Director's Report

Summary

This memo is the director's report on key agency activities.

Board Action Requested:

This item will be a:

- ☐ Request for Decision
- ☐ Request for Direction
- ☒ Briefing

In this Report:

- Agency update
- Legislative, budget, and policy update
- Grant management report
- Fiscal report
- Performance report

Agency Update

Responding to the JLARC Audit

The Recreation and Conservation Office (RCO) and our partners, the Washington Departments of Fish and Wildlife, Natural Resources, State Parks, and the Office of Financial Management, prepared a response to the Joint Legislative Audit and Review Committee's (JLARC) July report titled, *State Recreation and Habitat Lands*. The report made the following recommendations to more clearly identify the costs of land acquisitions:

- State agencies should develop a single, easily accessible source for information about proposed recreation and habitat land acquisitions, including details about each acquisition and funding, linkages to plans, and future costs identified to achieve outcomes and maintenance.
- OFM should develop guidelines that standardize cost estimates and a process to reconcile estimated costs with actual expenditures.

In the response, the agencies presented three options (free, somewhat costly, and expensive). JLARC recommended the expensive approach, which would revise and enhance the existing Public Lands Inventory to more completely provide information on detailed outcomes and future costs of land acquisitions. However, the Legislature did not fund any further work.

Volunteers Needed to Evaluate Grants for Parks

RCO recruited volunteers during the winter to fill nine advisory committees and is still looking for a few more volunteers to evaluate recreation and conservation grant proposals. Vacancies remain on four advisory committees, which will do their work this spring and summer:

- One local government volunteer for the Aquatic Lands Enhancement Account program.
- Two citizens and one local government volunteer for the Land and Water Conservation Fund program.
- One citizen volunteer for the Washington Wildlife and Recreation Program's Local Parks program and one local government volunteer for the Water Access program.

Nod to New Nisqually State Park

On January 20, RCO attended the grand opening of Nisqually State Park. After more than 20 years of land acquisitions, all funded in the Washington Wildlife and Recreation Program's State Parks Category, the Washington State Parks and Recreation Commission completed the development of the initial park access, which include a trailhead, parking, a vault toilet, informational signs, and a hitching post and mounting ramp for equestrians. The dedication was shared with the Nisqually Indian Tribe, which owns property in the long-term park boundary, and several council members who spoke eloquently of the significance of this property to their people. The park is a few miles east of Eatonville. It is about 1,300 acres but will be more than 3,000 acres when all the land inside the long-term boundary are acquired, making it one of the largest state parks. Future development will include camping, trails, and an interpretive center that tells the story of the Nisqually and other Native American tribes in this area.

RCO Employee Changes

- **Scott Thomas**, outdoor grants manager in the Recreation and Conservation Section, announced he is leaving RCO to work King County Parks as a community partnerships and grants program manager. Recruitment is underway for his replacement.
- **Justin Bush** will join RCO on May 2 as the new Executive Coordinator for the Invasive Species Council. Justin comes to us from King County and brings a wealth of invasive species experience.

Meetings with Partners

- **Washington Boaters Alliance:** The director gave a presentation to boating advocates at the annual Washington Boaters Alliance Leadership Summit at the Seattle Boat Show. Topics included an overview of RCO's boating programs, our investment in boating infrastructure around the state, the economic impact of boating in the state, and highlights of some completed projects. Perhaps most notable is the high praise we received from the crowd for running what they described as the **best and most responsive boating grant funding process in the state!**
- **Washington State Conservation Commission:** The director met with WSCC staff to discuss legislative issues such as the pending Washington Wildlife and Recreation Program (WWRP) bill and Habitat Lands Coordinating Group extension. The commission offered help in recruiting advisory committee members for the new Forestland Protection category that will be created if the WWRP bill passes. We also discussed the latest riparian buffer guidance from the U.S. Department of Agriculture's Natural Resources Conservation Service. Finally, we discussed how to coordinate with the WSCC should it decide to request funding for its farmland conservation easement program.
- **Washington Association of Land Trusts:** The director attended the quarterly meeting of WALT to update its members on the WWRP review, board policy changes, the Joint Legislative and Audit Review Committee's study of state land acquisitions, the new No Child Left Inside grant program, federal rule changes affecting grant programs, and RCO's new grant managers. The director also participated in a coordinating meeting with land trusts and the Washington Department of Fish and Wildlife in eastern Washington.

Update on Sister Boards

Salmon Recovery Funding Board (SRFB)

The SRFB held its most recent meeting March 16-17 in Olympia. The board spent time discussing budget priorities for the 2015-17 Biennium, and made funding decisions about next year's Salmon Recovery Conference, the SRNet communication plan, a hatchery reform video, and various data needs. The meeting also included a public hearing for the latest round of proposed changes to the Washington Administrative Code (WAC), and an update on newly proposed WAC sections. Three partner presentations were provided by The Nature Conservancy, the Puget Sound regional organization, and the University of Washington and Department of Fish and Wildlife. The next meeting is June 22-23 in Olympia.

Washington Invasive Species Council

The council had its quarterly meeting March 3 and discussed the Department of Natural Resources' Urban Forestry Restoration Program, the Kalispel Tribe's northern pike management program, feral swine response plan, and outcomes of the Aquatic Invasive Species Funding Workgroup. The council also continues to coordinate a group of stakeholders to develop funding recommendations on aquatic invasive species management.

Habitat and Recreation Lands Coordinating Group

The lands group completed its [2015 Progress Report](#) and [2016 Biennial State Land Acquisition Performance Monitoring Report](#), as required by state law. The lands group also held its annual coordinating forum in March 2016. At this meeting, the state natural resources agencies forecast land acquisition and disposal projects for which they will seek funding in the 2017-2019 Budget. Agency presentations can be found on our [Web site](#).

Legislative, Budget, and Policy Update

The Legislature adjourned on Tuesday, March 29, after passing a final budget and over-turning the Governor's veto on twenty-seven bills. In doing so, the Invasive Species Council bill became law. In addition, the WWRP and Habitat and Recreation Lands Coordinating Group bills were passed by the legislature and signed into law by the Governor.



On the budget front, the RCO saw a slight reduction to our General Fund-State funding in the operating budget and a merging of provisos and budget appropriations in the capital budget, detailed in the following table.

| | Governor | House | Senate | Final Budget |
|---|----------------|--|---|---|
| Operating Budget: General Fund / State | (\$98,000) | (\$179,000) | (\$179,000) | (145,000) |
| Boating Facilities Program Funds | \$4.85 million | \$4.85 million | \$4.85 million | \$4.85 million |
| Boating Facilities Program Proviso | | | The board is encouraged to consider funding for the purchase and installation of equipment to control invasive species. | The board is encouraged to consider funding for the purchase and installation of equipment to control invasive species. |
| Nonhighway and Off-road Vehicle Activities Program Funds | \$2.5 million | \$2.5 million | \$2.5 million | \$2.5 million |
| Nonhighway and Off-road Vehicle Activities Program Proviso | - | Shifts new funding from E&E projects to other categories. Sets aside \$50,000 for the trails database. | - | Shifts new funding from E&E projects to other categories. Sets aside \$50,000 for the trails database. |
| RCO Recreation Grants Funds | - | (\$3.615 million) | - | (\$3.615 million) |
| RCO Recreation Grants Proviso | | Sets aside \$1 million for continued acquisition and development of the Olympic Discovery Trail (ODT) in Jefferson Co. | No match is required for the Concrete spray park project. | \$1 million for continued acquisition and development of the ODT and no match requirement for the Concrete Spray Park project |

2016 Grant Application Webinar

On February 17, more than 200 people joined staff via the Web for the Recreation and Conservation Section's virtual application workshop. This webinar provided a high-level look at the board's grant programs and changes to policies and procedures. Staff also shared tips on developing and submitting an application, and a heads-up about long-term grant obligations. Staff also covered board-adopted changes to the grant programs. RCO is accepting applications until May 2, 2016 for five grant programs: Aquatic Lands Enhancement Account, Boating Infrastructure Grant, Land and Water Conservation Fund, Washington Wildlife and Recreation Program, and Youth Athletic Facilities. The rest of the grant applications will be due November 1.

Funder's Forum for Grant Applicants

Alison Greene presented on RCO grants to more than 35 people participating in the Yakima County Regional Funders' Forum in March. The event, hosted by the Yakima Valley Conference of Governments, was held in the Grandview Community Center. Federal, state, and local funding agencies shared information about grant and loan programs that support renovation and development of infrastructure. Participants also were given the opportunity to meet one-on-one with funders to have more specific project discussions. Alison spent most of the afternoon discussing proposed projects with the cities of Wapato, Zillah, Toppenish, and Grandview.

Grant Round Preparation

Staff dedicated a considerable amount of time preparing for the 2016 grant cycle and helping applicants establish planning eligibility for four board programs. Approximately 180 organizations adopted plans that make them eligible for one or more grant programs. The RCO director approved extensions for 28 organizations who are working to meet their extended deadline. Staff updated 15 policy manuals, countless web pages, and forms, including new application authorizations. In addition, staff continues to recruit volunteers for several standing advisory committees. These committees are essential to implementing the board-approved process for review and evaluation of grant proposals.

Applications are Rolling In

With the deadline less than a month away, applicants have entered nearly 160 applications for five of the board's grant programs. Applicants may request funds to acquire, develop, or renovate athletic fields, parks, trails, boating facilities, and water access sites. Grants are also for preserving farmland and protecting and restoring habitats for fish and wildlife species. Applications are due May 2, 2016.

RCO's Newest Grant Program Proves Popular

One of RCO's newest grant program, the No Child Left Inside program, opened to applicants in February and has been flooded with proposals – 122 to be precise, requesting \$5.4 million (with \$6.2 million in match), far outstripping the available funding of \$940,000. The grant program, which RCO is managing at the request of State Parks, provides funding for programs that teach environmental education or get kids outside, has two tiers. RCO received 94 requests for grants of \$50,000 or less (Tier 1) and 28 requests for grants between \$50,001 and \$125,000 (Tier 2). Applicants come from 31 of the state's 39 counties and range from programs to introduce kids to hunting, canoeing, backpacking, and sailing to others focusing on using the outdoors for Science Technology Education and Math (STEM)-based education programs or using outdoor activities to benefit at-risk teens. While applicants include counties, cities, and tribes, the majority of applicants are nonprofit organizations. More than one-quarter of the proposals serve kids of veterans or active military families. Applications have been reviewed by RCO staff and the advisory committee, with the ranked list presented to the State Parks director for approval and funding in May.

RCO Offers Outdoor Recreation Legacy Partnership Grants

RCO has received three grant applications for the national Outdoor Recreation Legacy Partnership Program, which is offered through the Land and Water Conservation Fund (LWCF) by the National Park Service. The \$15 million legacy program is designed to complement LWCF by creating new opportunities for outdoor play in urban areas. Projects must showcase how they support close-to-home recreation opportunities that connect youth to public lands. RCO can submit only two applications for the national competition. Grant awards will be made by March 2017. More information provided in Item 9.

Recreation Trails Program Grants

On February 25, as the result of federal transportation funding, RCO received notice of more than \$1.8 million in federal fiscal year 2016 funds for the Recreational Trails Program (RTP). The funding was anticipated and has allowed me to approve grants for approximately 20 alternate projects on the board approved ranked list for the 2015-17 biennium. Staff are working to issue agreements so sponsors may implement their scopes of work beginning this summer. The funded projects are shown in Attachment A, Funding for Alternates and Partially-Funded Projects.

Using Returned Funds for Alternates and Partially-Funded Projects

The RCO director recently awarded grants for alternate projects (Attachment A, Table A-1). The funds are from projects that did not use the full amount of their grant awards. Also, as unused funds have become available from other projects, the director has approved additional funding for partially-funded projects. Attachment A, Table A-2 shows the projects' original grant award and the total grant funds now approved.

Project Administration

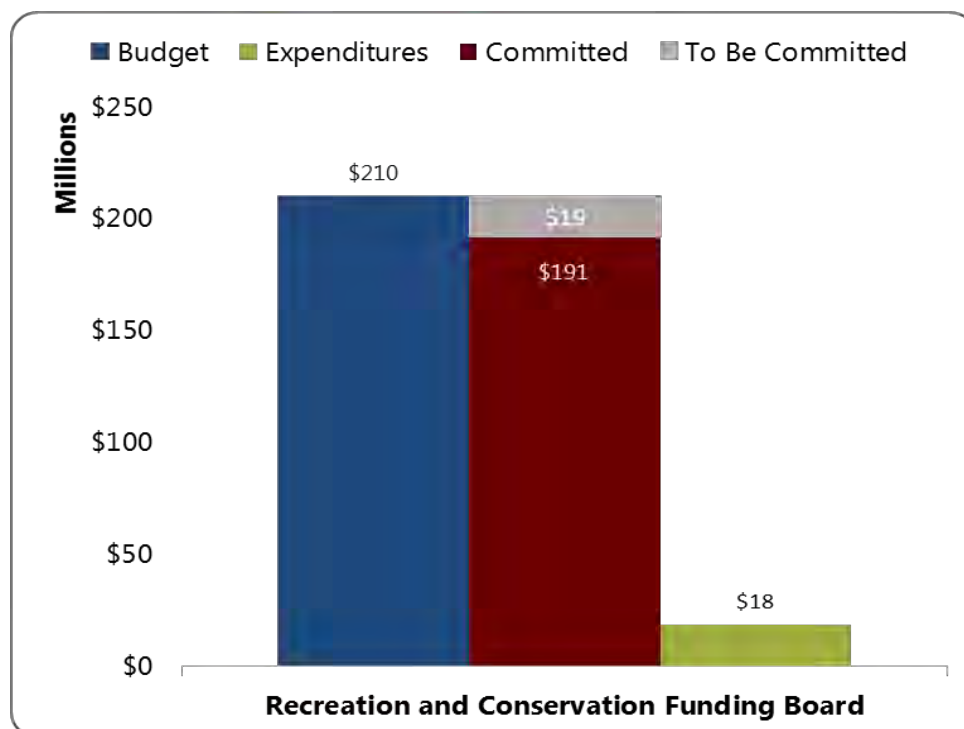
Staff administer outdoor recreation and habitat conservation projects as summarized in the table below. "Active" projects are under agreement and are in the implementation phase. "Director Approved" projects includes grant awards made by the RCO director after receiving board-delegated authority to award grants. Staff are working with sponsors to secure the materials needed to place the Director Approved and Board Funded projects under agreement.

| Program | Active Projects | Board Funded Projects | Director Approved Projects | Total Funded Projects |
|--|-----------------|-----------------------|----------------------------|-----------------------|
| Aquatic Lands Enhancement Account (ALEA) | 19 | 0 | 2 | 21 |
| Boating Facilities Program (BFP) | 30 | 0 | 1 | 31 |
| Boating Infrastructure Grant Program (BIG) | 5 | 0 | 0 | 5 |
| Firearms and Archery Range Recreation (FARR) | 7 | 0 | 4 | 11 |
| Land and Water Conservation Fund (LWCF) | 4 | 0 | 2 | 6 |
| Marine Shoreline Protection (MSP) | 3 | 0 | 0 | 3 |
| Nonhighway and Off-Road Vehicle Activities (NOVA) | 109 | 0 | 3 | 112 |
| Recreation and Conservation Office Recreation Grants (RRG) | 44 | 0 | 11 | 55 |
| Recreational Trails Program (RTP) | 52 | 0 | 20 | 72 |
| Washington Wildlife and Recreation Program (WWRP) | 142 | 0 | 6 | 148 |
| Youth Athletic Facilities (YAF) | 19 | 12 | 0 | 31 |
| Total | 434 | 12 | 49 | 495 |

Fiscal Report

For July 1, 2015-June 30, 2017, actuals through February 29, 2016 (Fiscal Month 8). Percentage of biennium reported: 33.3 percent. The "Budget" column shows the state appropriations and any received federal awards.

| Grant Program | BUDGET New and Re-appropriations 2015-2017 | COMMITTED Dollars | % of Budget | TO BE COMMITTED | | EXPENDITURES | |
|-------------------------------|---|--------------------------|----------------|-----------------|----------------|--------------|-------------------------------|
| | | | | Dollars | % of Budget | Dollars | % Expended of Committed |
| Grant Programs | | | | | | | |
| ALEA | \$10,014,000 | \$9,737,199 | 97% | \$276,801 | 3% | \$1,571,195 | 16% |
| BFP | \$14,258,000 | \$13,979,794 | 98% | \$278,206 | 2% | \$1,736,178 | 12% |
| BIG | \$1,556,829 | \$1,556,829 | 100% | \$0 | 0% | \$70,668 | 5% |
| FARR | \$895,000 | \$811,279 | 91% | \$83,721 | 9% | \$100,759 | 12% |
| LWCF | \$1,468,743 | \$1,468,743 | 100% | \$0 | 0% | \$78,352 | 5% |
| NOVA | \$12,789,708 | \$12,417,128 | 97% | \$372,579 | 3% | \$2,316,045 | 19% |
| RTP | \$6,050,628 | \$5,992,599 | 99% | \$58,029 | 1% | \$738,154 | 12% |
| WWRP | \$106,746,111 | \$96,461,113 | 90% | \$10,284,998 | 10% | \$7,466,689 | 8% |
| RRG | \$36,860,160 | \$30,773,964 | 83% | \$6,086,196 | 17% | \$1,730,393 | 6% |
| YAF | \$11,642,000 | \$10,634,791 | 91% | \$1,007,209 | 9% | \$475,102 | 4% |
| Subtotal | \$202,281,179 | \$183,833,439 | 91% | \$18,447,739 | 9% | \$16,283,535 | 8% |
| Administration | | | | | | | |
| General Operating Funds | \$7,464,926 | \$7,464,926 | 100% | \$0 | 0% | \$2,140,001 | 29% |
| Grand Total | \$209,746,105 | \$191,298,365 | 91% | \$18,447,739 | 9% | \$18,423,536 | 9% |



| Acronym | Grant Program |
|---------|--|
| • ALEA | Aquatic Lands Enhancement Account |
| • BFP | Boating Facilities Program |
| • BIG | Boating Infrastructure Grant |
| • FARR | Firearms and Archery Range Recreation |
| • LWCF | Land and Water Conservation Fund |
| • NOVA | Nonhighway and Off-road Vehicle Activities |
| • RTP | Recreational Trails Program |
| • WWRP | Washington Wildlife and Recreation Program |
| • RRG | RCO Recreation Grants |
| • YAF | Youth Athletic Facilities |

Board Revenue Report

For July 1, 2015-June 30, 2017, actuals through February 29, 2016 (Fiscal Month 8). Percentage of biennium reported: 33.3%.

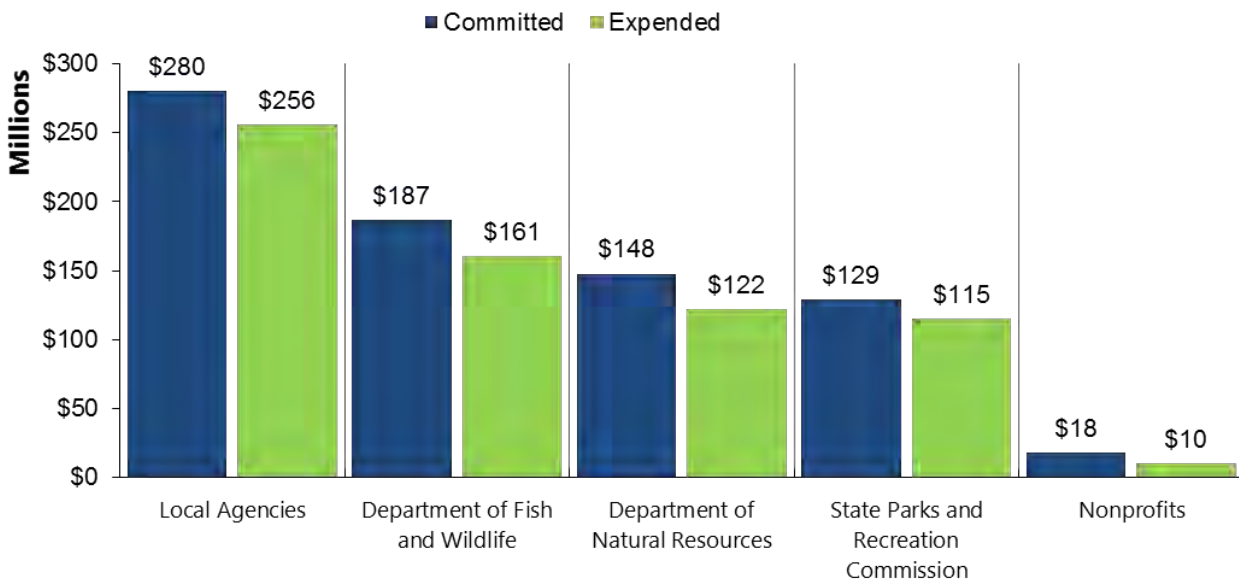
| Program | Biennial Forecast | Collections | |
|---|---------------------|--------------------|---------------|
| | Estimate | Actual | % of Estimate |
| Boating Facilities Program (BFP) | \$17,801,006 | \$5,280,774 | 29.7% |
| Nonhighway, Off-Road Vehicle Program (NOVA) | \$12,522,771 | \$3,716,612 | 29.7% |
| Firearms and Archery Range Rec Program (FARR) | \$597,086 | \$235,320 | 39.4% |
| Total | \$30,920,863 | \$9,232,706 | 29.9% |

Revenue Notes:

- BFP revenue is from the un-refunded marine gasoline taxes.
- NOVA revenue is from the motor vehicle gasoline tax paid by users of off-road vehicles and nonhighway roads and from the amount paid for by off-road vehicle use permits. NOVA revenue is from the motor vehicle gasoline tax paid by users of off-road vehicles and nonhighway roads and from the amount paid for by off-road vehicle use permits.
- FARR revenue is from \$3 of each concealed pistol license fee.
- This reflects the most recent revenue forecast of February 2016. The next forecast is due in June 2016.

WWRP Expenditure Rate by Organization (1990-Current)








| Agency | Committed | Expenditures | % Expended |
|---------------------------------------|----------------------|----------------------|------------|
| Local Agencies | \$280,471,466 | \$255,861,277 | 91% |
| Department of Fish and Wildlife | \$186,676,001 | \$160,631,406 | 86% |
| Department of Natural Resources | \$147,674,557 | \$122,233,765 | 83% |
| State Parks and Recreation Commission | \$129,108,317 | \$115,157,727 | 89% |
| Conservation Commission | \$378,559 | \$378,559 | 100% |
| Nonprofits | \$17,902,495 | \$10,139,803 | 57% |
| Tribes | \$689,411 | \$639,434 | 93% |
| Other | | | |
| Special Projects | \$735,011 | \$735,011 | 100% |
| Total | \$763,635,817 | \$665,776,982 | 87% |



Performance Measures for Fiscal Year 2016

The following performance data are for recreation and conservation projects in fiscal year 2016 (July 1, 2015 – June 30, 2016). Data are current as of March 28, 2016.

Recreation and Conservation Funding Board Performance Measures

| Measure | Target | Fiscal Year-to-Date | Status | Notes |
|--|---------------|---------------------|---|---|
| ¹ Percent of Projects Issued Agreement within 120 Days of Board Funding | 85-95% | 75% |  | 250 agreements for RCFB-funded projects were due to be mailed this fiscal year. Of those, 188 agreements were mailed on time. |
| ² Percent of Projects Under Agreement within 180 Days of Board Funding | 95% | 85% |  | 221 projects were set to come under agreement this fiscal year. Of those, 187 agreements were issued on time. |
| Percent of Progress Reports Responded to On Time | 65-75% | 93% |  | 253 progress reports were due so far this fiscal year. Of these, 236 were responded to within 15 days or less. |
| Percent of Bills Paid within 30 days | 100% | 100% |  | 141 bills were due this fiscal year, and staff paid all within 30 days. |
| Percent of Projects Closed on Time | 60-70% | 51% |  | There were 126 recreation and conservation projects due to close and 64 closed on time. |
| Number of Projects in Project Backlog | 0 | 37 |  | Staff continues to work with sponsors to get the proper documentation to close backlog projects. |
| Number of Compliance Inspections (by Worksite) | No target set | 191 | N/A | Staff revised the performance query for this measure to count inspections by worksite. |
| Percent of Project Sponsors Submitting Annual Bill | 100% | 75% |  | Of the 169 active recreation and conservation projects required to submit a bill this FY, 126 have done so. The remaining sponsors have until June 30, 2016 to submit a bill. |

^{1,2} Adding the new Omni-Circular language to the RCO agreement resulted in delays.

Funds for Alternate and Partially Funded Projects

Table A-1: Funds for Alternate Projects

| Project Number | Project Name | Sponsor | Grant Request | Funds Approved | Category |
|--------------------------|--|---|---------------|----------------|--|
| 14-1859D | Possession Ramp Construction | Port of South Whidbey Island | \$360,500 | \$130,505 | Boating Facilities Program, Local |
| 14-1839D | East Tiger Mountain Trail Connections Final Phase | Washington Department of Natural Resources | \$99,000 | \$99,000 | Nonhighway and Off-road Vehicle Activities, Nonmotorized |
| 14-1984M | Methow Valley Fire Trail Maintenance | U.S. Forest Service, Okanogan-Wenatchee National Forest, Methow Ranger District | \$82,150 | \$82,150 | Nonhighway and Off-road Vehicle Activities, Nonmotorized |
| 14-1802P | Ice Caves Trail Boardwalk Replacement | U.S. Forest Service, Mount Baker-Snoqualmie National Forest, Darrington Ranger District | \$27,500 | \$27,500 | Nonhighway and Off-road Vehicle Activities, Nonmotorized |
| 14-2158D | Olallie State Park Twin Falls Trail Realignment | Washington State Parks and Recreation Commission | \$88,800 | \$88,800 | Nonhighway and Off-road Vehicle Activities, Nonmotorized |
| 14-1971M | Alpine Lakes Trail Maintenance 2015-2016 | U.S. Forest Service, Mount Baker-Snoqualmie National Forest, Snoqualmie Ranger District | \$150,000 | \$150,000 | Recreational Trails Program, General |
| 14-2132M | Snoqualmie-White River Trail Maintenance 2015 | U.S. Forest Service, Mount Baker-Snoqualmie National Forest, Snoqualmie Ranger District | \$83,000 | \$83,000 | Recreational Trails Program, General |
| 14-2046M | Lake Chelan Down Lake Trail Maintenance | U.S. Forest Service, Okanogan-Wenatchee National Forest, Chelan Ranger District | \$150,000 | \$150,000 | Recreational Trails Program, General |
| 14-2010M | 2014 GPNF Wilderness Trails Maintenance | U.S. Forest Service, Gifford Pinchot National Forest, Cowlitz Valley Ranger District | \$105,206 | \$105,206 | Recreational Trails Program, General |
| 14-1882M | Washington Conservation Corps: Vanishing Trails Initiative | Washington Department of Ecology | \$150,000 | \$150,000 | Recreational Trails Program, General |
| 14-2114M | 2014 Tahoma Trails Maintenance Grant | Mount Tahoma Trails Association | \$55,000 | \$55,000 | Recreational Trails Program, General |
| 14-2019M | Lake Chelan Uplake Trail Maintenance | U.S. Forest Service, Okanogan-Wenatchee National Forest, Chelan Ranger District | \$150,000 | \$150,000 | Recreational Trails Program, General |

| | | | | | |
|--------------------------|--|---|-------------|-------------|--------------------------------------|
| 14-2075D | Mazama Trail head Improvement | Methow Valley Sport Trail Association | \$104,800 | \$104,800 | Recreational Trails Program, General |
| 14-1781M | Olympic Youth Crews | Pacific Northwest Trail Association | \$150,000 | \$150,000 | Recreational Trails Program, General |
| 14-2093M | I-90 Corridor - Non-Motorized Plowing & Grooming | Washington State Parks and Recreation Commission | \$127,782 | \$127,782 | Recreational Trails Program, General |
| 14-1765M | Mt. Baker Snowmobile Sno-Parks and Trails | Washington State Parks and Recreation Commission | \$54,772 | \$54,772 | Recreational Trails Program, General |
| 14-2090M | Evans Creek ORV Maintenance & Operation 2014 | U.S. Forest Service, Mount Baker-Snoqualmie National Forest, Snoqualmie Ranger District | \$75,000 | \$75,000 | Recreational Trails Program, General |
| 14-1768M | Stemilt-Colockum Sno-Parks and Groomed Trails | Washington State Parks and Recreation Commission | \$41,319 | \$41,319 | Recreational Trails Program, General |
| 14-1775M | Southeast Region - Snowmobile Sno-Parks and Trails | Washington State Parks and Recreation Commission | \$53,967 | \$53,967 | Recreational Trails Program, General |
| 14-1780M | Greenwater-Yakima - Snowmobile Trail System | Washington State Parks and Recreation Commission | \$150,000 | \$150,000 | Recreational Trails Program, General |
| 14-2088M | Shoestring Jeep Trail Bridge Replacement | U.S. Forest Service, Okanogan-Wenatchee National Forest, Cle Elum Ranger District | \$45,000 | \$45,000 | Recreational Trails Program, General |
| 14-1774M | Northeast Region - Snowmobile Sno-Parks and Trails | Washington State Parks and Recreation Commission | \$150,000 | \$132,981 | Recreational Trails Program, General |
| 12-1135A | Merrill Lake Natural Area | Washington Department of Fish and Wildlife | \$2,300,000 | \$2,300,000 | WWRP Natural Areas |
| 14-1172D | Oak Creek Tim's Pond Access Development | Washington Department of Fish and Wildlife | \$324,500 | \$324,500 | WWRP State Lands Development |
| 14-1355R | LT Murray Forest and Aquatic Habitat Enhancement | Washington Department of Fish and Wildlife | \$375,000 | \$375,000 | WWRP State Lands Restoration |
| 14-1634D | Klickitat Trail | Washington State Parks and Recreation Commission | \$2,229,000 | \$2,229,000 | WWRP State Parks |

*WWRP = Washington Wildlife and Recreation Program

Table A-2: Funds for Partially Funded Projects

| Project Number | Project Name | Sponsor | Grant Request | Original Grant Funding | Current Grant Funding | Grant Program |
|--------------------------|-------------------------------------|---|---------------|------------------------|-----------------------|---|
| 12-1332D | Levee Street Boat Launch Renovation | City of Hoquiam | \$590,136 | \$511,948 | \$590,136 | Boating Facilities Program, Local |
| 14-1139A | Chapman Lake Access | Washington Department of Fish and Wildlife | \$1,150,000 | \$653,239 | \$800,938 | Boating Facilities Program, State |
| 14-2113E | Methow Valley Climbing Rangers | U.S. Forest Service, Okanogan-Wenatchee National Forest, Methow Ranger District | \$59,150 | \$31,939 | \$59,150 | Nonhighway and Off-road Vehicle Activities, Education and Enforcement |
| 10-1087D | Pearrygin Lake Expansion Phase 1 | Washington State Parks and Recreation Commission | \$2,186,352 | \$1,053,828 | \$1,480,734 | WWRP State Parks |

*WWRP = Washington Wildlife and Recreation Program

RCFB Key Performance Measures

| Goal | Current Framing Questions | Current Measures | Proposed Framing Questions | Proposed Measures |
|--|---|--|--|---|
| <i>We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems.</i> | Is the board creating opportunities for recreation? | Projects funded by type, location. | <p><u>Within its authority</u> is the board creating opportunities for recreation?</p> <p><u>Is the board funding projects that have been identified as priorities through recognized planning efforts, such as SCORP?</u></p> | <p>Projects funded by type, location, <u>sponsor type.</u></p> <p><u>Projects submitted for funding that address current gaps in service per SCORP and state-wide recreation plans.</u></p> |
| | Is the board protecting natural systems and landscapes? | Acres protected (through acquisition) or restored. | <p><u>Within its authority</u> is the board <u>protecting and restoring natural systems and landscapes?</u></p> <p><u>Is the board funding projects that protect and restore natural systems and landscapes as identified in planning efforts?</u></p> | <p>Acres protected (through acquisition).</p> <p>Acres restored.</p> <p><u>Projects submitted for funding that address current gaps based upon recent planning efforts.</u></p> <p><u>Projects implemented by natural resource agencies in relationship to their internal plans and priorities.</u></p> |
| | Are we affecting the health of Washingtonians? | Percent of respondents to OFM and statewide recreation surveys reporting participation in active recreation. | | |

| Goal | Current Framing Questions | Current Measures | Proposed Framing Questions | Proposed Measures |
|---|---|--|---|--|
| <i>We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.</i> | Is the evaluation process objective and fair? | Percent of applicants reporting that the evaluation is objective and fair. | Is the evaluation process objective and fair? | <u>Reduced negative responses to biennial sponsor surveys.</u> |
| | Are we managing grants efficiently and reducing project delays? | Agency re-appropriation rate. | <u>Is the board fulfilling its statutory role to ensure statewide outdoor recreation and conservation needs are being met through grant programs?</u> | <u>Perform a board self-assessment on a biennial basis.</u> |
| | How well do we maintain the state's investments? | Percent of grants in compliance. {Sustainability measure to be developed with policy}. | How well do we maintain the state's investments? | <u>Percent of completed projects in compliance with the grant agreement.</u> <u>Number of sites inspected over a biennium.</u> |
| Goal | Current Framing Questions | Current Measures | Proposed Framing Questions | Proposed Measures |
| <i>We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.</i> | Are stakeholders involved in policy development? | Percent of sponsors agreeing with the survey question that "The board considers input before making policy decisions". | Are stakeholders <u>and the public</u> involved in policy development? | <u>Biennial increase in the number of individuals and discrete organizations actively participating in policy development and/or review.</u> |
| | Are we achieving statewide participation in our grant programs? | Number of funded projects by location (e.g., county or other geography). | Are we achieving statewide participation in our grant programs? | Number of projects <u>submitted</u> by location (e.g., county or other geography). |

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016
Title: Follow-up on Board Performance Measures
Prepared By: Scott Robinson, Deputy Director

Summary

This item provides additional requested information as the Recreation and Conservation Funding Board (board) continues its discussion about revising its performance measures.

Board Action Requested

This item will be a:

| | |
|-------------------------------------|-----------------------|
| <input type="checkbox"/> | Request for Decision |
| <input checked="" type="checkbox"/> | Request for Direction |
| <input type="checkbox"/> | Briefing |

Background

The Recreation and Conservation Funding Board (board) adopted its current [strategic plan](#) in June 2012. Within the plan, the board's mission is stated:

"Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations."

In support of this mission, the plan focuses on three goals:

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Over the past year the board has been reviewing its strategic plan; members agree that the mission, goals and guiding principles are satisfactory as currently written. More recent discussion focuses on identifying some new or revised performance measures that more accurately measure the board's goals.

At the April 2016 meeting staff will present the board a draft of revised performance measures and share information on projects as they relate to previous discussions concerning the board's ability to fund the highest priority proposals.

Previous Board Discussions and Actions

April 2015 - Board Discussion

The board's [April retreat](#) included a robust discussion about the board's strategic plan and performance measures. Board members agreed that the current plan is still relevant, but perhaps some modification may be needed to reflect current trends.

The board identified the following key future considerations and action items:

1. Strategic Plan

- a. How to address quality of life
- b. How to respond to emerging trends
- c. How to reflect other investments or costs leveraged by the board's investments (i.e. volunteer time)
- d. How to capture costs of operating and maintaining projects into the future
- e. How should the board encourage meaningful civic engagement

2. Performance Measures

- a. Develop performance measures that reflect:
 - i. Is the funding going to the right places?
 - ii. The "big picture" by use or project type (i.e., some uses, such as trails, span several funding sources/categories)
 - iii. How historic data compares to a recent span of time-trends
- b. Have further discussion about measures that would better align with a unifying statewide strategy.

June 2015 - Board Discussion

In 2012, the board adopted performance measures that, until mid-2015, were not being actively monitored and reported. In June 2015, staff presented the board with a graphic overview of its performance measures and included outcomes for review and discussion (see June 2015 meeting materials, Item 4). After a brief conversation, the suggestion was made by one board member to form a team to scope the performance measures that meet board, staff, and legislative needs. It was decided that Chair Spanel would choose whether to form a subcommittee.

October 2015 - Action

After some consideration, Chair Spanel decided that instead of forming a subcommittee to work on the board's strategic plan and performance measures update, the board as a whole would hold a discussion and decide on a path forward at the November meeting.

November 2015 – Board Discussion

In November 2015, the board continued its discussion of performance measures and requested that staff provide some examples from other states. Additionally, staff was asked to see if the Trust for Public Lands might be available to provide a demonstration of their Geographic Information System (GIS) which displays public lands related to demographic data and other information. Additionally, each board member was asked to send their comments and suggested changes to the performance measures to the Deputy Director for review by the board in February 2016. Staff researched performance approaches of other states, including Colorado and Oregon.

February 2016 – Board Discussion

In February the board viewed a presentation from the Trust for Public Land on its Geographic Information System and Demographic data. The board discussed formal comments on their current performance

measures submitted by Members Mayer and Bloomfield. The board reached consensus over the continued importance of reviewing measures related to the agency's performance and finances, and directed staff to work with Member Bloomfield in revising her suggested draft measures for discussion at the next meeting.

Performance Measures – Factors to Consider

When developing or adjusting performance measures, staff suggests the board consider whether the measures are:

1. Cost Effective
 - a. Is data available?
 - b. Can data can be "rolled up" to the program, board, or agency level?
 - c. Can the measure be compared to a target?
2. Timely
 - a. Is the data current and updated on a set schedule?
3. Relevant
 - a. Does the measure tell a story about whether the program, board, or agency is meeting its objectives?
 - b. Does the measure relate to the State Comprehensive Outdoor Recreation Plan (SCORP)?
 - c. Does the measure tie to the board and agency's strategic plan?
4. Understandable
 - a. Is the measure clear?
 - b. Is the measure concise?
 - c. Is the measure is non-technical?

Next Steps

After board discussion, staff will conduct the necessary work to firm up the board's performance measures. Staff will then finalize the board's strategic plan, which includes the performance measures, and present it for adoption in July 2016.

Resources

1. [Board's Current Strategic Plan](#) (adopted June 2012)
2. [Board's Strategic Plan Performance Measures](#) (presented in June 2015, Item 4)
3. [Agency Performance Measures](#) (presented in June 2015, Item 4)
4. [RCW 79A.24.005](#)
5. [Colorado Parks and Wildlife 2015 Strategic Plan](#)
6. [Great Outdoors Colorado \(GoCo Web site\)](#)
7. [Oregon Parks and Recreation Performance Reporting](#)
8. [Results Washington – Goal 3 – Sustainable Energy & Clean Environment](#)

Attachments

- A. Performance Measure Comparison: Current Measures and Member Bloomfield's Proposed Changes

Recreation and Conservation Funding Board Briefing Memo

Item **7A**

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Implementation of the Legislative Changes to the Washington Wildlife and Recreation Program: Overview of Policy Implementation for the Next Two Years

Prepared By: Wendy Brown, Policy Director

Summary

This memo summarizes the phases for changes to the Washington Wildlife and Recreation Program (WWRP) planned over the next two years in order to implement the statutory changes and other recommendations resulting from the 2015 WWRP program review.

Board Action Requested

This item will be a:

- ☐ Request for Decision
- ☐ Request for Direction
- ☒ Briefing

Background

In the 2015 Legislative Session, the Legislature directed the Recreation and Conservation Office (RCO) to convene and facilitate a stakeholder process to review and make recommendations for statutory revisions to the Washington Wildlife and Recreation Program (WWRP). Between July and November 2015, RCO conducted this review and prepared recommendations. These recommendations were presented to the Legislature on December 1, 2015 and formed the basis of RCO-request legislation to modify RCW 79A.15. The details of the report and legislation have been previously presented to the board; this memo will review how RCO plans to implement the new law, including the timeline for bringing policy and criteria changes to the board for approval.

Implementation of SSB 6227

Senate Substitute Bill (SSB) 6227, implementing the recommendations of the 2015 review of the WWRP, was signed into law on March 31, 2016. With the passage of the bill and inclusion of a modified emergency clause, some parts of the law become effective immediately and others are phased in over the next two years. RCO anticipates implementation of the new law to occur in three over-lapping phases, detailed below.

Phase 1

Phase 1 will occur between April 1 and October 31, 2016 and will include those elements called out for immediate action in the bill language, as well as other components necessary for the 2016 grant round. Listed in Section 11 of the bill language for immediate implementation are the:

- New funding allocation;

- Revised required percentages of acquisition and development in the Local Parks and State Parks categories (“at least forty percent but no more than fifty percent of the money for acquisition costs”); and the
- Expanded eligibility of nonprofit nature conservancies in Critical Habitat, Natural Areas, and Urban Wildlife categories.

Implementation of the new funding allocation will require changes to RCO grant manuals, internal working spreadsheets, and the PRISM database. Revising the percentage of funding that goes towards acquisition versus development projects in the local and state parks categories will require not only manual and database changes, but also a policy decision by the board on how to implement the flexibility provided in the new language. A briefing on this issue will be provided to the board at the July 2016 board meeting.

Putting in place the expanded eligibility of nonprofit nature conservancies in the Habitat Conservation Account categories will require changes to grant manuals and the PRISM database, and possibly further extending the deadline for nonprofits to meet planning requirements. In addition, the board will be asked to make a policy decision related to the acquisition of lands already owned by an eligible sponsor.

Other changes to be made for the 2016 grant round include:

- Broadening the definition of farmland per Section 2 of SSB 6227;
- Revising the ‘statewide significance’ criteria in Critical Habitat, Natural Areas, and Urban Wildlife categories;
- Ensuring that the public access requirement is made clear in RCO grant manuals; and
- Determining how to allocate funds in the Urban Wildlife Habitat category with the new eligibility of nonprofit nature conservancies.

Phase 2

The second phase of implementation relates solely to creating the Forest Land Preservation category and will occur between April and December 2016. In April, staff will begin to develop program policies that form the basis of the planning requirements, eligibility requirements, eligible costs, and evaluation criteria. At the same time, RCO will establish and recruit member for the program’s advisory committee. Additionally, RCO will work with a contractor to draft a forestland conservation easement (and also likely update the existing farmland conservation easement at the same time).

With the program development and manual creation scheduled for completion in December 2016, RCO recommends the board open a grant round in January/February 2017 and make funding decisions at the October 2017 board meeting. The final ranked list of forest land projects will be presented to the Governor (and Legislature) by November 1, 2017 for spending authority as part of the supplemental capital budget.

Proposed Timeline for Phase 2 (Forestland Preservation Category)

| | |
|--|---------------|
| Establish Forest Land Advisory Committee | June 2016 |
| Development of policies and program requirements | October 2016 |
| Preparation of Forestland Easement | October 2016 |
| New Manual Completed | December 2016 |
| Update RCO’s PRISM database | December 2016 |

| | |
|--|-----------------------|
| Grant Round Opened | January/February 2017 |
| Grant Applications Due | May 2017 |
| Grant Application Evaluations | August 2017 |
| RCFB Funding Decision Made | October 2017 |
| Ranked List of Projects Provided to Governor and Legislature | November 2017 |

Phase 3

The final implementation phase will occur from mid-2016 through December 2017 and be applied to the 2018 grant cycle. The following elements will be included:

- Develop new evaluation criteria (see below);
- Establish the parameters around the state agencies' coordinated plan and work with the Habitat Lands Coordinating Group to assist in developing the plan;
- Determine means to address underserved communities for WWRP;
- Develop policy to address what constitutes an exception to the public access requirement and what process the Recreation and Conservation Funding Board undertakes to make that determination;
- Increase allowable per acre noxious weed maximum amount; and
- Develop specific requirements for conferral process.

Evaluation Criteria

Most of the amendments to the bill during session involved adding board considerations for prioritizing applications. Those new considerations include multiple benefits of a project (habitat and forestland categories), whether a conservation easement can be used to meet the purposes of the project (habitat categories), community support for the project based on input from the local community and others (habitat categories), and estimated costs of maintaining and operating the project (habitat categories). For the 2018 grant round, staff will develop evaluation criteria for board approval to address these new considerations. In addressing the multiple benefits approach, RCO will form an informal group of stakeholders to help develop the recommendations to the board.

State Agencies' Coordinated Plan

The WWRP review recommends that the state agencies develop a coordinated, statewide conservation and recreation strategy that outlines state agency priorities for acquisitions and development. The idea is to recognize the planning efforts already completed by the agencies and consolidate them into a more unified state strategy. This recommendation tasks the Habitat and Recreation Lands Coordinating Group (Lands Group) with helping to pull together the state strategy and the board with reviewing the plan. The Lands Group will begin discussing this work at their June 2016 meeting.

Underserved Communities

The new bill language provides a match waiver or reduction for a "project that meets the needs of an underserved population or community in need, as defined by the board." Over the next year, RCO will work with economists, stakeholders, and others to develop options for defining an underserved population and community in need. Policy staff will also meet with community leaders to better understand hindrances to participating in the WWRP. In addition to determining when and how to

implement project match waivers or reductions, RCO will identify other means to assist communities that have historically been under-represented in the program. Staff will present options to the board for consideration in late 2017.

Public Access

The public access requirement in the bill language allows the board to approve exceptions to the public access requirement in order to protect sensitive species, water quality or public safety. Before the 2018 grant round, the board will be asked to decide what constitutes such an exception and define a process for making those determinations.

Noxious Weed Control

As part of the push towards increased land stewardship, the WWRP review recommends that RCO increase the allowable per acre cost of noxious weed control for acquisition projects from \$125 per acre to \$150 per acre. RCO staff will bring the board a proposal in 2017 to make this change.

Conferral Process

There is a requirement in the new statutory language for state and local agencies and nonprofit nature conservancies to confer with local governments before developing projects for WWRP application. Confer means a dialogue between project sponsors and local county and city officials with the purpose of early review of potential projects. Over the next year, staff will develop specific requirements for the conferral process, as well as make it an eligibility criterion, and bring them to the board for approval well before the 2018 grant round.

Next Steps

RCO staff will develop recommended policies and criteria for board consideration as outlined in this memo and keep the board apprised of the progress.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Early Action Board Decisions Needed to Align Board Policy with Statutory Changes

Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo includes three requests for action by the Recreation and Conservation Funding Board (board) to prepare for grant applications this year. These changes all relate to the recently enacted legislation (Senate Substitute Bill 6227) implementing the recommendations of the Washington Wildlife and Recreation Program (WWRP) review.

- 1) The first request concerns policies needed in response to nonprofit nature conservancies becoming eligible applicants in the Habitat Conservation Account. This action includes:
 - Update acquisition policies to:
 - Clarify land already owned by a sponsor is ineligible for funding,
 - Allow certain properties already owned by nonprofit organization to be granted a Waiver of Retroactivity, and
 - Add a new policy on partnerships and property transfers.
 - Extend existing policies on nonprofit qualifications to all categories in the Habitat Conservation Account.

The first request is reflected in Resolution 2016-13.

- 2) The second request expands the definition of farmland in the Farmland Preservation Category to reflect the definition in the new state law. The second request is reflected in Resolution 2016-14.
- 3) The third request revises the evaluation criteria in the Critical Habitat, Natural Area, and Urban Wildlife Habitat categories to incorporate the question on statewide significance as required in the new law. The third request is reflected in Resolution 2016-15.

Board Action Requested

This item will be a: ☒ Request for Decisions
☐ Request for Direction
☐ Briefing

Resolutions: 2016-13, 2016-14, 2016-15

Background

Staff identified three sets of early action items from Senate Substitute Bill 6227 (SSB 6227) to implement for this year's grant applications. These actions are necessary to address eligibility issues and the existing evaluation criteria. The changes are considered minor, but necessary, for the 2016 grant cycle.

Due to the nature of the changes and the quick turn-around between the bill passage and the Recreation and Conservation Funding Board (board) meeting, public participation in reviewing these action items was limited. Staff circulated draft materials related to the acquisition policies to nonprofit nature conservancies (nonprofits) and staff at the State Parks and Recreation Commission, Washington Department of Fish and Wildlife (WDFW), and Washington Department of Natural Resources (DNR). Staff worked with the nonprofits to understand their situation as newly added eligible sponsors and prepared the memo with consideration of their feedback.

Nonprofit Nature Conservancies as Eligible Applicants

SSB 6227 adds nonprofits as eligible applicants in the critical habitat, natural areas, and urban wildlife habitat categories.¹ The new law implements nonprofits eligibility immediately. Staff identified the following issues related to nonprofits competing for grant funds:

- Update acquisition policies to:
 - Clarify that land already owned by a sponsor is ineligible for funding;
 - Allow certain properties already owned by nonprofit organizations to be granted a Waiver of Retroactivity;
 - Add a new policy on partnerships and property transfers; and
- Extend existing policies on nonprofit qualifications to all categories in the Habitat Conservation Account.

Following is a discussion and staff recommendation on each of these issues. Attachment A and Resolution 2016-13 reflect the staff recommendations presented in this section of the memo.

1. Update Acquisition Policies

When discussing the types of property that would be eligible and ineligible for grant funding, there was confusion as to whether property already owned by nonprofits would be eligible. The concern appeared to be based on the transition from being a property owner to being an eligible sponsor. Before the new law, a nonprofit was a property owner in the Habitat Conservation Account. An eligible sponsor could purchase property from a nonprofit using grant funds. With nonprofits now an eligible sponsor, three issues developed:

- When is property already owned by a sponsor eligible for funding?
- How to address property held temporarily by a nonprofit?
- How nonprofits and other eligible sponsor can partner together?

When is property already owned by a sponsor eligible for funding?

Property already owned by a sponsor is ineligible for grant funding unless it meets certain requirements established by the board. See the first column in Table 1 for the current policy statement on this type of ineligible project.

¹ Nonprofits were already eligible applicants in the riparian protection category and the farmland preservation program when the law was passed.

This policy statement is causing confusion as it could be interpreted to only apply to the specific sponsor of an application, not any sponsor. This interpretation would mean that property owned by another eligible sponsor – but not the actual sponsor – would be eligible for grant funding. Staff does not believe this was the intent of the policy and request the board clarify the statement as shown in column 2 of Table 1.

The proposed policy for adoption in column 2 of Table 1 is also included in Attachment A.

Table 1. Excerpt Ineligible Project Types, Manual 3, Acquiring Land²

| Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons |
|--|---|--|
| Land already owned by the applicant/sponsor, unless the property meets the eligibility requirements described in the “Acquisition of Existing Public Land” section or the “Buying Land before an RCO Project Agreement is Signed” section in this manual. | Property already owned by an eligible sponsor, unless the property meets the eligibility requirements described in the “Acquisition of Existing Public Property” or “Buying Land Without a Signed RCO Agreement (Waiver of Retroactivity)”. | <p><u>Pros</u></p> <p>Includes any property rights, not just land.</p> <p>Clarifies that property owned by any eligible sponsor is ineligible unless it meets one of the two other policies.</p> <p><u>Cons</u></p> <p>Sponsors cannot acquire property from another eligible sponsor unless it meets one of the two other policies.</p> |

How to address property held temporarily by a nonprofit?

Based on the staff’s recommendation above, the next issue was concern that property already owned by a nonprofit for the purposes of temporarily holding the property on behalf of another eligible sponsor would be ineligible for grant funding. This issue appears to be an unintended consequence of nonprofits treated as a property owner prior to the passage of SSB 6227 and an eligible sponsor immediately after the bill’s passage.

Eligible sponsors have the benefit of requesting a Waiver of Retroactivity³ to acquire property before receiving a grant. A waiver is good for two consecutive grant cycles from the date the sponsor acquires the property. For WWRP, this means a waiver is good for up to four years depending on the date of acquisition and grant application deadline.

² The complete list of ineligible projects are listed on page 24 of Manual 3, *Acquiring Land* http://www.rco.wa.gov/documents/manuals&forms/Manual_3_acq.pdf

³ The Waiver of Retroactivity policy is on page 23 of Manual 3, *Acquiring Land* http://www.rco.wa.gov/documents/manuals&forms/Manual_3_acq.pdf

Since nonprofits did not have the benefit of requesting a Waiver of Retroactivity prior to the passage of SSB 6227, staff recommends the board allow RCO to issue a waiver on property already owned by a nonprofit as if they were eligible sponsors the past four years. This would “grandfather” in properties acquired by nonprofits and allow them to be eligible for grant funding. This action is consistent with the benefits available to other eligible sponsors and with the board’s administrative rules on Waivers of Retroactivity.⁴

Granting the director authority to issue a waiver of retroactivity on property purchased by a nonprofit within the last four years is included in Resolution 2016-13.

How nonprofits and other eligible sponsor can partner together?

With nonprofits added as eligible sponsors, the nature of nonprofit partnerships with other eligible sponsors changed. Nonprofits no longer need to collaborate with sponsors for projects because they are ineligible sponsors. Instead, they can submit applications directly, compete for funds, and transfer property to other eligible sponsors when they do not intend to hold the property.

Currently, sponsors can transfer property, and the terms of the project agreement, to another eligible sponsor when approved by RCO through a change in the project agreement. This is typical administrative procedures for RCO. Examples of these kinds of transfers include county to city transfers or state parks to a local jurisdiction.

Staff recommends the board formalize the property transfer process. Staff also recommends the board set policy on how to apply matching requirements for partnerships and property transfers. The proposed policy for adoption is in Attachment A.

2. Extend Policies on Eligible Nonprofits and Planning Requirements

Eligibility Requirements

Nonprofits in the Farmland Preservation and Riparian Habitat categories must meet certain requirements in order to be eligible to apply for grant funds. These policies were adopted by the board in March 2010⁵ and based on long-standing policies in other grant programs. See Column 1 of Table 2 for the policy adopted.

With the addition of nonprofits into the Critical Habitat, Natural Areas, and Urban Wildlife Habitat category, there is a difference in nonprofit eligible requirements between categories in the Habitat Conservation Account.

Staff recommends applying a similar policy adopted for the Riparian Habitat category to the other categories. Doing so would provide consistent requirements for nonprofits in all categories. The proposed policy includes minor word changes to the existing policy. The proposed policy for adoption is in column 2 of Table 2 and Attachment A.

⁴ Washington Administrative Code 286-13-085(2)

⁵ Resolution 2010-08

Table 2. Nonprofit Eligibility Policy

| Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons |
|--|--|--|
| <p>Nonprofit nature conservancy corporations or associations must meet the following eligibility requirements:</p> <p>Be registered in the State of Washington as a nonprofit as defined by Revised Code of Washington 84.34.250,</p> <p>Consistent with Revised Code of Washington 24.03.220, 24.03.225, and 24.03.230, identify a successor organization fully qualified to ensure management continuity of any WWRP grants received by the corporation or association; and</p> <p>Demonstrate at least 3 years activity in managing projects relevant to the types of projects eligible for funding in the applicable WWRP category. "Activity in managing projects" means the tasks necessary to manage an on-the-ground riparian or farmland project, such as negotiating for acquisition of property rights, closing on an acquisition, developing and implementing management plans, designing and implementing projects, securing and managing the necessary fund source, and other tasks.</p> | <p>Nonprofit nature conservancies must meet the following eligibility requirements:</p> <p>Be registered in the State of Washington as a nonprofit as defined by Revised Code of Washington 84.34.250, and</p> <p>Consistent with Revised Code of Washington 24.03.220, 24.03.225, and 24.03.230, identify a successor organization fully qualified to ensure management continuity of any WWRP grants received by the organization; and</p> <p>Demonstrate at least 3 years actively managing projects relevant to the types of projects eligible for funding in the applicable WWRP category. "Actively managing projects" means performing the tasks necessary to manage an on-the-ground habitat conservation project, such as negotiating for acquisition of property rights, closing on an acquisition, developing and implementing management plans, designing and implementing projects, securing and managing the necessary funds regardless of fund source, and other tasks.</p> | <p>Pros</p> <p>Extends existing policy already approved by the board.</p> <p>Applies the same requirements for all categories in the Habitat Conservation Account.</p> <p>Uses the term in state law to describe nonprofits.</p> <p>Cons</p> <p>Requires nonprofits applying in Critical Habitat, Natural Areas, and Urban Wildlife Habitat to meet an additional eligibility requirement.</p> |

Planning Requirements

With the removal of the Riparian Protection Account and the creation of the Riparian Habitat category in the Habitat Conservation Account, the planning requirements need to be reconciled. The reason is that there are expanded planning options in the Riparian Habitat category only. Consistency in all the categories of the Habitat Conservation Account is preferred.

To be eligible for a grant in the Habitat Conservation Account, an applicant must submit a comprehensive habitat conservation plan that has been adopted by the organization's governing body.⁶ When the Legislature created the Riparian Protection Account, the board applied the Habitat Conservation Account planning eligibility requirement to sponsors in this the new account. The policy is:

Planning Eligibility Requirement in the Habitat Conservation Account and Riparian Protection Account

To be eligible for a grant, the applicant must submit a comprehensive habitat conservation plan that has been adopted by the applying organization's governing body. Plans must be accepted by RCO by March 1 in even-numbered years. Once RCO accepts the plan, the applicant is eligible to apply for grants for up to 6 years from the date the applicant's organization adopted the plan. It is the applicant's responsibility to ensure that plans and documents are current. For further information, consult Manual 2, Planning Policies and Guidelines at www.rco.wa.gov/documents/manuals&forms/Manual_2.pdf.

In 2010, the board expanded the planning options in the Riparian Protection Account for nonprofits to include other types of planning efforts. The reason was to allow some flexibility for nonprofits to adjust to the planning requirement. The expanded policy is:

Expanded Planning Options for Nonprofits for the Riparian Protection Account

Nonprofit conservancy corporations or associations must meet the planning requirements in WAC 286-27-040 for the riparian category. To meet the planning requirement, corporations or associations must do one of the following:

- 1. Submit a corporate or association developed plan that meets the planning requirements in WAC 286-27-040; OR*
- 2. Submit a shared jurisdiction plan that meets the planning requirements in WAC 286-27-040; OR*
- 3. Submit a cooperative plan that meets the planning requirements in WAC 286-27-040;; OR*
- 4. Certify that the corporation or association has published a plan or document that has been accepted or incorporated into a plan or program managed by a public agency for public purposes. For example, an "ecoregional assessment" accepted or incorporated by the Washington Department of Fish and Wildlife or the Biodiversity Council or other public agency would meet this requirement.*

In the expanded options above, 1, 2, and 3 are part of the planning guidance in Manual 2, *Planning Policies and Guidelines* and therefore included by reference in the planning requirements for the Habitat Conservation Account.

Today, option 4 is not used. Nonprofits are meeting the planning requirement by submitting plans that meet options 1, 2 or 3 that are part of the planning guidance in Manual 2, *Planning Policies and Guidelines*. Therefore, staff recommends the board rescind the expanded planning option for nonprofits for riparian projects. The planning requirement in the Habitat Conservation Account would remain and apply to all sponsors. Options 1, 2 or 3 would remain in the planning guidance in Manual 2.

⁶ Resolution 2006-04

Resolution 2016-13 includes action to rescind the expanded planning option from the Riparian Protection Account.

Definition of Farmland in the Farmland Preservation Category

SSB 6227 expanded the types of farmland eligible for funding in the Farmland Preservation category to include lands that meet the definition of "Farms and Agricultural Conservation Land" in the Open Space Tax Act. This change in the law requires the board to update its policy on Parcels Eligible in the WWRP Farmland Preservation category. The proposed change affects the definition of farmland only. The rest of the policy is not affected.

See Attachment B for the revised policy language. Adoption of Attachment B is the board action in Resolution 2016-14.

Statewide Significance in the Evaluation Criteria

SSB 6227 revised the question in the evaluation criteria on statewide significance. The law removes reference to local agency sponsors addressing a project's statewide significance in the Critical Habitat category. The effect of the change is that all applications in the Critical Habitat, Natural Area, and Urban Wildlife Habitat categories must address how the project has statewide significance.

To make this adjustment, staff proposes the board apply the existing questions about statewide significance in the Critical Habitat category to the other two categories. The questions would be added to criteria #1 *Ecological and Biological Characteristics* in the subsection on *The Bigger Picture*. This is the same placement of the questions as in the Critical Habitat category.

The questions on statewide significance are:

- What is the statewide significance of the project site?
- Does it meet priorities identified in a state plan?
- What elevates this site to a state significance level in addition to needs identified for the local community?

See Attachment C for the proposed change to the evaluation question #1 in the Critical Habitat, Natural Area, and Urban Wildlife Habitat categories. For reference, the full set of evaluation criteria is in [Manual 10b, Washington Wildlife and Recreation Program, Habitat Conservation and Riparian Protection Accounts](#).

Adoption of Attachment C is included in Resolution 2016-15.

Strategic Plan Link

Revising the board's policies and evaluation criteria addresses Goals 1, 2 and 3 in the board's *Strategic Plan*.

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Next Steps

Should the board approve the proposed changes to policies, they will apply to grant proposals starting in immediately in 2016.

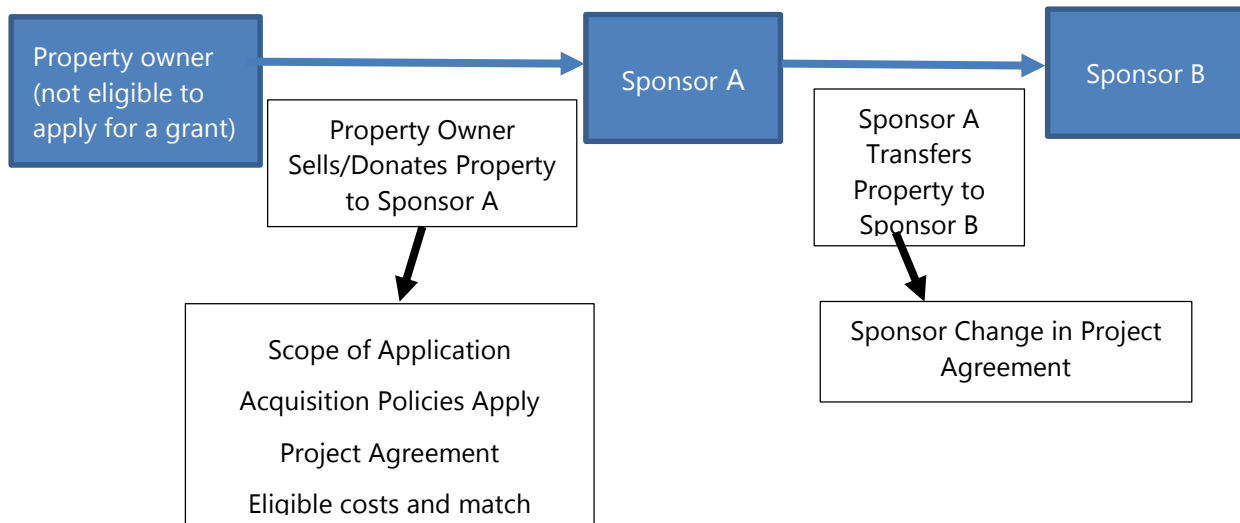
Attachments

- A. Acquisition Policies, Policies on Eligible Nonprofits and Planning Requirements and Resolution 16-13
- B. Definition of Farmland in the Farmland Preservation Category and Resolution 2016-14
- C. Statewide Significance in the Evaluation Criteria and Resolution 2016-15

5. Property Transfers among Eligible Sponsors

- An eligible sponsor may apply for a grant with the understanding they intend to transfer the property to another eligible sponsor. A sponsor may transfer property to another eligible sponsor after both parties request an amendment to the project agreement to change sponsors and the amendment is signed by RCO and both the original sponsor and the new sponsor. The new sponsor becomes responsible for complying with the terms of the project agreement. See Diagram 2 below for how to structure the application for property transfers.

Diagram 2 – Property Transfers



Partial Transfers

- An eligible sponsor that intends to transfer property to another eligible sponsor but will retain any portion of the property rights, including any rights or encumbrances such as a covenant or conservation easement, must remain as a sponsor to the project agreement. The sponsor receiving property rights must be added as a sponsor to the project agreement with an amendment signed by RCO and both the original sponsor and the new sponsor. Alternatively, RCO may issue a new project agreement to the sponsor receiving property for the portion of the property transferred. This ensures that the complete bundle of rights acquired with a grant continues to be protected by the terms of a project agreement.

Policy on Eligible Nonprofits

The following policy applies to any nonprofit nature conservancy that seeks to apply for grant funds from the Habitat Conservation Account.

6. Eligible Nonprofits – Existing Policy Applied to the Habitat Conservation Account

Nonprofit nature conservancies must meet the following eligibility requirements:

- Be registered in the State of Washington as a nonprofit as defined by Revised Code of Washington 84.34.250, and
- Consistent with Revised Code of Washington 24.03.220, 24.03.225, and 24.03.230, identify a successor organization fully qualified to ensure management continuity of any WWRP grants received by the organization; and
- Demonstrate at least 3 years actively managing projects relevant to the types of projects eligible for funding in the applicable WWRP category. "Actively managing projects" means performing the tasks necessary to manage an on-the-ground habitat conservation project, such as negotiating for acquisition of property rights, closing on an acquisition, developing and implementing management plans, designing and implementing projects, securing and managing the necessary funds regardless of fund source, and other tasks.

**Recreation and Conservation Funding Board
Resolution 2016-13
Update to Acquisition Policies
And
Nonprofit Eligibility in the Habitat Conservation Account**

WHEREAS, pursuant to RCW 79A.15.060, the Recreation and Conservation Funding Board (board) administers and approves policies that govern the Washington Wildlife and Recreation Program (WWRP) Habitat Conservation Account and sets evaluation criteria for grant applications; and

WHEREAS, the Legislature amended RCW 79A.15.040 to allow nonprofit nature conservancies to compete for grants in the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories in the Habitat Conservation Account; and

WHEREAS, the board has adopted policies regarding policies regarding the types of acquisition projects that are eligible and ineligible for funding;

WHEREAS, the addition of nonprofit nature conservancies has raised some issues on how to apply the board's acquisition policies on ineligible projects; and

WHEREAS, the types of partnerships and property transfers in an acquisition project needs to be formalized to provide transparency; and

WHEREAS, the board seeks to foster partnerships among sponsors to achieve the goals of the Habitat Conservation Account; and

WHEREAS, the board also has nonprofit eligibility requirements for grants in the Farmland Preservation and Riparian Protection categories; and

WHEREAS, the board has planning requirements in the Habitat Conservation Account and Riparian Protection Account which are different;

NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt revisions to the acquisition policies as described in Attachment A; and

BE IT FURTHER RESOLVED, that the Recreation and Conservation Office (RCO) Director may issue Waivers of Retroactivity on properties already owned by nonprofit nature conservancies as if they were eligible sponsors the past four years; and

BE IT FURTHER RESOLVED, that the board adopt policy for nonprofit eligibility in the WWRP Habitat Conservation Account as described in Attachment A; and

BE IT FURTHER RESOLEVED, that the board rescinds the planning eligibility requirements for nonprofit nature conservancies adopted in resolution 2010-08; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes in the appropriate policy manuals with language that reflects the policy intent; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to implement these policies changes beginning with the 2016 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Attachment B**Proposed Change to Definition of Farmland**

The following change to the definition of farmland reflects changes in state law.

7. Parcels Eligible in the WWRP Farmland Preservation Category

This policy applies to each parcel included in a grant application to the WWRP Farmland Preservation category.

1. State Law Defines "Farmland" in WWRP⁷ the Same as "Farm and Agricultural Land" or "Farm and Agricultural Conservation Land" in the Open Space Tax Act.⁸

The director will ensure each parcel protected with funds from the WWRP Farmland Preservation Account meets the definition of farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act.

2. Applicants Must Provide Documentation that Parcels Meet Eligibility Requirements.

Applicants must provide documentation that each parcel in a grant application is classified as farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act. Acceptable forms of documentation are a written document from the county assessor, a current property tax notice, or a recent title report that shows the classification as an encumbrance on the property. The director relies on documentation provided by the applicant to make a determination of eligibility.

If a parcel is not classified as farm and agricultural land or farm and agricultural conservation land, an applicant may seek an informal or preliminary determination from the county assessor that the parcel could be classified as farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act. Acceptable documentation are a letter from the county assessor or the county assessor's approval of an application for farm and agricultural land or farm and agricultural conservation land classification.

The property owner is not required to participate in the Open Space Tax Act. However, meeting the definition of farm and agricultural land or farm and agricultural conservation land is required for the life of the conservation easement as stated in section 3 of this policy.

3. Eligibility is Determined at the Application Due Date.

To be eligible for grant funding, the applicant must demonstrate that each parcel in the grant application meets the definition of farm and agricultural land or farm and agricultural conservation land in the Open Space Tax Act by the application due date. The director may extend the deadline up until the date of the Recreation and Conservation Funding Board meeting when it approves the ranked list of projects. Parcels must continue to meet the definition of farm and agricultural land or farm and agricultural conservation land for the life of the conservation easement.

⁷ RCW 79A.15.010(4)

⁸ RCW 84.34.020(2)

**Recreation and Conservation Funding Board
Resolution 2016-14
Washington Wildlife and Recreation Program
Definition of Farmland in the Farmland Preservation Category**

WHEREAS, pursuant to RCW 79A.15.130, the Recreation and Conservation Funding Board (board) administers and approves policies that govern the Washington Wildlife and Recreation Program Farmland Preservation category and sets evaluation criteria for grant applications, and

WHEREAS, the Legislature amended the definition of farmland in RCW 79A.15.010 to include "Farm and Agricultural Conservation Land" in the Open Space Tax Act, and

WHEREAS, board policy on eligible parcels in the Farmland Preservation category includes reference to the definition of farmland which is outdated due to the changes made by the Legislature;

NOW, THEREFORE BE IT RESOLVED, that the board adopts a revised policy on eligible parcels in the Farmland Preservation category to update the definition of farmland as described in Attachment C, and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes in the appropriate policy manuals with language that reflects the policy intent; and

BE IT FURTHER RESOLVED, that these policies shall be effective beginning with the 2016 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Attachment C

Proposed Changes to Evaluation Question #1 for the Critical Habitat, Natural Areas, and Urban Wildlife Habitat Criteria

The following changes to evaluation question #1 reflect a change in state law regarding statewide significance.

Critical Habitat Category

1. Ecological and Biological Characteristics

Why is the site worthy of long-term conservation?⁹

“Paint a picture” of your project for the evaluators – the what, where, and why. This is the “heart” of your presentation and evaluators will draw conclusions based on the information presented about the quality and function of the habitat and the demonstrated need to protect it for fish and wildlife.

The Bigger Picture

How is this project supported by a current plan (i.e., species management population plan, habitat conservation, local, conservation futures, watershed, statewide, agency, or conservation), or a coordinated region-wide prioritization effort? What is the status of the plan? Does this project assist in implementation of a local shoreline master program, updated according to Revised Code of Washington 90.58.080 or local comprehensive plans updated according to Revised Code of Washington 36.70A.130? What process was used to identify this project as a priority? What specific role does this project play in a broader watershed or landscape picture? Is it part of a phased project? Is it a stand-alone site or habitat? For Water Resource Inventory Areas 1-19, how is the project referenced in the *Action Agenda* developed by the Puget Sound Partnership? The *Action Agenda* can be found online at www.psp.wa.gov. Evaluators should ignore this question for projects outside Water Resource Inventory Areas 1-19.

~~Local agencies only:~~ What is the statewide significance of the project site? Does it meet priorities identified in a state plan? What elevates this site to a state significance level in addition to needs identified for the local community?

Uniqueness and Significance

Explain how the site is unique or significant on a global, regional, state, ecosystem, and/or watershed level. How unique is the site in relation to habitat quality, connectivity, diversity, and rarity? How is the site important in providing critical habitat or biological function for wildlife species or communities? How does this site compare to others of the same type?

Fish and Wildlife Species or Communities

Which, if any, are the target species or communities¹⁰? (Target species may or may not be special status species.) Are the target species or communities geographically isolated to this particular site?

⁹ Revised Code of Washington 79A.15.060 (6)(a)(iii, v - vii, xi, xiv); (6)(b)(ii)

¹⁰ A target species or community is the project’s primary objective for protection and stands to gain the greatest benefit from the acquisition. For example, a project’s primary objective may be to acquire and protect high quality shrub-steppe. This is the “target community” but that community also provides important habitat for shrub-steppe-

Explain the condition of the population of target species. Which species have the potential and likelihood to use the site in the future and will reintroduction occur naturally or otherwise?

Quality of Habitat

Describe the ecological and biological quality of the habitat. What specific role does the habitat play in supporting the species or communities using the site? How is this habitat important in providing food, water, cover, connectivity, and resting areas? Are the size, quality, and other characteristics of the habitat adequate to support the target species or communities within the context of the project areas? Has the habitat or characteristics of the site been identified as limiting factors or critical pathways to the target species and communities?

▲ Maximum Points = 20

Revised ~~February~~ April 2016

Natural Areas Category

1. Ecological and Biological Characteristics

Why is the site worthy of long-term conservation?¹¹

"Paint a picture" of your project for the evaluators – the what, where, and why. This is the "heart" of your presentation and evaluators will draw conclusions based on the information presented about the *quality and function of the plant community, habitat*, or other unique geological or natural historical features, and the *demonstrated need to protect* it.

The Bigger Picture

How is this project supported by a current plan (i.e., Natural Heritage Plan, habitat conservation, local, watershed, statewide, or species/community management or recovery plans), or a coordinated region-wide prioritization effort? What is the status of the plan?

Does this project assist in implementation of a local shoreline master program, updated according to Revised Code of Washington 90.58.080 or local comprehensive plans updated according to Revised Code of Washington 36.70A.130? What process was used to identify this project as a priority? What specific role does this project play in a broader watershed or landscape picture? Is it part of a phased project? Is it a stand-alone site or habitat?

For Water Resource Inventory Areas 1-19, how is the project referenced in the *Action Agenda* developed by the Puget Sound Partnership? The *Action Agenda* can be found online at www.psp.wa.gov. Evaluators should ignore this question for projects outside Water Resource Inventory Areas 1-19.

What is the statewide significance of the project site? Does it meet priorities identified in a state plan? What elevates this site to a state significance level in addition to needs identified for the local community?

dependent species.

¹¹Revised Code of Washington 79A.15.060 (6)(a)(iii, v - vii, xi); (6)(b)(ii)

Uniqueness and Significance

Explain how the site is unique or significant on a global, regional, state, ecosystem, and/or watershed level.

- How unique is the site in relation to habitat quality, connectivity, diversity, and rarity?
- How is the site important to the target species and/or communities? Are the target species and/or communities geographically isolated to this particular site?
- How does this site compare to others of the same type?

Species or Communities

What significant species and/or communities currently exist on, or use the site? Which, if any, are the target species and/or communities? (*"Target species or communities" may or may not be special status species.*)

- Describe the community type(s) and explain the relative condition of the population of target species and/or communities.
- Which species and/or communities have the potential and likelihood to use the site in the future and will reintroduction occur naturally or otherwise?

Quality of Habitat or Natural Features

Describe the ecological and biological quality of the site and how it supports the species or communities present.

- Describe how this site represents a native ecosystem, or, its rarity in relation to other types. Describe how this site has retained, to a significant degree, its natural character.
- Are the size, quality, and other site characteristics adequate to support the target species or communities within the context of the project area?
- Has the habitat or characteristics of the site been identified as limiting factors or critical pathways to the target species/communities?

▲ Maximum Points=20

Revised April ~~2006~~ 2016

Urban Wildlife Habitat

1. Ecological and Biological Characteristics

Why is the site worthy of long-term conservation?

"Paint a picture" of the project site for the evaluators – the what, where, and why. This is the heart of your presentation and evaluators will draw conclusions based on the information presented about the quality and function of the habitat and the demonstrated need to protect it for fish and wildlife.

The Bigger Picture

How is this project supported by a current plan (i.e., local, watershed, statewide, agency, habitat conservation, open space, or species management plans), or a coordinated region-wide prioritization effort? What is the status of the plan?

- Does this project assist in implementation of a local shoreline master program, updated according to Revised Code of Washington 90.58.080 or local comprehensive plans updated according to Revised Code of Washington 36.70A.130?
- What process was used to identify this project as a priority?
- What specific role does this project play in a broader watershed or landscape picture? Is it part of a phased project? Is it a stand-alone site or habitat?
- For Water Resource Inventory Areas 1-19, how is the project referenced in the *Action Agenda* developed by the Puget Sound Partnership? The *Action Agenda* can be found online at www.psp.wa.gov. Evaluators should ignore this question for projects outside Water Resource Inventory Areas 1-19.
- What is the statewide significance of the project site? Does it meet priorities identified in a state plan? What elevates this site to a state significance level in addition to needs identified for the local community?

Uniqueness or Significance of the Site

Explain how the site is unique or significant in the regional, ecosystem, watershed, or urban growth area.

- How unique is the site in relation to habitat quality, connectivity, diversity, and rarity?
- How is the site important in providing critical habitat or biological function for wildlife species or communities?
- How does this site compare to others of the same type?

Fish and Wildlife Species and or Communities

What significant species or communities use the site?

- Which, if any, are the target species or communities?¹² Target species may or may not be special status species.
- Are the target species or communities geographically isolated to this particular site? Explain the condition of the population of target species.
- Which species have the potential and likelihood to use the site in the future and will reintroduction occur naturally or otherwise?

Quality of Habitat

Describe the ecological and biological quality of the habitat.

- What specific role does the habitat play in supporting the species or communities using the site?
- How is this habitat important in providing food, water, cover, connectivity, and resting areas?
- Are the size, quality, and other characteristics of the habitat adequate to support the target species or communities within the context of the project area?

¹²A target species or community is the project's primary objective for protection and stands to gain the greatest benefit from the acquisition. For example, a project's primary objective may be to acquire and protect high quality shrub-steppe. This is the "target community," but that community also provides important habitat for shrub-steppe-dependent species.

- Has the habitat or characteristics of the site been identified as limiting factors or critical pathways to the target species/communities?

▲ Maximum Points=20

Revised April ~~2006~~2016

**Recreation and Conservation Funding Board
Resolution 2016-15
Washington Wildlife and Recreation Program
Critical Habitat, Natural Areas, and Urban Wildlife Habitat Evaluation Criteria**

WHEREAS, the Revised Code of Washington (RCW) 79A.15 authorizes the Recreation and Conservation Funding Board (board) to adopt evaluation criteria for the Washington Wildlife and Recreation Program (WWRP) Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories, and

WHEREAS, the Legislature amended the evaluation criteria for the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories to include all projects addressing a question on statewide significance, and

WHEREAS, the Critical Habitat category includes questions on statewide significance that can be applied to the other categories;

NOW, THEREFORE BE IT RESOLVED, that the board adopts revised evaluation criteria for the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories as described in Attachment C, and

BE IT FURTHER RESOLVED that the board directs Recreation and Conservation Office staff to incorporate these changes in the appropriate policy manual; and

BE IT FURTHER RESOLVED that these policies shall be effective beginning with the 2016 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Upcoming Requests for Direction in July for October Decisions for WWRP

Prepared By: Leslie Connelly, Natural Resource Policy Specialists

Summary

This memo outlines the plan to incorporate changes into the Washington Wildlife and Recreation Program for the remainder of this year. The plan includes:

- Funding allocations in the Local Parks and State Parks categories,
- Funding allocation in the Urban Wildlife Habitat category, and
- Forest Land Preservation Category policies and evaluation criteria.

Staff will prepare draft policies for consideration by the Recreation and Conservation Funding Board (board) in July and final policies for the board's action in October. Staff will seek public comment at various points along the way.

Board Action Requested

This item will be a:

| | |
|-------------------------------------|-----------------------|
| <input type="checkbox"/> | Request for Decision |
| <input type="checkbox"/> | Request for Direction |
| <input checked="" type="checkbox"/> | Briefing |

Background

Substitute Senate Bill 6227 (SSB 6227) makes changes to the Washington Wildlife and Recreation Program (WWRP) which must be implemented this year. Specifically, the bill includes requirements to:

- Allow nonprofit nature conservancies to be eligible for grant funding May 2, 2016;
- Apply the new funding allocation percentages to the list of projects submitted to the Legislature by November 1, 2016; and
- Provide a prioritized list of projects for the Forest Land Preservation category by November 1, 2017.

The first item regarding nonprofit nature conservancies (nonprofits) is addressed in Item 7B of this April 2016 board meeting. However, the funding allocation previously adopted by the Recreation and Conservation Funding Board (board) for the Urban Wildlife Habitat category does not include nonprofits and needs to be revised for this year's grant cycle.

Implementation Plan for 2016

To accomplish the requirements in the new law, the implementation plan includes:

- Funding allocations in the Local Parks and State Parks categories;
- Funding allocation in the Urban Wildlife Habitat category; and
- Forest Land Preservation Category policies and evaluation criteria.

Funding Allocations in the Local Parks and State Parks Categories

The new law provides the board some flexibility to allocate funds between acquisition and development projects in the Local Parks and State Parks categories. Specifically, the law says:

"Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least forty percent but no more than fifty percent of the money for acquisition costs."

"Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least forty percent but no more than fifty percent of the money for acquisition costs."

The board will need to decide at its October 2016 meeting how much funding to allocate within the range stipulated in the law. The board will approve the prioritized list of projects in these categories in October as well.

Funding Allocation in the Urban Wildlife Habitat Category

The new law adds nonprofits as eligible sponsors to the Urban Wildlife Habitat category. The funding allocation previously adopted by the board does not include an allocation to nonprofits. The funding allocation¹ is:

- 40% to local agencies and Native American tribes
- 40% to state agencies
- 20% to fully fund partially funded local agency and Native American tribe projects, then fully fund partially funded state agency projects, and finally apply any remaining funds to the next highest ranked project(s), regardless of sponsor. Funds remaining, due to an insufficient number of applications by either local agency, Native American tribe, or state agency sponsors, will be awarded to the next highest ranked project(s) regardless of sponsor.

The board will need to decide at its October meeting how to allocate funding in the Urban Wildlife Habitat category, given the addition of nonprofits as eligible sponsors. The board will approve the prioritized list of projects in this category in October as well.

Forest Land Preservation Category Policies and Evaluation Criteria

The new law creates a new grant category called Forest Land Preservation category and requires the board to provide a ranked list of projects by November 1, 2017 as part of the supplemental capital budget request. To achieve this deadline, staff recommends the board establish a grant policies and evaluation criteria this year and an application cycle in 2017.

¹ Resolution 2008-06

To meet the legislative deadline, staff will draft materials for the board's review at the July meeting and final policies and evaluation criteria at the October meeting. Staff will work with a soon-to-be-created advisory committee and stakeholders to develop the draft materials. Formal public comment is planned for August.

Below is a list of implementation actions needed to develop the Forest Land Preservation category this year.

Implementation Actions for the Forest Land Preservation Category

- Create and recruit for an advisory committee
- Conduct stakeholder and public outreach
- Develop program requirements including sponsor planning requirements, nonprofit eligibility requirements, geographic envelope of applications, eligible and ineligible costs, eligible and ineligible projects, public access, cultural resources, ecosystem services opportunities, hazardous substances, scope changes, access fees, utilities, harvest regimes, fish passage, baseline inventory, and stewardship plan.
- Develop grant request maximum and minimum limits
- Develop evaluation process
- Develop evaluation criteria
- Develop compliance policies
- Develop conservation easement template
- Develop administrative rules in the Washington Administrative Code

After the board adopts the grant policies and evaluation criteria, implementation of the grant cycle can begin. Staff proposes the board launch a grant cycle in early 2017 to receive applications in preparation for the prioritized list of projects due to the Governor and Legislature November 1, 2017. A full implementation schedule is included in Item 7A of these meeting materials.

Strategic Plan Link

Developing and implementing the new Forest Land Preservation category addresses Goals 1, 2 and 3 in the board's *Strategic Plan*.

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Next Steps

Staff will proceed with developing the Forest Land Preservation category and provide draft materials for the board's consideration at its July 2016 meeting.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016
Title: Land and Water Conservation Fund: Legacy Program Nationwide Competition
Prepared By: Marguerite Austin, Recreation and Conservation Section Manager

Summary

This memo summarizes the National Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program and provides an overview of the applications submitted in 2016. The Recreation and Conservation Funding Board (board) delegated authority to the director to approve projects for submittal to the national competition following review and ranking by the advisory committee. The April 2016 board meeting provides an opportunity for board review of the applications in an open public meeting.

Board Action Requested

This item will be a:

| | |
|-------------------------------------|-----------------------|
| <input type="checkbox"/> | Request for Decision |
| <input type="checkbox"/> | Request for Direction |
| <input checked="" type="checkbox"/> | Briefing |

Background

The federal Land and Water Conservation Fund (LWCF) provides matching grants to states to preserve and develop quality outdoor recreation resources. Rules governing the program are in the [Land and Water Conservation Fund Federal Financial Assistance Manual](#). The National Park Service (NPS) announced plans in March 2016 for the national competitive grant program. Congress set aside an appropriation of \$15 million and each state has been given an opportunity to submit two projects for consideration.

The National Land and Water Conservation Fund Outdoor Recreation Legacy Partnership (ORLP) Program is for projects designed to acquire or develop outdoor recreation sites in large urban areas (population of 50,000 or more). The NPS will prioritize projects that:

- Address recreational deficiencies for urban neighborhoods
- Demonstrate unique features that are innovative and transformative
- Engage residents in the project's development
- Have experienced sponsors or partners who have successfully completed similar projects
- Improve recreation service to minorities, youth, or low to moderate income individuals or families
- Involve partnerships that leverage non-public resources that exceed the 1:1 match level
- Provide clear and detailed budgets with secured match, and
- Will be implemented and open to the public within two to three years.

In addition to the objectives listed above, projects have to clearly advance the goals or meet needs identified in their respective State's Comprehensive Outdoor Recreation Plan (SCORP).

NPS first offered this program in 2014. They made plans to offer it again in 2015 and encouraged states to begin soliciting proposals. The modifications, however, took longer than expected so the announcement

was delayed until this spring. This table below provides a summary of the eligibility requirements for this grant cycle.

| | |
|--------------------------------------|--|
| Eligible Applicants | State and local governments (cities, counties, park districts, port districts, special purpose districts) and federally recognized Native American tribes. |
| Eligibility Requirements | <p>Eligible applicants must:</p> <ul style="list-style-type: none"> • Establish planning eligibility • Represent a jurisdiction of at least 50,000 people, and • Be named as one of the 497 urbanized areas delineated by the Census Bureau or be a jurisdiction that lies geographically within one of the delineated urbanized areas. <p>If the project sponsor is a state agency, the project must serve one or more of the urbanized area jurisdictions as described above.</p> |
| Eligible Project Types | Acquisition, development, and renovation projects. |
| Match Requirements | At a minimum, grant recipients must provide a 1:1 match from state, local or private sources. |
| Fund Limits¹ | <p>Minimum grant request: \$250,000 per project</p> <p>Maximum grant request: \$750,000 per project, less RCO's indirect rate</p> <p>The cost estimate defines the maximum federal share. This policy is to prevent scope changes that might alter the competitive nature of the project. In other words, no cost increases.</p> |
| Public Access | Required for the whole (e.g., entire park) project area. |
| Other Program Characteristics | <ul style="list-style-type: none"> • Property acquired must be developed within three years. • Project sponsors must record language against the deed of the assisted property stating the property acquired, developed, or renovated must be preserved for public outdoor recreation uses in perpetuity. • The conversion rules found in section 6(f)(3) of the Land and Water Conservation Act applies. |

NPS made the following changes for this cycle:

- Clarified that eligible applicants must represent a jurisdiction of at least 50,000 people;
- Revised the evaluation criteria; and
- Increased the minimum and maximum request limits (as shown in the table above).

In addition, NPS combined the funding for 2015 and 2016 and increased the amount of funds available to \$15 million compared to \$3 million in 2014.

2016 Grants Cycle

At the September 2015 board meeting, RCO asked the board to delegate authority to the director to select the projects for submission to the national competition, since early word was that the National Park Service intended to issue its federal funding opportunity notice between board meetings. Although the

¹ The new federal limits exceed the board-approved grant limits for the stateside LWCF program.

board delegated authority to the director, she has not used that authority since NPS further delayed issuance of grant notice.

States received word on March 9 that NPS is now accepting grant applications for the national competition in 2016. Unfortunately, NPS has set a very tight timeline. Applications must be submitted to NPS by May 20, 2016. To ensure applicants from the state of Washington have an opportunity to participate in this competition, RCO staff began soliciting grant applications in March. Organizations like the Association of Washington Cities and the Washington Recreation and Park Association worked to help RCO spread the news about this federal funding opportunity.

Applicants submitted three preliminary proposals by the March 31 due date. Staff is currently reviewing and assessing the applications to ensure they meet qualifications for the national competition. Applicants will be given an opportunity to revise their proposals, if needed, before the April 22 technical completion deadline. The director will then ask the LWCF advisory committee to review the federal evaluation criteria and rank the projects in terms of how well they meet the priorities outlined in the federal evaluation criteria. The committee's recommendation is due May 13. Applications are due to NPS one week later.

Although we have set a timeline so applicants can complete their applications before the board's April meeting, the LWCF advisory committee's review is not scheduled until the second week in May. Because of this tight timeline, the director will select projects for the National Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program once they have been reviewed and ranked by the advisory committee. As requested by the board, staff is providing this update and summary of the grant applications submitted for review in an open public meeting.

Strategic Plan Link

Consideration of submitting projects for this federal funding opportunity supports the board's strategy to provide funding to protect, preserve, restore, and enhance recreation opportunities statewide. The grant process supports the board's goal to achieve a high level of accountability in managing the resources and responsibilities entrusted to it.

Projects considered for the Outdoor Recreation Legacy Partnership Program support board adopted priorities in *Outdoor Recreation in Washington: The 2013 State Comprehensive Outdoor Recreation Plan*.

Next Steps

Staff will ask the LWCF Advisory Committee to review and rank projects for RCO's director consideration. The director will select the projects for submission to the National Park Service for the national completion. Staff will update the board on the projects selected and submitted for Washington State.

Attachments

A. Outdoor Recreation Legacy Partnership Project Synopsis

Outdoor Recreation Legacy Partnership Program Projects

| Number | Name | Sponsor | Grant Request | Match | Total Cost |
|---|--|--------------------|---------------|-----------|-------------|
| <u>16-1721</u> Development | Little Squalicum Park Estuary | City of Bellingham | \$500,000 | \$601,000 | \$1,101,000 |
| <p>Description: The City of Bellingham will use this grant to create a new estuary with adjacent recreational trails and interpretive signs in Little Squalicum Park. The goals of the project are to restore estuary habitat, a rare occurrence within existing urban environments, and provide the public with opportunities to observe, enjoy, and learn from this habitat type. Little Squalicum Park is located adjacent to high-density residential, institutional, and industrial lands. Historically, the land was for agricultural and industrial uses, including gravel mining. Recent clean-up efforts have removed historic contaminants and prepared the park for additional recreation and habitat uses.</p> <p>The primary habitat is a tidally influenced estuary that is in close proximity to the Nooksack River and Squalicum Creek. These streams support salmonid species including listed Chinook and steelhead. The estuary is expected to provide salmon rearing habitat. In addition, the estuary will provide increased nearshore and riparian vegetation in an urban environment that is likely to provide refuge and foraging opportunities to a variety of mammal and bird species.</p> <p>The project's primary recreational opportunity will be trails and interpretive signage. The estuary provides an opportunity for experiencing a natural shoreline environment within a highly developed landscape with limited natural landscapes and shoreline access.</p> | | | | | |
| <u>16-1731</u> Development | Riverfront Park Great Floods Regional Play Area | City of Spokane | \$750,000 | \$750,000 | \$1,500,000 |
| <p>Description: The City of Spokane will use this grant to develop a regional play area within Riverfront Park, which is located adjacent to the Spokane River in the Riverside Neighborhood. In 2014, the Spokane Park Board adopted the 2014 Riverfront Park Master Plan which looks to the future of the park as a vibrant expression of the region. Riverfront Park is the region's living heritage, connecting Spokane's historical roots and the city's natural beauty with its present culture. The plan outlines a vision for the Park for the next 20 years. It is comprehensive plan that documents a substantial public process. If developed in full the Master Plan would cost over \$100 million dollars to implement. One of the top three new attractions requested by the public is a destination playground.</p> <p>Plans are to develop a 1 to 1.5-acre playground as an outdoor learning and play experience that tells the story of how the Ice Age Floods shaped our region. Because of the dynamic nature of the Ice Age Floods and the rich imagery of its components, its story can be transformed into an exciting play environment that also offers rich, multi-dimensional learning opportunities. It aims to provide a completely interactive and fun way for children and adults to learn about our region's unique geologic history.</p> | | | | | |

| Number | Name | Sponsor | Grant Request | Match | Total Cost |
|---|--------------------------------------|--------------------------------------|---------------|-------------|-------------|
| <u>16-1695</u> Development | Swan Creek Park Trail Network | Metropolitan Park District of Tacoma | \$750,000 | \$4,500,000 | \$5,250,000 |

Description: The Metropolitan Park District of Tacoma will use this grant to continue the phased development of Swan Creek Park in Tacoma. Tacoma Metro will enhance and provide access to 3.65 miles of walking paths and 4.94 miles of trail for hiking and mountain biking. Development of this expanded network of trails will serve multiple user groups and provide connectivity to the newly-revitalized Salishan neighborhood, the planned eastside community center, and an existing regional trail. In addition to trails, the project will include parking, bridges, restroom, picnic shelter, site furnishings, and signs.

Swan Creek Park is an existing 383-acre natural area park on the east side of Tacoma. The eastside neighborhood is home to the most diverse population in Tacoma. The area has the second-lowest household median income in the city. Swan Creek Park is adjacent to Lister Elementary School and the planned community center, both of which serve diverse, low-income populations. The proposed improvements will allow Tacoma Metro to continue efforts to convert the existing road network for World War II housing into a natural outdoor recreation area that is universally accessible, while also providing the opportunity for visitors to immerse themselves in nature.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Follow-up on Definition of "Project Area" and Formation of a Committee

Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo is a request to form a special committee of the Recreation and Conservation Funding Board (board) to develop a recommendation on the definition of "project area." The term "project area" is used to delineate the area on the ground that is subject to long-term obligations for maintaining property acquired, developed, or restored with grant funds. If formed, the committee would consider options and make a formal recommendation to the board for a decision. The committee would meet once a month with the goal to recommend a definition at the October 2016 board meeting.

Board Action Requested

This item will be a: ☒ Request for Decision
☐ Request for Direction
☐ Briefing

Resolution: 2016-16

Background

Understanding the term "project area" is fundamental to how the Recreation and Conservation Office (RCO) administers grants on behalf of the Recreation and Conservation Funding Board (board). It affects where staff applies the board's policies on project lands. There needs to be a common understanding for RCO staff and the project sponsor on what is the "project area" that is subject to the project agreement.

"Project area" is a term used in state law¹, Washington Administrative Code², and board policy³. See [Item 7](#) from the April 2015 board meeting materials for more background information on the term "project area."

At the board's February 2016 meeting, staff presented examples of funded projects to illustrate options for a definition of "project area." The board provided the following feedback to staff:

- Develop a glossary of terms used in grant management that relate to geographic areas;
- Need to understand what are the biggest challenges for implementing a definition;
- Any definition of "project area" should include legal access;

¹ Revised Code of Washington 79A.15.110

² Washington Administrative Code 286-13-110

³ Conversion Policy, Resolution #2007-14

- More work needed to consult with project sponsors;
- Need to identify at what phase of the grant application and funding process the project area is described;
- May need to revisit the definition of “project area” adopted in April 2015 for the Youth Athletic Facilities Program; and
- One definition may not fit all project types.

Due to the extent of the questions and information gathering needed, members of the board suggested a committee be formed to discuss the above needs and to draft definition for consideration by the full board.

How to Form a Committee

Following Robert’s Rules of Order, the board may establish a committee to prepare preliminary work in preparation for board action. Committees are typically special or standing committees. Standing committees are formed for a definite timeframe. Special committees are appointed for a special purpose.

Committee membership may include up to four board members and may include other interested persons. The board appoints the chair of the committee or delegates appointment of a chair to the committee. The duty of the chair is to call the committee together.

Committee meetings are not official public meetings of the board unless the committee acts on the board’s behalf, conducts a hearing or takes testimony and public comment.

Staff Recommendation

Staff recommends the board form a special committee with the goal of the committee to develop a recommendation on the definition of “project area.”

Staff recommends the committee include three board members: two citizen members and one state agency member. Staff also recommends the committee include one member from a local agency sponsor such as a city, park district, or county parks department.

The committee should consider alternatives and make a formal recommendation to the board for a decision. The committee should meet once a month with the goal to make a recommendation at the October 2016 board meeting. The committee would follow the work plan described below.

Proposed Project Area Committee Work Plan

| Monthly Meeting | Meeting Topics |
|-----------------------|--|
| May 2016 | <ul style="list-style-type: none">• Review glossary of existing geographically-based terms.• Discuss challenges to implementing a “project area” definition. |
| June 2016 | <ul style="list-style-type: none">• Review examples from other states and the Salmon Recovery Funding Board.• Review existing board policies that may help inform the definition of “project area” such as phased projects, compliance, and income use.• Discuss approaches for different project types with different compliance periods. |
| July 2016 | <ul style="list-style-type: none">• Review examples from 2016 grant applications.• Scope the minimum requirements for “project area” such as the footprint of construction with legal access, area of recreation experience, and deed of right legal description. |
| August 2016 | <ul style="list-style-type: none">• Review draft definition of “project area.”• Provide feedback and discussion ideas on how to improve the draft. |
| September 2016 | <ul style="list-style-type: none">• Review final draft definition of “project area.”• Finalize recommendation to the board. |
| October 2016 | <ul style="list-style-type: none">• Make a recommendation to the board. |

Staff Recommendation

Staff requests that the board decide whether to create a Project Area Special Committee. If the committee is created, staff requests the board suggest members or volunteer their participation and allow the board chair to appoint members prior to the first committee meeting in May 2016.

Strategic Plan Link

Defining “project area” supports the board’s goal to achieve a high level of accountability in managing the resources and responsibilities entrusted to the board.

Attachments

A. Resolution 2016-16

**Recreation and Conservation Funding Board
Resolution 2016-16
Project Area Special Committee**

WHEREAS, the term "project area" is used to delineate the area on the ground that is subject to long-term obligations for maintaining property acquired, developed, or restored with grant funds from the Recreation and Conservation Funding Board (board), and

WHEREAS, there is a need to define "project area" so RCO staff and the project sponsor have a common understanding on what is the "project area" that is subject to the project agreement, and

WHEREAS, RCO staff has presented options for defining "project area" for the board's consideration at the April 2015 and February 2016 meetings and the board provided feedback on the need for more research and analysis; and

WHEREAS, at the February 2016 meeting, the board suggested forming a committee of the board to discuss options and to draft a definition for consideration by the full board;

NOW, THEREFORE BE IT RESOLVED, the board does hereby form a special committee on the term "project area". The special committee will review RCO staff research and analysis, options for consideration, and make a recommendation to the board on a final definition for "project area"; and

BE IT FURTHER RESOLVED, the chair of the board will appoint members to the special committee to include two citizen members of the board, one state agency member, and one member from a local agency sponsor such as a city, park district, or county parks department; and

BE IT FURTHER RESOLVED, the special committee will meet once a month with the goal to recommend a definition at the October 2016 board meeting.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Conversion Request: Okanogan County, Methow Valley Community Trail
RCO Project #97-1181AD

Prepared By: Myra Barker, Compliance Specialist

Summary

Okanogan County requests that the Recreation and Conservation Funding Board (board) approve a conversion of 1.44 acres located at the Mazama Trailhead. The conversion is due to a land exchange with an adjacent property owner.

Board Action Requested

This item will be a: ☒ Request for Decision
☐ Request for Direction
☐ Briefing

Resolution: 2016-17

Purpose of Resolution: Approve or deny the conversion.

Overview of the Board's Role and Applicable Rules and Policies

The subject of this memo is a proposed conversion of property acquired with a grant from the Washington Wildlife and Recreation Program (WWRP), Trails Category. The sponsor, Okanogan County, is requesting approval to convey property interests to a private landowner.

At the February 10, 2016 Recreation and Conservation Funding Board (board) meeting, staff provided a briefing on the proposed conversion and replacement.

The Role of the Board

Because local needs change over time, state laws and Recreation and Conservation Office (RCO) rules allow conversions of grant-funded projects if the project sponsor provides for adequate substitution or replacement as listed below.

The role of the Recreation and Conservation Funding Board (board) is to evaluate the practical alternatives considered for the conversion and replacement (including avoidance) and to consider whether the replacement property meets the requirements set in RCO administrative rules and policies. The board does not have the authority in statute to levy penalties or dictate the future use of the property being converted.

Applicable Policies and Rules

State law states that WWRP recreation land that was purchased with a board grant may not be converted to a use other than that originally approved without prior approval of the board. The board has adopted

policy that defines when a conversion occurs for an acquisition project, the appropriate replacement measures, and the steps that sponsors must take to request approval.

For the Methow Valley Community Trail project (RCO #97-1181AD), the proposed action is considered a conversion because property interests are being conveyed to a non-grant eligible private landowner.

Conversions in the Washington Wildlife and Recreation Program

In accordance with state law,¹ the board has adopted administrative rules for the WWRP to address a project sponsor's obligation to resolve a conversion for an acquisition project.² The applicable rules that apply to an acquisition project are as follows:

- All practical alternatives to the conversion have been evaluated and rejected, and
- The project sponsor will provide another interest in real property and/or facilities to serve as replacement. The replacement must:
 - Be of equivalent or greater usefulness and location;
 - If an acquisition project, be interests in real property of at least equal market value and public benefit at the time of replacement;
 - Be administered by the same project sponsor or successor unless otherwise approved;
 - Satisfy needs identified in the most recent plans on file at RCO related to the project sponsor's eligibility; and
 - Be eligible in the WWRP account or category of the original project unless otherwise approved.

Board Policies for All Conversions

In addition, the board has adopted policy that requires the project sponsor supply the following for any conversion³:

- A list and discussion of all alternatives for replacement or remediation of the conversion, including avoidance; and
- Evidence that the public has been given a reasonable opportunity to participate in the identification, development, and evaluation of alternatives. The minimum requirement is publication of notice and a 30-day public comment period.

Background

The project in question is RCO #97-1181AD, Methow Valley Community Trail, Phase 3.

| | | | |
|------------------------------|---|--|------------|
| Project Name: | Methow Community Trail Phase 3 | Project #: | 97-1181AD |
| Grant Program: | Washington Wildlife and Recreation Program, Trails Category | Board funded date: | March 1998 |
| WWRP Amount | \$196,000 | Original Purpose: This project acquired 11.83 acres and developed approximately 7 miles for a community trail. | |
| Project Sponsor Match | \$201,566 | | |
| Total Amount: | \$397,566 | | |

¹ RCW 79A.15.030(8)

² WAC 286-27-066

³ Manual 7, Section 2

Okanogan County acquired the subject property in 1998 as one of nineteen properties acquired for the Methow Community Trail, located between the Towns of Winthrop and Mazama. The property is located in Mazama near the junction of Lost River Road and Goat Creek Road (Attachment A). It is approximately 0.4 miles from Highway 20.

The conversion property is 1.44 acres of an approximately 2 acre undeveloped parcel (Attachment A). The county will retain 0.56 acres.

The Conversion

The conversion is being requested for a land exchange between a private landowner and the county. The exchange would provide for future development and expansion of the Mazama trailhead (Attachment C and D). The existing trailhead, located adjacent to the conversion area, consists of parking and a vault toilet. It is not large enough to provide adequate parking for trail users. When the new trailhead construction is completed there will be increased parking, picnic areas, pathways, a warming hut, and restrooms (Attachment D).

There is planned development for mixed commercial/residential structures on private property that is adjacent to Goat Creek Road and to the proposed replacement property. The area proposed for private development is identified on the trailhead site plan (Attachment D).

Details of Proposed Replacement Property

Location

The proposed replacement property is approximately 3.39 acres and is adjacent to the conversion property (Attachment B).

Property Characteristics

The proposed replacement property is relatively flat and an open grassy area (Attachment E).

Analysis

In summary, the board considers the following factors in addition to the scope of the original grant and the proposed substitution of land or facilities:

- All practical alternatives to the conversion have been evaluated and rejected on a sound basis.
- The fair market value of the converted property has been established and the proposed replacement property is of at least equal fair market value.
- Justification exists to show that the replacement property has at least reasonably equivalent utility and location.
- The public has opportunities for participation in the process.

Evaluation of Practical Alternatives

The Mazama trailhead serves as the primary access point to the 120 mile Methow Valley Community trail system. During the busiest winter and summer weekends, and holidays, trail users park on privately-owned property and along county roads.

The alternatives considered to conversion included:

- Continue trailhead parking on privately-owned property; access and availability is dependent upon private individuals allowing parking to take place and subject to closure at any time.
- Utilize the 2.0 acre funded property for parking; options for developing the property for trailhead use have been discussed for about 8 years; the site would need to be clear-cut and would provide a maximum parking for 50 vehicles. Developing the limited area would not provide sufficient parking. Additionally, clear cutting is not compatible with the Mazama community vision.
- Close the current trailhead and leave the 2-acre county property undeveloped. Parking would continue along the county road creating traffic issues and limiting access to the trail.
- Expand trailhead access in other locations. Access is limited throughout the Methow Community Trail network. Trail use is the greatest in the Mazama area and use is expected to continue to grow. Expanding other trailhead access is important but does not address the need in the Mazama area.

Evaluation of Fair Market Value

The conversion areas and replacement property have been appraised for fee title interests with market value dates that meet board policy. At the time of this memorandum preparation, the appraisal work has been partially completed. Staff will review of the appraisal documentation to insure compliance with board policy prior to the April meeting when the board will be asked to make a final decision on the conversion.

| | Conversion Property | Replacement Property | Difference |
|--------------|---------------------|----------------------|-------------|
| Market Value | \$138,000 | \$500,000 | +\$362,000 |
| Acres | 1.44 Acres | 3.39 Acres | +1.95 Acres |

Evaluation of Reasonably Equivalent Location

The replacement property is located adjacent to the conversion area.

Evaluation of Reasonably Equivalent Utility

The replacement property has similar characteristics as the conversion area. It is undeveloped open space consisting of natural vegetation. The replacement parcels will provide similar utility with future development planned for the property to function as a trailhead.

Evaluation of Public Participation

At the time of this memorandum preparation, the public comment period was underway. However, there have been several outreach efforts and opportunities for the public to comment on the proposed Mazama trailhead expansion project.

Discussion and planning for the Mazama trailhead began formally with community members and the Mazama Advisory Committee (MAC)⁴ in 2008. Subsequently, the MAC is involved in ongoing planning work being done by Methow Trails for the Mazama trailhead and support the proposed exchange.

⁴ MAC was officially created in 1984 when a group of citizens were appointed by Okanogan County officials to help develop planning recommendations for the Mazama area.

The following summarizes public outreach over the last year.

- March 2015: the conceptual site plan for the Mazama trailhead expansion was posted on the MAC website and the public was invited to provide comments on the plan.
- June 2015: Methow Trails held a public meeting on the proposed trailhead expansion project. Site plans were refined based upon the public comments that were received.
- December 7, 2015: the Okanogan County Commissioners met in regular session and discussed the Mazama trailhead, its history, and the proposed expansion and land exchange. The commissioners voted to proceed with the RCO conversion.
- March 10, 2016: an article appeared in the Methow Valley News advertising a public hearing on the proposed conversion and replacement scheduled for March 14 at the county commissioner's hearing room in Okanogan.
- March 14, 2016, the Okanogan County Commissioners held a public meeting to discuss the conversion details and requirements. The commissioners voted to accept a resolution that recommended the conversion proceed.

A public notice of the proposed conversion and replacement was published in the Omak Chronicle on March 30, 2016, noting a public meeting to be held on May 2, 2016, and of the opportunity for the public to provide comments on the exchange.

The public comment period will end on May 2, 2016.

Other Basic Requirements Met

Same Project Sponsor

The replacement property will be administered by the same project sponsor (Okanogan County).

Satisfy Needs in Adopted Plan

The replacement property satisfies an identified need in the 2012 Okanogan County Outdoor Recreation Plan for acquiring land for current and future trailhead users. The plan noted the current trailhead in Mazama is "regularly over-capacity on busy winter and summer weekends, holidays, and expansion or relocation is needed".

Eligible in the Funding Program

The replacement property is privately-owned and meets eligibility requirements.

Conversion Policy Requirements Met

RCO staff review the sponsor's conversion documentation and verify that all requirements are met. At the time of this memorandum preparation, the public comment period was underway and staff was awaiting receipt of the appraisal review reports.

At the time of this memorandum preparation, the status of the conversion documentation is:

Complete:

- ✓ Administered by same project sponsor
- ✓ Fulfill a need in the project sponsor's adopted plan
- ✓ Eligible as a project in the respective grant programs

In-progress:

- Appraisal review of the conversion property and of the replacement property
- Public opportunity to comment (30-day public comment period)

Next Steps

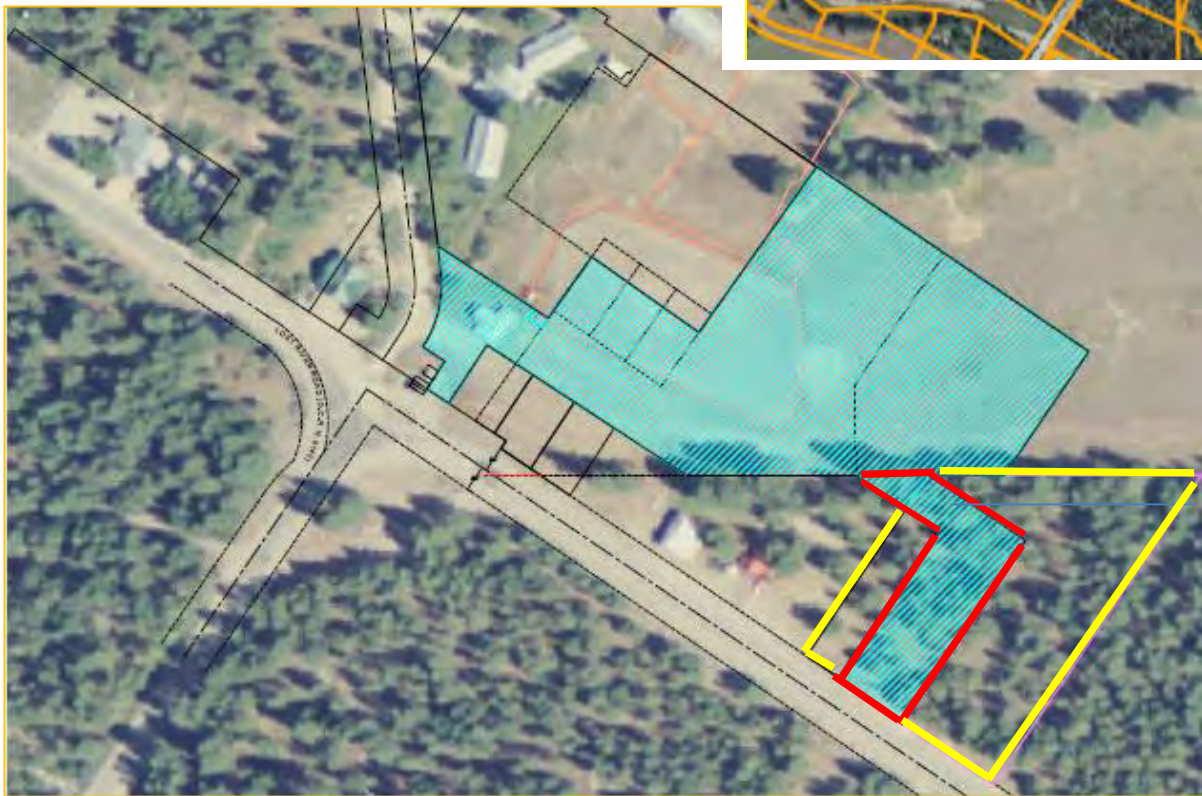
Staff is requesting the board delegate approval of the conversion to the RCO Director following completion of the remaining conversion documentation and process. Should any controversy arise from the public comments, further direction may be sought from the board.

Upon completion of the conversion process, staff will execute all necessary amendments to the project agreement, as directed.

Attachments

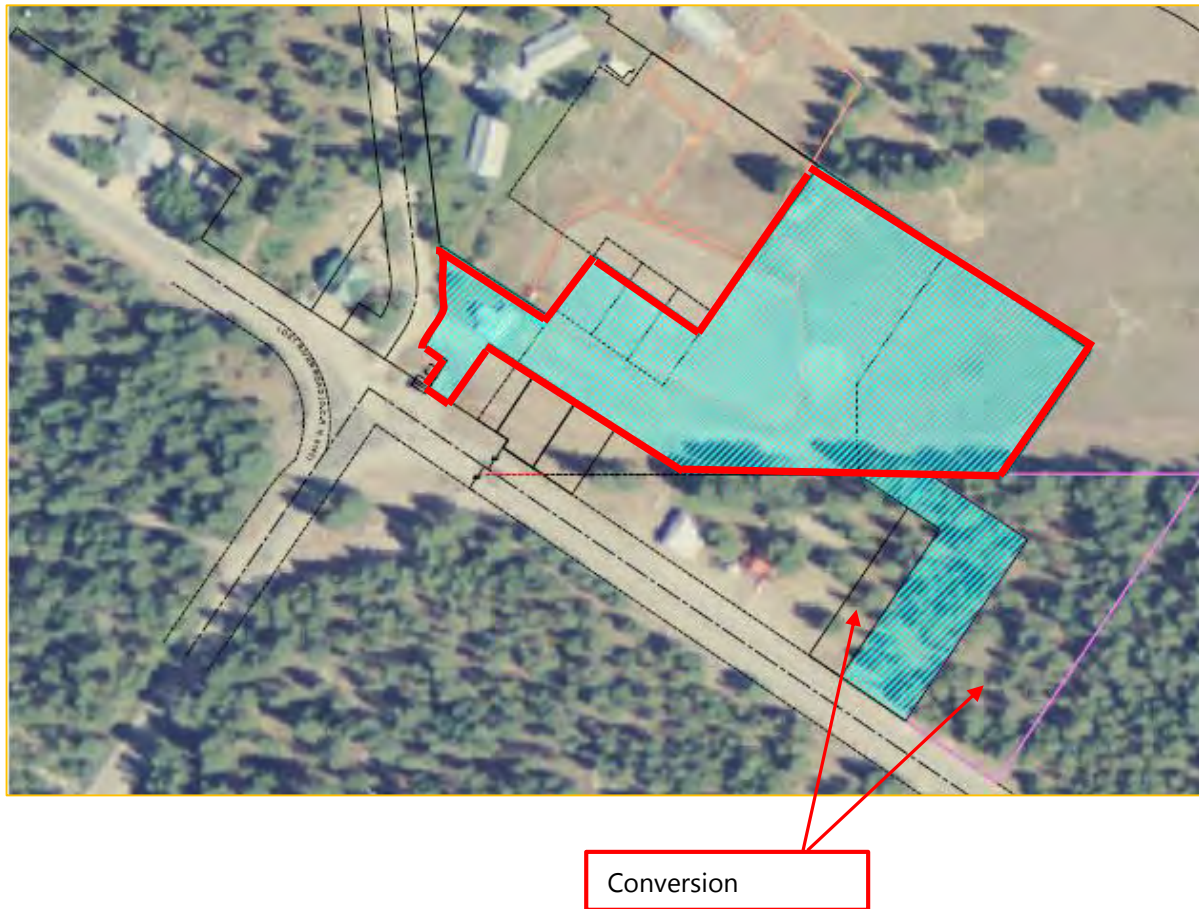
- A. Location and Aerial Parcel Maps of Conversion Property
- B. Aerial Map of Proposed Replacement Property
- C. Aerial Map of Trailhead Project Area After Conversion
- D. Trailhead Site Plan After Conversion
- E. Site Photos
- F. Resolution 2016-17

Attachment A: Location Map and Aerial Parcel Map of the Conversion Property



County Retains the Portion Outlined in Red; Exchanges Portion Outlined in Yellow

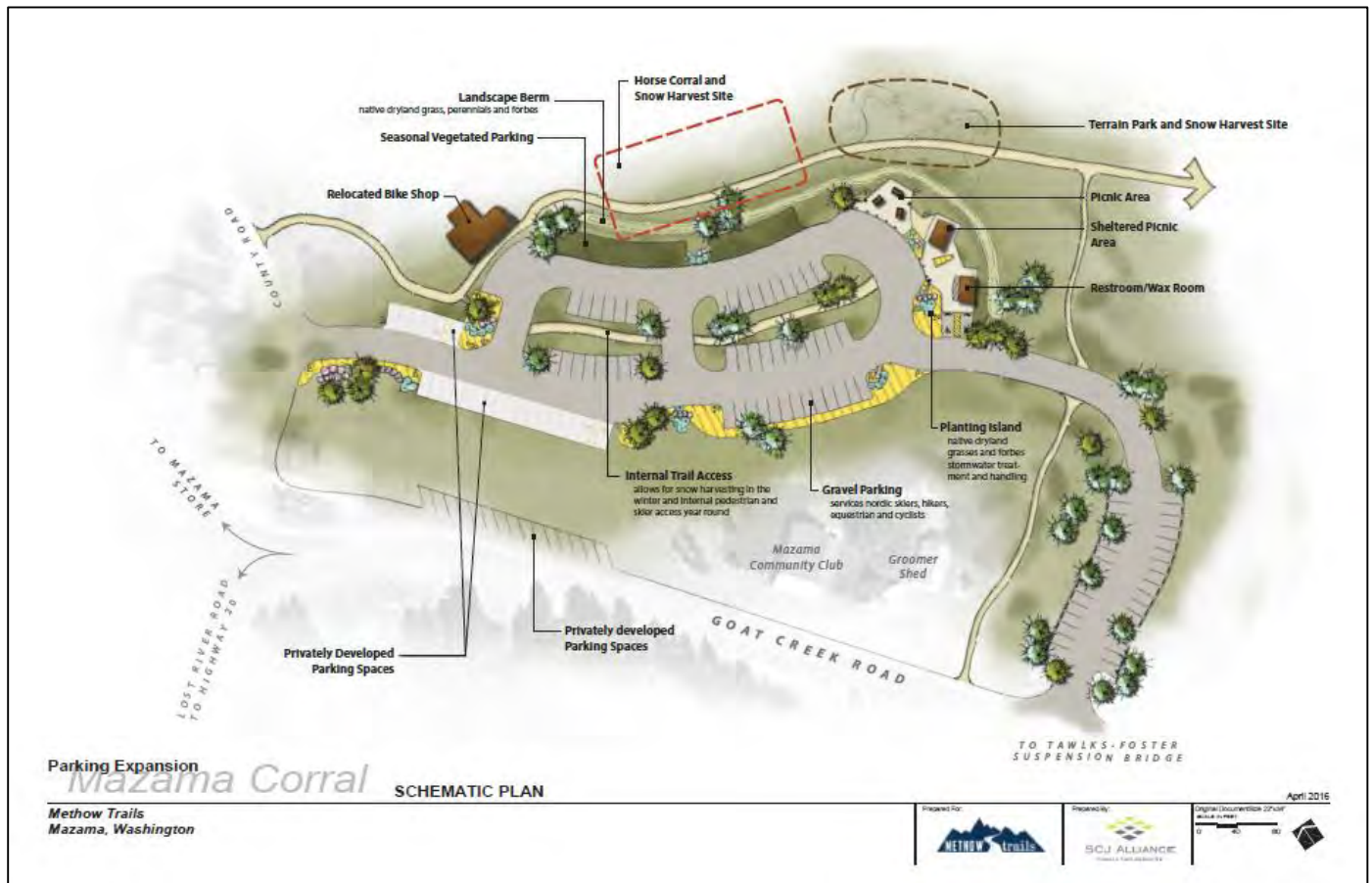
Attachment B: Aerial Map of the Proposed Replacement Property



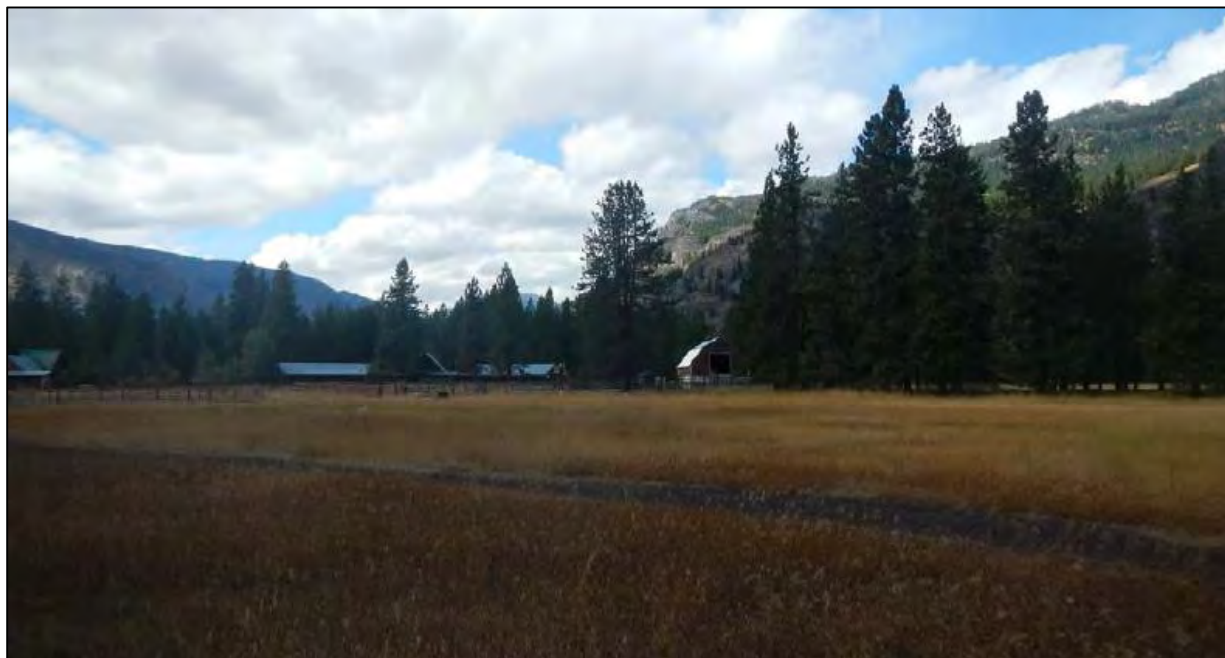
Attachment C: Aerial Map of Trailhead Project Area after Conversion



Attachment D: Trailhead Site Plan after Conversion



Attachment E: Site Photos



**Recreation and Conservation Funding Board
Resolution 2016-17
Conversion Request: Okanogan County Methow Community Trail (RCO #97-1181AD)**

WHEREAS, Okanogan County used a grant from the Washington Wildlife and Recreation Program – Trails category (WWRP-Trails) to acquire properties and to develop the Methow Community Trail; and

WHEREAS, the county will convert of a portion of one of the properties acquired; and

WHEREAS, as a result of this conversion, a portion of the property no longer satisfies the conditions of the RCO grant; and

WHEREAS, the county is asking for Recreation and Conservation Funding Board (board) approval to replace the converted property; and

WHEREAS, the proposed replacement property is adjacent to the conversion site, has an appraised value that is greater than the conversion site, and has greater acreage than the conversion site; and

WHEREAS, the site will provide opportunities that closely match those displaced by the conversion and will expand the trailhead that serves the Methow Community Trail; that has been identified in the Okanogan County Outdoor Recreation Plan recommendation on acquiring land for current and future trailhead users, thereby supporting the board's goals to provide funding for projects that result in public outdoor recreation purposes; and

WHEREAS, the sponsor sought public comment on the conversion, thereby supporting the board's strategy to regularly seek public feedback in policy and funding decisions;

NOW, THEREFORE BE IT RESOLVED, Recreation and Conservation Funding Board Recreation and Conservation Funding Board hereby delegates approval of the conversion to the RCO Director contingent upon completion of the conversion policy requirements.

BE IT FURTHER RESOLVED, that the board the Board authorizes the Director to execute the necessary amendments.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: State Parks Allowable Use Requests on RCO Funded Trails

Prepared By: Myra Barker, Compliance Specialist

Summary

This memo updates the board on several recent Washington State Parks' allowable use requests within the Director's authority to approve or deny in order to show the types of issues being faced by our project sponsors.

Board Action Requested

This item will be a:

- ☐ Request for Decision
- ☐ Request for Direction
- ☒ Briefing

Background

The Recreation and Conservation Funding Board (board) approved the "Allowable Use Policy" in October 2012 (Attachment A). An "allowable use" must either be identified in the project agreement, allowed by policy, or approved by the Recreation and Conservation Office (RCO) or the board.

Each allowable use request is reviewed by the internal compliance team who makes a recommendation to the RCO director. The team is composed of grant managers from the Recreation/Conservation and the Salmon grant sections.

The director may approve the request (and may add conditions to the approval), deny the request; submit the request and compliance team recommendation to an ad hoc review panel before making a decision; or submit the request and staff recommendation directly to the board.

The compliance team considers the following guidance when evaluating an allowable use request:

- Whether the proposed use conflicts with the project agreement or funding program.
- Whether the board-funded project area may be affected.
- What types of effects to the project area would be allowed.
- How will the use affect the funded project area?
- Is the use compatible with the objectives of the project agreement?
- Will the use be secondary to the uses in the project agreement?
- Will the use displace any recreation or conservation uses in the project agreement?
- Does the use fit within the natural features and hydrology of the site?

- How long will the use occur? If the use is for a specified time period, will the project area return to its former state afterwards?
- Will the proposed use limit the future use of the project area?
- Does the use negatively change the recreational experience or intrinsic values of the site?
- What design alternatives at the RCO funded project site were considered for the proposed use?

Washington State Parks Allowable Use Requests

In October 2015, Washington State Parks submitted the first allowable use request for private use of a portion of the Willapa Hills Trail in Lewis County. Shortly after the first request was submitted, State Parks submitted three more allowable use requests for private use for transportation purposes for portions of the John Wayne Pioneer Trail in eastern Washington.

RCO staff worked with State Parks staff to better understand the proposed uses and potential impacts to the trails. The internal compliance team met in October 2015 to review the requests. Additional information was requested from State Parks on the proposed uses and potential impacts to the funded trails and the requests were reviewed again by the internal compliance team.

In January 2016, the internal compliance team made recommendations to the director. To date, the director has approved three of State Parks allowable use requests, as summarized in the table below. State Parks right-of-entry permits for these uses are for 5-year terms that may be renewed.

Table 1. Allowable Use Requests

| Project | Project Number | Funding Program | General Location of Proposed Use | Allowable Use Request | Status of Request |
|--------------------------|----------------|-----------------|----------------------------------|--|---------------------------------------|
| Willapa Hills Trail | #91-811A | WWRP-Trails | West of Chehalis near Adna | Marwood Farms: Use of about 1 mile of trail to access privately owned agricultural fields; hauling crops; via trucks and farm machinery | Approved with conditions ¹ |
| John Wayne Pioneer Trail | #82-701A | State Bonds | Northwest of Ellensburg | Olson Ditch District: Use about 1 mile of trail to access an irrigation ditch for inspection, maintenance and repairs; via ATV and repair trucks/equipment | Approved with conditions ² |

¹ Conditions include the allowed use is tailored to the specific time period and season of use; daily, year-round use and weekend use is not permitted; off-season access is through existing roads; signs are posted prior to use; State Parks provides management oversight and regular monitoring of the use and trail conditions, and provides a report to RCO on the impact of the use, public comments received, and a description of any enforcement actions taken against the permittee.

² Conditions include the irrigation ditch district equipment and vehicles be signed and trail surfacing is always maintained.

| Project | Project Number | Funding Program | General Location of Proposed Use | Allowable Use Request | Status of Request |
|--------------------------|----------------|-----------------|----------------------------------|--|---------------------------------------|
| John Wayne Pioneer Trail | #82-701A | State Bonds | Southeast of Kittitas | Crowe: Use about 0.36 mile of trail to access a mining operation for employee ingress/egress and for hauling mined materials; via private vehicles and dump trucks | Pending |
| John Wayne Pioneer Trail | #82-701A | State Bonds | Southeast of Ritzville | Figure 50 Ranch: Use about 6 miles of trail to access privately-owned agricultural fields; hauling crops and cattle; via 4-wheeler, trucks and farm machinery | Approved with conditions ³ |

Attachments

- A. Allowable Uses Policy
- B. Approved Allowable Uses Table
- C. Location Map of State Parks Allowable Use Requests

³ Conditions of the approval were the same as identified in footnote 1. However, State Parks recently advised the conditions were unacceptable and provided new information that the use also included access to feed cattle to allow year round, daily use of the trail for Figure 50 Ranch. The allowable use approval was modified to allow for daily cattle feeding. State Parks is in discussion with the rancher.

Allowable Uses Policy

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 grant-assisted project sites must be either:

- A. Identified in the project agreement; OR
- B. Allowed by RCO policy; OR
- C. Approved by RCO or the funding board.

For the use to be approved by RCO or the funding board (Option C, above) it must meet all of 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
 - 1. 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. (*Manual 7, Funded Projects*).

Adopted October 18, 2012.

Approved Allowable Use Requests

| Project Sponsor | Park Name | Grant Number | Funding Program | Allowable Use Approved* |
|------------------|--------------------------|--|---|--|
| City of Redmond | Dudley Carter Park | 66-605 | Referendum 11 for outdoor recreational facilities | Art installation – replication of a native haida house |
| Clark County | Salmon Creek Greenway | 90-060 | General bonds for outdoor recreational areas and facilities | Stormwater wetlands |
| City of Lacey | Woodland Creek Park | 92-070 | WWRP-Local Parks | Underground water reclamation vaults |
| City of Renton | Gene Coulon Park | 66-018 69-073 70-016 80-024 81-008 | Initiative 215, HUD, LWCF, State Bonds | Restaurants |
| City of Richland | John Dam Plaza Park | 14-1449 | RRG | Food trucks and souvenir vendors |
| City of Spokane | Riverfront Park | 72-040 | HUD | Underground combined sewer overflow tank |
| State Parks | Willapa Hills Trail | 91-811 | WWRP-Trails | Transportation corridor for local farmer |
| State Parks | John Wayne Pioneer Trail | 82-701 | State Bonds | Transportation corridor for irrigation ditch district |
| State Parks | John Wayne Pioneer Trail | 82-701 | State Bonds | Transportation corridor for local farmer |

* All requests were approved by the RCO Director.

Map of State Parks Allowable Use Requests



Approximate Location of Allowable Use Requests

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Nonhighway and Off-road Vehicle Activities Policy Changes

Prepared By: Adam Cole, Natural Resource Policy Specialist

Summary

Recreation and Conservation Office staff requests direction from the Recreation and Conservation Funding Board (board) on Nonhighway and Off-Road Vehicle Activities (NOVA) program grant funding limits, the application technical review process, and project eligibility criteria for nonprofit off-road vehicle organizations.

Board Action Requested

This item will be a:

- ☐ Request for Decision
- ☒ Request for Direction
- ☐ Briefing

Background

Following each grant cycle, Recreation and Conservation Office (RCO) staff review the Nonhighway and Off-Road Vehicle Activities (NOVA) grant program¹ to identify needed improvements. In addition, RCO staff surveys the past year's applicants and meets with the standing NOVA Advisory Committee.

Through this process for the 2014 grant round, staff identified the following recommended changes to the program for 2016. Background details and analysis are listed in Attachments A, B, and C.

- 1) Grant Limits (Attachment A)
 - a. Raise the maximum grant limits from \$100,000 to \$200,000 for all project types in the Nonhighway Road and Nonmotorized categories, and
 - b. Remove the annual \$50,000 spending maximum for maintenance and operations projects.
- 2) NOVA Project Technical Review (Attachment B)
 - a. Eliminate the current application Technical Review process whereby each Advisory Committee member reviews all grant applications and provides feedback, and instead rely on RCO Grant Managers to review applications to ensure completeness and clarity.
- 3) Applicant and Project Eligibility (Attachment C)
 - a. Create eligibility criteria for a "non-profit off-road vehicle organization."
 - b. Define "publicly-owned lands," as it appears in RCW 46.09.530.

¹ Complete program descriptions, policies, and project scoring criteria: [Manual #13 Nonhighway and Off-road Vehicle Activities, Education and Enforcement 2014](#), and [Manual 14 Nonhighway and Off-road Vehicle Activities 2014](#).

- c. Establish control and tenure requirements for project proposals submitted by eligible non-profits.

Next Steps

If directed by the board, RCO staff will solicit public comments for these proposed changes to the NOVA program. At the July 2016 board meeting, RCO staff will present the results of public comments and any further proposed changes for a decision.

Link to Strategic Plan

Revising the board's policies for NOVA addresses Goals 1, 2, and 3 in the board's strategic plan:

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Proposed Changes to Grant Limits

Background

The board set the current \$100,000 grant limit for the Nonhighway Road and Nonmotorized categories prior to 1999. According to the land manager representatives on the NOVA Advisory Committee, the demand and associated cost of maintenance and capital projects continues to increase. For this reason, sponsors often submit multiple grant requests for similar activities for a single service area (e.g., log-out, trail rehabilitation, etc.). In the field, a single sponsor staff member or construction contract may operate under more than one NOVA grant.

These issues increase the burden on sponsors and RCO staff with respect to grant management and requests for reimbursement. The relatively low \$100,000 grant limit may lead to potential applicants declining to pursue a grant because they do not view the opportunity as worth the time and effort.

Similarly, the current requirement to spend grant monies in both years of the agreement term may not match the needs of sponsors. For example, due to fire or other planned and unplanned situations, sponsors may desire to complete a maintenance project as soon as possible, or later in the project agreement term.

Therefore, increasing the grant limits for Nonhighway Road and Nonmotorized grants to \$200,000 and removing the requirement to spend monies in each year of the project agreement provides a better match to what sponsors say they need.

Table 1. Summary of Current NOVA Recreation Grants

| | Maintenance and Operation | Land Acquisition, Development, Planning, and Combination |
|------------------|---------------------------|--|
| Nonhighway Road | \$100,000 per project* | \$100,000 per project |
| Nonmotorized | \$100,000 per project* | \$100,000 per project |
| Off-road Vehicle | \$200,000 per project | No limit |

* Limited to a maximum of \$50,000 per year.

Analysis

The intent of the proposed changes is to:

1. Increase grant limits to keep pace with the rising cost of implementing projects.
2. Reduce RCO's and sponsors' administrative burden of managing multiple grants within the same service area.
3. Allow maintenance and operation spending to match sponsors' business needs and schedule.

Table 1: Pros and Cons of Proposed Change to Grant Limits

| Pros | Cons |
|--|--|
| <ul style="list-style-type: none"> Fewer applications and project agreements to manage reduces administrative burden for sponsors and RCO. Maintenance and Operations grant spending timeline can match business needs of sponsor. Increased grant limits makes seeking NOVA grants more attractive to potential applicants. Opens the opportunity for more costly capital projects that cannot be done for under \$100,000. | <ul style="list-style-type: none"> Grants may go to a fewer number of organizations within a biennium. Sponsors with Maintenance and Operations grants may defer spending late in the project agreement term which may result in returned funds if they cannot complete the project on time. |

Staff Recommendations

Staff make the following recommendations with regard to setting new grant award limits in the Nonhighway Road and Nonmotorized categories:

1. Increase current grant limits, all project types, from \$100,000 to \$200,000.
2. Remove annual spending limits in Maintenance and Operations grants.

At this time, RCO staff recommend no grant limit changes for the Off-road Vehicle category in NOVA.

Proposed Changes to the NOVA Technical Review Process

Background

There is currently a two-step process in the evaluation of NOVA applications. First, there is a technical review process in which each NOVA Advisory Committee member (there are fifteen) reviews and provides feedback to applicants on between 90 and 120 applications each grant round. This gives each applicant information useful to modify or improve their grant application and/or presentation. Later in the process, the Advisory Committee evaluates, scores, and ranks each application. Staff have reviewed the utility of the technical review step with applicants and advisory committee members, and have identified the following added-value items and concerns:

1. Value Added by Advisory Committee Technical Review:
 - a. Evaluators become familiar with projects prior to evaluation.
 - b. Applicants can revise applications based on committee member questions and comments.
 - c. Projects are better scoped and articulated and thus are easier and more effectively evaluated by the committee.
 - d. First time sponsors are not disadvantaged due to lack of experience with application and evaluation process.
2. Technical Review Concerns:
 - a. The number of applications overwhelms committee members and depth of review varies by committee member.
 - b. Incomplete review generates concern in applicants.
 - c. Contradicting committee member feedback confuses applicants.

Analysis

The following table details several options for changes to the current technical review process, as well as RCO staff's recommendation.

Table 2: Options and Recommendations for Technical Review Process

| Options | Effect | Pros | Cons |
|---|--|--|--|
| 1. No Change. The Advisory Committee members will continue to provide technical review of each grant application prior to evaluation. | No change. | Applicants receive feedback that can help strengthen and clarify their proposal. Committee members become familiar with the projects prior to evaluation. | Applicants unlikely to get all committee members to review and comment on their application and comments they do receive may be contradictory. |
| 2. Committee members review applications only from new, inexperienced, | Reduces burden on committee members, can focus their time on fewer | Most efficient use of committee member time, | Treats applicants unequal, may be |

| Options | Effect | Pros | Cons |
|--|--|---|--|
| or previously unsuccessful applicants. | applications and benefit the applicants most in need of review. | able to provide in-depth, quality reviews. | perceived as a disadvantage to some. |
| 3. Committee members do not provide technical review of Maintenance and Operations projects and only provide technical review of Development, Planning, E&E or Combination projects. | Committee members focus their time on the project types that may contain the most unique and complex proposals. | Fewer reviews by each committee member results in higher quality reviews. | Since all project types (not E&E) compete head to head, maintenance projects could be perceived as disadvantaged. |
| 4. Staff review applications and assign them for technical review by a small team of committee members based on project category (ORV, NHR, NM) or other criteria such as expertise or "user group" of the committee members. | Committee members review a smaller number of applications. | Most efficient use of committee member time, able to provide in depth and quality review. Reduces opportunity for conflicting comments. | Treats applicants unequally. Applicants do not benefit from all committee members' expertise during technical review. Some committee members' unfamiliarity with projects may lead to misunderstandings and questions during evaluation. |
| Staff Recommendation 5. RCO Grant Manager assigned to each applicant performs application review, which is less than a full technical review. | Applications do not get a technical review; applications are only reviewed for eligibility, completeness, and clarity by RCO grant managers. | Applicant receives straight forward comments. Requires the applicant to put their best foot forward without benefit of technical review by the committee. | Committee members unfamiliar with projects may lead to misunderstandings and additional questions during evaluation. |

Staff Recommendation

Staff recommends elimination of the current Technical Review process for the NOVA program. Staff recommends relying on RCO Grant Managers to review applications to ensure completeness and clarity. The Advisory Committee members would continue to evaluate and rank each project.

Proposed Changes to NOVA Applicant and Project Eligibility

Background

In 2013, the Legislature changed RCW 46.09.530 to include “publicly owned lands” which greatly broadened the eligibility of nonprofit off-road vehicle organizations to receive grants in NOVA.

*“(1) After deducting administrative expenses and the expense of any programs conducted under this chapter, the board shall, at least once each year, distribute the funds it receives under RCW 46.68.045 and 46.09.520 to state agencies, counties, municipalities, federal agencies, nonprofit off-road vehicle organizations, and Indian tribes. Funds distributed under this section to nonprofit off-road vehicle organizations may be spent only on projects or activities that benefit off-road vehicle recreation on **publicly owned lands** or lands once publicly owned that come into private ownership in a federally approved land exchange completed between January 1, 1998, and January 1, 2005.”²*

Analysis and Staff Recommendations

Currently, NOVA lacks explicit policies to guide the eligibility and management of nonprofit sponsored grant applications. The following analysis details options for adopting three policies that would further define the eligibility of non-profit off-road vehicle organizations and their potential projects so that these groups and RCO staff have an explicit understanding of which organizations and projects are eligible.

1. Eligibility Criteria for Nonprofit Off-Road Vehicle Organizations

Issue

Eligibility for nonprofit off-road vehicle organizations is not defined in the RCWs, WACs, or NOVA manuals. To ensure that NOVA funds are spent responsibly and avoid risk, RCO staff recommend that nonprofit off-road vehicle organizations must demonstrate experience in the NOVA project type for which they are applying. The recommended requirement is based on experience with nonprofit eligibility in other grant programs. For example, where many nonprofit off-road vehicle organizations may have experience organizing and promoting competitions, they may not have experience constructing an off-road vehicle facility. In this case, awarding a development grant to an organization with no construction experience (e.g., maintenance, operation, etc.) carries risk. Therefore, RCO staff recommend only allowing nonprofit off-road vehicle organizations to compete for NOVA funds if, within the most recent ten years, they have at least three years of experience being active in NOVA related activities such as trail construction and maintenance, field education programs, etc.

Staff Recommendation

Create more detailed eligibility criteria for “nonprofit off-road vehicle organizations” by adopting the following “definition” in NOVA:

“An eligible and qualified nonprofit off-road vehicle organization must be able to contract with the State of Washington, and meet all of the following criteria:

- Registered with the State of Washington as a non-profit.

² 2013 Session Laws, 2nd Special Session, page 2854.

- Name a successor at the time of any change in organizational status (for example, dissolution), as required by state law.
- Has documented experience with the type of project for which they are applying for. This experience must have occurred in at least three of the last ten years.
- Does not discriminate on the basis of age, disability, gender, sexual orientation, income, race, religion."

2. Define "Publicly Owned Lands"

Issue

"Publicly owned lands" may have multiple interpretations, and is not currently defined in the RCWs, WACs, or NOVA manuals. Although the term "publicly owned lands" sounds specific, it may leave room for interpretation and disagreement. For example, is property leased by a public agency defined as "publicly owned lands"? Is a public right-of-way, which is not owned in fee simple by a public body, considered "publicly owned lands"? In these two examples a public agency may not own the underlying real property, but the property itself may be considered publicly owned by many. RCO staff recommend a liberal interpretation of the term "publicly owned lands" to allow potential sponsors to consider projects in a broad yet appropriate context given established control and tenure policies. An explicit definition helps RCO staff make eligibility decisions, and helps sponsors plan their grant requests.

Staff Recommendation

Define "publicly owned lands" as it applies to applications from eligible non-profit off-road vehicle organizations by adopting the following definition:

"For the purposes of making grant applications and project agreements available to nonprofit off-road organizations per RCW 46.09.530 and RCW 46.09.530, publicly owned lands are defined as those lands which are owned, leased, or otherwise controlled and managed by a federal, state, or local government through fee simple ownership, easement, lease, or interagency or other type of use agreement. For publicly owned lands not owned in fee simple by a federal, state, or local government, the federal, state, or local government must provide explicit evidence that they may lease or sub-lease, or otherwise allow the sponsor to access the property and perform the scope of work proposed in the grant. For the purposes of this definition, public nonhighway road rights-of-way are publicly owned property even if the public agency that manages the right-of-way does not own the underlying real property."

3. Control and Tenure Requirements for Nonprofit Off-Road Vehicle Organizations

Issue

A nonprofit off-road vehicle organization will likely apply for grants to improve or maintain, or educate or enforce, on property it does not own. To ensure nonprofit off-road vehicle organizations have access to the project areas identified in their applications, and so that the public may access these areas into the future, RCO staff recommend the board consider making policy statements for the variety of control and tenure situations that may materialize.

Staff Recommendations

| Project and Ownership Type | Recommended Policy Statement for Board Adoption | Reason |
|--|--|---|
| 1. Planning and Development Projects on Publicly Owned Property. | <p>"Nonprofit off-road vehicle organizations that propose a planning or development project on publicly owned property must either:</p> <ol style="list-style-type: none"> 1. Secure long-term control and tenure of the project site as described in Manual #4, or 2. Co-sponsor the grant along with a NOVA eligible land owner." | To ensure the sponsor can access and control the project area, the planned facility can be built, and the constructed facility is open to the general public and maintained for the required period of time.* |
| 2. Planning and Development Projects on <u>Privately Owned</u> Property. | <p>"Nonprofit off-road vehicle organizations that propose a planning or development project on privately owned property must secure long-term control and tenure of the project site as outlined in Manual #4; and demonstrate through easement, lease, or other legally binding agreement that the public will have access to the project area during and after the project, for the required term."</p> | To ensure the sponsor can access and control the project area, and ensure the planned facility can be built, and ensure the constructed facility is open to the general public and maintained for the required period of time.* |
| 3. Maintenance and Operations, and Education and Enforcement Projects on <u>Publicly Owned</u> Property | <p>The board should consider adopting the following policy statement:</p> <p>"Nonprofit off-road vehicle organizations that propose to maintain and/or operate, or propose education and enforcement projects, must execute a Landowner Agreement Form as provided by RCO." *</p> | To ensure the sponsor can access the project area and perform the scope of work proposed in the grant. |
| 4. Maintenance and Operations, and Education and Enforcement Projects on <u>Privately Owned</u> Property | <p>"Nonprofit off-road vehicle organizations that propose to maintain and/or operate a NOVA eligible facility, or propose education and enforcement activities, must:</p> <ul style="list-style-type: none"> • Satisfy the control and tenure requirements in Manual #4*; or • Provide a lease, easement, or other legally binding agreement for the project property that allows the proposed project and public access; or • Execute a Landowner Agreement form as provided by RCO. | To ensure the sponsor can access the project area and perform the scope of work proposed in the grant, and ensure the project area is accessible by the general public for at least the term of the project agreement. |

*See "Control of Land", pages 21-23, [Manual #4, Development Projects](#) (2016)

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Proposed Changes to Project Type Definitions for Nonhighway and Off-road Vehicle Activities and Recreational Trails Program

Prepared By: Adam Cole, Natural Resource Policy Specialist

Summary

Recreation and Conservation Office staff recommend amending the maintenance and development project type definitions in the Nonhighway and Off-road Vehicle (NOVA) Program and the Recreational Trails Program (RTP) to allow staff and sponsors to better evaluate grant proposals and manage active projects and compliance responsibilities.

Board Action Requested

This item will be a:

- ☐ Request for Decision
- ☒ Request for Direction
- ☐ Briefing

Background

In January 2014, the Recreation and Conservation Funding Board (board) adopted Resolution 2014-06, which updated project type definitions in Nonhighway and Off-road Vehicle (NOVA) Program and the Recreational Trails Program (RTP). Prior to this decision, the NOVA program did not have specific definitions for "maintenance and operation" and "development," instead using a list of the eligible project types. Additionally, "development projects" contained capital construction of trails and related facilities, such as roads and support facilities, and "maintenance and operation projects" included only routine maintenance for trails, facilities, and sites such as cleaning, painting, minor repairs, and trail clearing.

In response to Recreation and Conservation Office (RCO) staff and sponsor recommendations for aligning project type definitions with how sponsors organized and conducted their work in the field, the definitions were modified to better reflect how our sponsors implement their trail maintenance and capital programs, which are often comingled.

Table 1: Summary of the 2014 Project Type Definitions

| Policy Topic | Current Policy | Proposed (Adopted) Change | Reason |
|---|--|---|---|
| Revise the definitions for maintenance and development projects in the NOVA and RTP programs. | Maintenance projects are defined as routine work on trails and trail facilities within an existing trail footprint. Development projects are any trail renovation or new construction. | Modify the project type definitions so that: Maintenance projects are defined as any work on existing trails. Development projects are defined as any new trail work. | Aligns trail project work to how sponsors implement projects on the ground. |

Challenges Caused by Current Definition of Maintenance Project Types

The 2014 changes greatly expanded the type of work eligible in a maintenance project. As long as the work was within the existing trail corridor, the work qualified as maintenance. The new definitions meant that *new construction*, e.g., installing (or replacing) a bridge, was considered *maintenance* if it occurred in the existing trail corridor. A similar example defined repaving a parking lot and constructing new bathrooms where facilities currently exist as maintenance work. Development projects therefore consisted of new construction where no facilities existed.

The 2014 changes have been received positively by sponsors because the definitions match up with how they scope, manage, and accomplish work in the field. However, after one grant cycle of implementation, RCO staff encountered numerous challenges managing maintenance grants, described in the following table.

Table 2: Challenges Caused by Current Definition of Maintenance Project Types

| Issue | Staff Challenges |
|---|--|
| Compliance on Capital Items Capital items such as bridges and restrooms built or installed via a maintenance grant are still subject to long-term compliance responsibility. | Board policy, agreements, and federal rules require capital construction items to be tracked for long-term compliance. However, the mix of maintenance and capital items within a maintenance project creates a challenge for RCO staff and sponsors because they are not required to monitor maintenance grants for long-term compliance. |
| Inconsistency with WAC and Federal Definitions While maintenance projects may contain capital items, WAC and federal definitions for maintenance activities exclude these items/activities. Details on the WAC and CFR 2 Part 200.452 are included in Attachment A. | Current decision-making for allowing capital development in maintenance grants is unintuitive and often in conflict with other rules and agency definitions. |
| Architecture, Engineering, and Permit Costs Traditionally, these services and costs are often incurred in development projects, but maintenance by its nature generally does not require architecture, permitting, and engineering costs. | The board's current definition of maintenance allows capital construction to occur. These types of activities often generate architecture, engineering and permitting costs. Board policy, agreements, and federal rules require these costs to be limited and managed discretely. However, our systems have not been developed to track these types of cost in a maintenance grant. |
| Environmental, Cultural Resource, and ADA Review Development of capital items such as installing bridges and bathrooms often trigger regulatory review to include review for consistency with the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA). | Capital constructed facilities must be built in compliance with a variety of regulations and requirements. However, traditionally, maintenance activities are exempt from these types of regulations. Difficult to focus efforts on compliance with those regulatory requirements in maintenance dominated scopes of work. |

Current and Proposed Project Type Descriptions In Program Manuals

To best educate and direct sponsors and staff to manage their grant proposals and agreements, staff added some clarifying language to the 2014 adopted policy statements, which redefined the project types.

The following tables include the current project type descriptions as stated in the program manuals, staff recommendations for new definitions, and a brief analysis of each proposal. The proposed changes are consistent with RTP's federal rules, and RCW. The board has the authority to make these policy changes per RCW 46.09, RCW 79A.25, and WAC 286.04.

Table 3: NOVA Maintenance and Operations Project Type Definition Changes

Summary: Remove extensive renovation and rehabilitation activities from maintenance and operations project types and only allow them in development projects.

Intent: Re-align eligible project activities and project types with traditional project descriptions and completed project compliance regimes.

| 2014 Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons Analysis |
|--|--|---|
| Maintenance and operation of existing trails may be interpreted broadly to include any kind of trailside, trailhead or trail maintenance, operation, restoration, rehabilitation, or relocation. "Rehabilitation" means extensive repair needed to bring a facility up to standards suitable for public use. "Operation" means non-capital costs such as cleaning restrooms, garbage service, septic service, etc. | Maintenance activities are those that occur periodically or cyclically to ensure a facility meets its useful life expectancy, and keeps it in an efficient operating condition. Maintenance may include minor re-routes or repair or relocation needed to keep a facility or amenity at a useable standard. Operations means routine servicing activities such as those that may occur on a daily or weekly basis to keep a facility open and useable such as collecting fees, sewage pumpout, janitorial work, restocking, grass trimming, or leaf blowing. | <p>Pros</p> <ul style="list-style-type: none"> • Consistent with CFR 2 Part 200.452 Definition of "Maintenance and Repair" (applies when NOVA is matched with RTP) • Consistent with recently approved RCO WAC Definition of "Maintenance and operation project." • No need to track individual project elements for long term compliance. • Environmental clearance should be easy to determine and obtain because work most likely categorically excluded from in depth SEPA or NEPA review. • Typically no need to review for ADA, ABA compliance. <p>Cons</p> <ul style="list-style-type: none"> • May not fit sponsors' need to group all activities into one application/project. |

Table 4: NOVA Development Project Type Definition Changes

Summary: Remove major renovation and rehabilitation project activities from maintenance project types and allow them only as development activities.

Intent: Re-align project activities and project types with traditional definitions, existing application review and compliance regimes, and best track architectural and engineering and other project costs.

| 2014 Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons |
|--|---|---|
| Development of trailside and trailhead facilities, new trails, and trail linkages for recreational trails. Trailside and trailhead facilities should have a direct relationship with a recreational trail; a highway rest area or visitor center is not an appropriate use of funds. | <p>Construction of new, or rehabilitation or replacement in place of existing recreational trails, re-routes, trailside facilities, and trailheads. "Rehabilitation" means extensive renovation and repair needed to bring a facility up to standards suitable for public use. Rehabilitation is intended to add to the value of a facility or trail, or prolong its intended useful service life.</p> <p>Development project may also include minor amounts of maintenance work that directly related to or supports the trail or facility being developed or rehabilitated but the predominant or primary work activity in a project must be development.</p> | <p>Pros</p> <ul style="list-style-type: none"> • Sponsors may group new construction, renovation, rehabilitation, and minor related maintenance into one application/project. • Consistent with recently approved RCO WAC definition of "Development project". Also consistent with Development project types in other RCFB programs where both new construction and renovation work in the same program types (Manual #4). • Better evaluation of application and design drawings during active phase. • Staff able to review and inspect entire project for long-term compliance. • Allows sponsors to include (and RCO staff to monitor) architecture and engineering activities and costs. For their project. • Environmental review and documentation can be performed consistent with the type of work typically found in a development project. • Requirement for plans and specifications in development project allows for better review for ADA, ABA compliance. <p>Cons</p> <ul style="list-style-type: none"> • For sponsors, a project that requires significant amounts of maintenance work in addition to development may need to be submitted as 2 separate projects. |

Table 5: RTP Maintenance Project Type Definition Changes

Summary: Remove extensive renovation and rehabilitation activities from maintenance project types and only allow them in development projects.

Intent: Re-align eligible project activities and project types with traditional project descriptions and completed project compliance regimes.

| 2014 Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons |
|---|--|---|
| <p>Maintenance and restoration of existing trails may be interpreted broadly to include any kind of trail maintenance, restoration, rehabilitation, or relocation.</p> <p>"Rehabilitation" means extensive repair needed to bring a facility up to standards suitable for public use.</p> | <p>Maintenance activities are those that occur periodically or cyclically to ensure a facility meets its useful life expectancy, and keeps it in an efficient operating condition. Maintenance may include minor repair, re-routes, or relocation needed to keep a facility or amenity at a useable standard. Maintenance activities do not include operational activities such as keep a facility open and useable such as collecting fees, sewage pumpout, janitorial work, restocking activities.</p> | <p>Pros</p> <ul style="list-style-type: none"> • Consistent with CFR 2 Part 200.452 Definition of "Maintenance and Repair" • Consistent with recently approved RCO WAC Definition of "Maintenance project." • No need to track individual project elements for long term compliance. • Environmental clearance should be easy to determine and obtain because work mostly likely categorically excluded from in depth NEPA review or analysis. • Typically no need to review for ADA, ABA compliance. <p>Cons</p> <ul style="list-style-type: none"> • May not fit sponsors' need to group all activities into one application/project. |

Table 6: RTP Development Project Type Definition Changes

Summary: Remove major renovation and rehabilitation project activities from maintenance project types and allow them only as development activities.

Intent: Re-align project activities and project types with traditional definitions, existing application review and compliance regimes, and best track architectural and engineering and other project costs.

| 2014 Board Adopted Policy Statement | Proposed Policy Statement | Pros/Cons |
|---|--|--|
| <p>Development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails, may be interpreted broadly to include development or rehabilitation (not routine maintenance) of any trailside and trailhead facility. Trailside and trailhead facilities should have a direct relationship with a recreational trail; a highway rest area or visitor center is not an appropriate use of funds.</p> <p>"Rehabilitation" means extensive repair needed to bring a facility up to standards suitable for public use.</p> | <p>Construction of new or rehabilitation or replacement of existing recreational trails, trailside facilities, re-routes, and trailheads.</p> <p>"Rehabilitation" means extensive renovation and repair needed to bring a facility up to standards suitable for public use. Rehabilitation is intended to add to the value of a facility or trail, or prolong its intended useful service life.</p> <p>Development project may also include minor amounts of maintenance work that directly relates to or supports the trail or facility being developed or rehabilitated but the predominant or primary work activity in a project must be development.</p> | <p>Pros</p> <ul style="list-style-type: none"> • Sponsors may group all activities (new construction, renovation, rehabilitation, and maintenance) into one application/project. • Consistent with recently approved RCO WAC definition of "Development project". Also consistent with Development project types in other RCFB programs where both new construction and renovation work in the same program types (Manual #4). • Better evaluation of application and design drawings during active phase. • Staff able to review and inspect entire project for long-term compliance. • Allows sponsors to include (and RCO staff to monitor) architecture and engineering activities and costs. For their project. • Environmental review and documentation can be performed consistent with the type of work typically found in a development project. • Requirement for plans and specifications in development project allows for better review for ADA, ABA compliance. <p>Cons</p> <ul style="list-style-type: none"> • A project that requires significant amounts of maintenance work in addition to development may need to be submitted as 2 separate projects. |

Request for Board Direction and Next Steps

If directed by the board, RCO staff will solicit public comments for the proposed changes to project type changes as proposed and amended. At the July 2016 meeting, RCO staff will present the results of public comments and any further proposed changes for board decision.

Link to Strategic Plan

Revising the board's definitions for project types addresses Goals 2 in the board's *Strategic Plan*:

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

WAC 286-04-010

Definitions.

(7) "Development project" means a project that results in the construction of or work resulting in new elements including, but not limited to, structures, facilities and materials to enhance outdoor recreation resources.

(11) "Maintenance project" means a project that maintains existing areas and facilities through repairs and upkeep for the benefit of outdoor recreationists.

(12) "Maintenance and operation project" means a project that maintains existing areas and facilities through repairs, upkeep, and routine servicing for the benefit of outdoor recreationists.

(20) "Renovation project" means a project that improves an existing site or structure in order to increase its service life or functions

(21) "Restoration project" means a project that brings a site back to its historic function as part of a natural ecosystem or improving the ecological functionality of the site.

Omni-Circular 2 CFR Part 200.452 "Maintenance and repair costs." §200.452

Maintenance and repair costs.

Costs incurred for utilities, insurance, security, necessary maintenance, janitorial services, repair, or upkeep of buildings and equipment (including Federal property unless otherwise provided for) which neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition, are allowable. Costs incurred for improvements which add to the permanent value of the buildings and equipment or appreciably prolong their intended life must be treated as capital expenditures (see §200.439 Equipment and other capital expenditures). These costs are only allowable to the extent not paid through rental or other agreements.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Nonhighway and Off-road Vehicle Activities Program Funding:
Allocation of Funding per Legislative Budget Provisos

Prepared By: Wendy Brown, Policy Director

Summary

This memo summarizes the 2016 supplemental budget proviso that shifts funding in the Nonhighway and Off-Road Vehicle Activities program.

Board Action Requested

This item will be a:

- ☐ Request for Decision
- ☐ Request for Direction
- ☒ Briefing

Background

At the time of writing this memo, the Governor has not yet taken action on the 2016 supplemental capital budget. If signed by the Governor, the budget directs the Recreation and Conservation Funding Board (board) to make a shift in how new funds in the Nonhighway and Off-road Vehicle Activities (NOVA) Account are distributed. The supplemental budget for NOVA includes a \$2.5 million increase in the appropriation for the 2015-17 biennium. Also, it includes a proviso that constrains how the board is to spend these funds. Specifically the proviso states:

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$50,000 of the NOVA program account—state appropriation is provided solely for improvements to the trails database maintained by the recreation and conservation office.
- (2) \$2,450,000 of the NOVA program account—state appropriation is provided solely for purposes other than education and enforcement projects.
- (3) For project funds returned for projects in the NOVA program account—state, the recreation and conservation office may apply the funds to priority projects in any categories within the NOVA program.

The most significant impact is that the increased appropriation is provided for purposes other than education and enforcement.

Funding Distribution

After setting aside funds for the trails database per the proviso and program administration, \$2.2 million will be available for grants.

Table 1. Available Grant Funds

| | |
|-----------------------------|--------------------|
| New fuel tax revenue | \$2,500,000 |
| 10% RCO administrative rate | \$250,000 |
| Trails database | \$50,000 |
| Available for grants | \$2,200,000 |

Table 2 shows a comparison of the distribution of funds as it would have been under the regular statutory formula and as it is now under the 2016 supplemental capital budget.

Table 2. Distribution of NOVA Funds

| NOVA Category | 2016 Proviso | |
|---------------------------|--------------|-----------|
| Education and Enforcement | \$660,000 | \$0 |
| Nonhighway Road category | \$462,000 | \$660,000 |
| Nonmotorized category | \$462,000 | \$660,000 |
| ORV category | \$462,000 | \$660,000 |
| Competitive funds | \$154,000 | \$220,000 |

The board approved the NOVA ranked lists for the 2015-17 biennium at its June 2015 meeting and delegated authority to the director to award grants pending approval of the 2015-17 State Capital Budget. There were enough dollars in the original capital budget to fund all of the projects in the nonhighway road category. There are several unfunded alternates in both the nonmotorized and ORV categories.

A complete list of projects funded per the 2016 supplemental budget will be provided to the board at the April 2016 meeting.

Next Steps

RCO staff plans to allocate the funds approved the supplemental budget to alternate projects on the approved ranked lists. The allocation will comply with the terms included in the budget proviso and with board-adopted policies for allocation of NOVA funds as outlined in [Manual 14, Nonhighway and Off-road Vehicle Activities](#).

If additional funds are returned from funded projects, RCO staff will fund alternate projects as directed by the board policy, including alternates in the education and enforcement category.

Recreation and Conservation Funding Board Briefing Memo

Item **15B**

Meeting Date: April 27-28, 2016

Title: Department of Fish and Wildlife and Department of Natural Resources request for reinstatement as alternates on 2014 NOVA ranked lists.

Prepared By: Darrell Jennings, Senior Grants Manager

Summary

The Departments of Fish and Wildlife and Natural Resources are seeking reinstatement of grant proposals that were not approved for funding, or as alternates, during the 2014 Nonhighway and Off-road Vehicle Activities program grants process.

Board Action Requested

This item will be a:

| | |
|-------------------------------------|-----------------------|
| <input checked="" type="checkbox"/> | Request for Decision |
| <input type="checkbox"/> | Request for Direction |
| <input checked="" type="checkbox"/> | Briefing |

Resolutions: 2016-18, 2016-19

Background

The Departments of Fish and Wildlife and Natural Resources are requesting reinstatement of six grant proposals from the 2014 Nonhighway and Off-road Vehicle Activities (NOVA) Program list. The proposals were not approved for funding, nor included as alternate projects on the 2014 list, because the applicants did not meet the match certification deadline as required in the grant application process.

Certification of Match Required

To maintain credibility with stakeholders and the Legislature, the Recreation and Conservation Funding Board (board) ensures they are only approving projects that are ready to go and can be implemented quickly. The board intends its funding to be the last piece of funding for projects. As a result, the board has adopted a requirement that all applicants certify the matching resources for their projects in advance of the funding recommendation whenever matching funds are included as part of the application.

Applicants are not required to provide match for NOVA projects, however, the evaluation criteria for evaluating NOVA projects has a scoring preference for projects that do include sponsor match as part of the proposal. Applicants that include match in the application must certify that they have matching resources available before the board's funding meeting.

"To develop the director's funding recommendations, written assurance must be provided whenever matching resources are to be considered as a part of an application. This assurance must be

provided by the applicant to the office at least one calendar month before the meeting of the board at which the project is to be considered for funding.”¹

The certification requirement and lead time gives the Recreation and Conservation Office (RCO) staff and director time to develop the funding recommendation to the board based upon projects that have their matching share in place and are ready to proceed. When RCO requests the match certification form, communication is clear to applicants that failing to provide certification of match means:

- Projects will not be recommended for funding;
- Nor will they remain eligible for funding as alternate projects, should funding become available for that project list at a later time.

In developing the proposed 2014 NOVA project lists, staff notified applicants of this requirement on March 27 and May 5, 2015, in advance of the June 2015 board’s funding meeting. At that meeting, the board approved the ranked list of projects, excluding the following six projects from these categories due to the lack of match certification:

NOVA Education and Enforcement category²:

| | | |
|---------|---------------------------------|---|
| 14-1826 | Department of Natural Resources | Northeast Region Education and Enforcement |
| 14-1822 | Department of Natural Resources | Reiter Foothills Forest Education and Enforcement |

NOVA Nonmotorized category³:

| | | |
|---------|---------------------------------|---|
| 14-2148 | Department of Fish and Wildlife | Wenas Wildlife Area Manastash Ridge Trail |
| 14-1848 | Department of Natural Resources | Green Mountain Trail Planning |
| 14-1813 | Department of Natural Resources | Olympic Region Reade Hill Planning |
| 14-1821 | Department of Natural Resources | Reiter Foothills Nonmotorized Trail Phase 2 |

These projects were removed from the director’s funding recommendation to the board and were shown as “not funded” on the ranked list. As a result of the board’s approval of the ranked list, these projects are not currently eligible to receive additional or returned funds that may be available to this list of NOVA projects.

Analysis

General Grant Assistance Rules for administering board grants are found in Washington Administrative Code (WAC) Chapter 286-13. WAC 286-13-040(2) describes the administrative requirements and authority for waiving deadlines related to the grant process requirements:

Compliance with the deadlines is required unless a waiver is granted by the board or director. Such waivers are considered based on several factors which may vary with the type of waiver requested, including any one or more of the following:

- (a) Current status and progress made to meet the deadline;*
- (b) The reason the established deadline could not be met;*
- (c) When the deadline will be met;*
- (d) Impact on the board's evaluation process;*
- (e) Equity to other applicants; and*
- (f) Such other information as may be relevant.*

¹ Washington Administrative Code 286-13-040(c)

² Resolution #2015-12

³ Resolution #2015-14

This administrative code gives the board or director the authority to waive the deadlines for certain grant requirements. Typically, waiver requests must be submitted before the deadline for which a waiver is sought.

Department of Fish and Wildlife

Staff research on the agencies' request showed that RCO staff made an error during the development of the funding recommendation. The Department of Fish and Wildlife requested an extension to the deadline for certifying match. RCO's director approved the waiver request and the agency subsequently submitted their match certification in advance of the board approval. The Department of Fish and Wildlife and RCO staff request the board reinstate this project to be eligible for any additional program revenues or returned funds that may become available, following the board's funding procedures.

| Pros | Cons |
|---|-------|
| Corrects a RCO staff error made during the development of the funding recommendation. | None. |
| Reinstates a project that met established grant program deadlines. | |

Department of Natural Resources

The Department of Natural Resources did not provide match certification for five projects. The Department of Natural Resources asserts match was not certified because of a paperwork error on the part of their agency. At the time the error was discovered, the manager responsible evaluated the risk of not providing match. Since the projects were below the expected funding line, the perceived risk seemed low since funding was unlikely to reach these lower ranked projects. However, with the subsequent passage of Senate Bill (SB) 5987 increasing the gas tax during the 2015 legislative session, the amount of fuel tax revenue available for the NOVA program increased substantially. The five Department of Natural Resources projects would now be within funding range and thus DNR staff are requesting to have these projects reinstated and be eligible for additional and returned NOVA program funding.

The 2015 Legislature approved SB5987 which increases the amount of motor vehicle fuel tax available to the NOVA program by an estimated \$2.5 million for the 2015-17 biennium. However, when it acted the legislature did not grant spending authority for this additional revenue. At RCO's request, the 2016 Legislature approved a budget proviso granting the spending authority needed for the additional fuel tax revenues.

The Legislature's budget proviso gives the board authority to fund alternates in the Nonmotorized and Off-road Vehicle categories, but not projects in the Education and Enforcement category⁴. The proviso also dedicates \$50,000 for additional work on the Washington State Trails Database, a project currently led and managed by the Office of the Chief Information Officer. At the time this memo was prepared, the Governor has yet to take final action on the capital budget proviso authorizing RCO's expenditure of additional NOVA fuel tax revenue.

The following table evaluates the advantages and disadvantages of the request from the Department of Natural Resources.

⁴The Nonhighway Road category list is already fully funded.

| Pros | Cons |
|---|--|
| Continues to fund projects in ranked order, without skipping. | <p>Ignores match certification deadline requirement in Washington Administrative Code.</p> <p>If approved, two projects in the ORV category that are anticipating funding from the additional revenue will go unfunded:</p> <ul style="list-style-type: none"> • 14-2160, Grays Harbor Straddleline ORV Park Maintenance • 14-2103, USFS Okanogan-Wenatchee National Forest Methow Ranger District Sawtooth Backcountry ORV Facilities Development |
| | Could be considered unfair to applicants in other grant programs that were disqualified and unfunded because match was not certified. |
| | The integrity of the process could be affected if grant deadlines and rules are perceived to not matter, if deadline requirements are waived after they have passed. |

Considerations and Staff Recommendation

When making the decision to reinstate projects, the board should carefully consider the effect of granting a waiver after a deadline has passed, the precedent it will set, and the effect it will have on the integrity and reputation of the board's grant process with others.

Staff recommends the board reinstate the Washington Department of Fish and Wildlife project #14-2148 as an alternate project, due to an RCO staff error with the match certification at the time the board approved the list. Reinstating the project will make it eligible to receive funding that could become available to unfunded projects on the ranked list, per board policy. Resolution 2016-18 is provided for the board's consideration and approval.

RCO staff is not providing a recommendation for the board regarding the Department of Natural Resources request to reinstate five of its projects that did not have match certified by the established deadline in the grant application process; staff requests that the board deliberate this topic. Resolution 2016-19 is provided for the board's consideration.

Attachments

- A. Resolution 2016-18 (Department of Fish and Wildlife project)
- B. Resolution 2016-19 (Department of Natural Resources projects)

**Recreation and Conservation Funding Board
Resolution 2016-18
Washington State Department of Fish and Wildlife Request to Reinstate Project #14-2148**

WHEREAS, pursuant to state law, the Recreation and Conservation Funding Board (board) approves general grant assistance rules that govern the grant programs administered by the Recreation and Conservation Office (office) on the board's behalf, and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(c) requirements and deadlines for when applicants must certify their matching resources for projects; and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(2), the circumstances and process for the board or the director to consider waivers to grant process deadlines, and

WHEREAS, the Department of Fish and Wildlife applied in the 2014 grant cycle for the Wenas Wildlife Area Manastash Ridge Trail project (RCO #14-142148), a Nonmotorized category planning grant from the Nonhighway and Off-road Vehicle Activities program, and

WHEREAS, the Department of Fish and Wildlife successfully petitioned the office director for an extension of the match certification deadline for project #14-2148, and

WHEREAS, the Department of Fish and Wildlife provided the match certification on May 26, 2015; and

WHEREAS, RCO staff overlooked the approved deadline extension in the development of the director's funding recommendation in board resolution 2015-14 that caused the board to declare project #14-2148 ineligible to receive funding, and

WHEREAS, upon recognizing the error, the Department of Fish and Wildlife is requesting reinstatement of project #14-2148 and to be eligible as an alternate to receive additional NOVA funding that may come available through additional fuel tax revenue and returned funds,

NOW, THEREFORE BE IT RESOLVED, that the board reinstates project #14-2148 for the Washington Department of Fish and Wildlife, and

BE IT FURTHER RESOLVED, that project #14-2148 be eligible to receive any available NOVA funding that may be available pursuant to the boards allocation of returned and unallocated funding.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

**Recreation and Conservation Funding Board
Resolution 2016-19
Washington State Department of Natural Resources Request to Reinstate Projects**

WHEREAS, pursuant to state law, the Recreation and Conservation Funding Board (board) approves general grant assistance rules that govern the grant programs administered by the Recreation and Conservation Office (office) on the board's behalf, and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(c) requirements and deadlines for when applicants must certify their matching resources for projects; and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(2), the circumstances and process for the board or the director to consider waivers to grant process deadlines, and

WHEREAS, the Department of Natural Resources applied in the 2014 grant cycle for grant assistance from the Nonhighway and Off-road Vehicle Activities program, and

WHEREAS, because of an internal communication and paperwork error the Department of Natural Resources did not provide match certification for the following five projects:

- | | |
|---------|---|
| 14-1826 | Northeast Region Education and Enforcement |
| 14-1822 | Reiter Foothills Forest Education and Enforcement |
| 14-1848 | Green Mountain Trail Planning |
| 14-1813 | Olympic Region Reade Hill Planning |
| 14-1821 | Reiter Foothills Nonmotorized Trail Phase 2 |

WHEREAS, the Department of Natural Resources is now requesting reinstatement of these projects to be eligible as alternates to receive additional NOVA funding that may come available through additional fuel tax revenue and returned funds,

- **NOW, THEREFORE BE IT RESOLVED**, that the board reinstates the Washington Department of Natural Resources projects, and that these projects be eligible to receive any available NOVA funding that may be available pursuant to the board's allocation of returned and unallocated funding.

OR

- **NOW, THEREFORE BE IT RESOLVED**, that the board rejects the request from Washington Department of Natural Resources projects, and that these projects remain ineligible to receive any available NOVA funding that may be available pursuant to the board's allocation of returned and unallocated funding.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Washington Wildlife and Recreation Program:
State Parks Category Criteria Changes for 2016

Prepared By: Adam Cole, Natural Resource Policy Specialist

Summary

Recreation and Conservation Office staff recommend adoption of resolution 2016-20 which makes project evaluation criteria changes to the Washington Wildlife and Recreation Program, State Parks Category.

Board Action Requested

This item will be a: ☒ Request for Decision
☐ Request for Direction
☐ Briefing

Resolution: 2016-20

Background

Following each grant making cycle, Recreation and Conservation Office (RCO) staff review the Washington Wildlife and Recreation Program – State Parks Category (WWRP- State Parks) to identify needed improvements. In addition, RCO staff survey the past year's applicants, meet with the standing WWRP – State Parks Advisory Committee, and also solicit comments from the Washington State Parks and Recreation Commission (Commission) and Commission staff.

As a result, of this review process following the 2014 grant cycle, staff identified the following recommended changes to the evaluation criteria for 2016:

1. Add a "Need Satisfaction" element to evaluation Question 1 "Public Need."
2. Add a "Project Support" question.
3. Change the format and guidance of evaluation Question 5 "Sustainability and Environmental Stewardship."
4. Expand the guidance for evaluation Question 6 "Expansion/Phased Project."
5. Expand the guidance for evaluation Question 8 "Readiness to Proceed."
6. Change the format of evaluation Question 9 "Consistency with Mission and Vision."

At the [February meeting](#) of the Recreation and Conservation Funding Board (board), RCO staff presented these recommendations and the board directed staff to solicit public comments on the proposed changes to the evaluation criteria. Staff received public comments February 29 through March 18. Staff made an effort to reach out to a broad audience and shared the announcement using the following methods:

- Notification to 3,100 individuals with an “interest area” related to this topic;
- Notification to several Advisory Committees, including the WWRP – State Parks Advisory Committee; and
- Notification on RCO’s Policy and Rule-making Web page.

Three individuals submitted comments, which staff used to make a change to the original proposal. The public comments and RCO’s response are reprinted in the Public Comments Received section of this memo.

Recommendation

Staff recommends the board adopt Resolution 2016-20, included as Attachment B.

Next Steps

If the board adopts resolution 2016-20, RCO staff will update WWRP program manuals with the approved changes to the WWRP – State Parks evaluation criteria. The WWRP – State Parks Advisory Committee and the Commission will use the updated criteria to score the project proposals submitted in 2016.

Strategic Plan

Revising the evaluation criteria for WWRP – State Parks Category addresses Goals 1, 2, and 3 in the board’s Strategic Plan:

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Attachments

- A. Proposed Evaluation Criteria Changes to the Washington Wildlife and Recreation Program, State Parks Category
- B. Resolution 2016-20

Proposed Evaluation Criteria Changes to the Washington Wildlife and Recreation Program, State Parks Category

Grant Program Summary

The Washington Wildlife and Recreation Program (WWRP) provides grants for purchase of valuable recreation and habitat lands; preservation of farmland; and construction of recreation and public access sites for a growing population. The State Parks Category in the WWRP Outdoor Recreation Account is open only for projects proposed by the Washington State Parks and Recreation Commission (Commission).¹

State Parks Category projects may consist of acquisition, development, or a combination of acquisition and development. Projects involving renovation of existing facilities are ineligible. There is no minimum or maximum grant request per project. The Commission does not need to provide a match for these grants and, on average, submits about twelve projects for evaluation each biennium. During the past four cycles, the total grant request averaged \$16 million per biennium.

Evaluation Process

The Recreation and Conservation Funding Board (board) approves the policies that govern the WWRP, including how standing advisory committees evaluate projects. The WWRP State Parks Advisory Committee, which scores each grant proposal is made up of six State Parks staff, three local agency staff, and three citizens. The Commission scores question #9 "Consistency with Mission and Vision" (recommended change to #10 "Commission Priorities").

Issues and Analysis

At the October 2014 board meeting, Recreation and Conservation Office (RCO) staff presented comments from the WWRP State Parks Advisory Committee about ways to improve the evaluation process. The advisory committee, the Commission, and State Parks staff have additional suggestions in preparation for the 2016 grant cycle. These suggested improvements are included in Table 1.

Table 1. Discussion of Proposed Changes and Potential Outcomes.

| Criteria Changes | Outcome |
|---|---|
| 1. Add "Need Satisfaction" to Question 1 "Project Need" | <ul style="list-style-type: none"> Strengthens the existing "Need" question by evaluating how well the project will address the stated need. Evaluating "Satisfaction" within the existing need question retains the existing weight of the criterion in the criteria. Emphasizes State Parks' mission in the question and scoring guidance. |
| 2. Add "Project Support" Question | <ul style="list-style-type: none"> Adds additional criterion to measure public support. Raises total potential evaluation score by 10 points. |

¹ The complete WWRP – State Parks Category grant program description and board-adopted policies for evaluating projects may be found in [Manual #10a: Washington Wildlife and Recreation Program, Outdoor Recreation Account](#).

| Criteria Changes | Outcome |
|---|---|
| 3. Modify question and guidance for Question 5 "Sustainability and Environmental Stewardship" | <ul style="list-style-type: none"> Aligns guidance with State Parks' stated stewardship policies and goals. Moves existing guidance to the body of the manual. Replaces existing guidance with a streamlined approach to encourage more relevant stewardship responses at evaluation. |
| 4. Expand guidance for Question 6 "Expansion/Phased Project" | <ul style="list-style-type: none"> Clarifies the intent of the criterion. Improves guidance for scoring the criterion. Better defines a phased and/or expansion project. |
| 5. Expand guidance for Question 8 "Readiness to Proceed" | <ul style="list-style-type: none"> Clarifies the intent of the criterion. Improves guidance for scoring the criterion. Guidance address State Parks' business needs and practices. |
| 6. Change question and scoring scheme for Question 9 "Commission Priorities" | <ul style="list-style-type: none"> Improves criterion relevance and efficacy for the Commission. Produce more variability in scores, which should create more differentiation between projects. Raising the maximum score to 6 points, keeping the criterion near its current weight in the criteria. If adopted (along with the new "Project Support" question), this question's weight in the criteria would increase slightly, from 6.4 percent to 6.7 percent. |

Public Comments Received

Summary of Public Comments

RCO received three public comments related to the proposed changes. Two people supported the changes and made no further recommendations; a third person did not explicitly support or oppose the changes, but made two suggestions. The summary changes include:

- A. Add the terms "heritage" and "cultural" to Question #5: Sustainability and Environmental Stewardship; and
- B. Add a bullet regarding tribal consultation to the proposed Question #9: Readiness to Proceed.

Based on suggestion A, staff added "heritage" and "cultural" to Question #5. For suggestion B, staff made no change to Question #9 because evaluating the status of tribal consultation is premature given that the project proposals being evaluated are not yet funded.

RCO consulted with State Parks staff regarding public comments and both agreed to the changes to Question #5, and the lack of a change to Question #9. As State Parks is the lead state agency and landowner for the potentially funded projects, according to state law and Governor Executive Order 05-05, it is responsible for conducting tribal consultation and other cultural resource review and protection actions if the board and legislature approve funding for the proposals.

Table 2. Public Comments on Changing the Cost Efficiencies Question

| Commenter | Comment | Staff Reply |
|---|--|---|
| John Spring | <p>To whom it may concern:</p> <p>I highly endorse all the changes proposed under item # 2 (<i>Changes to State Parks Category Evaluation Criteria</i>). As a previous grader myself, I feel the changes in item # 2, will improve the scoring of Grant requests.</p> | Thank you, John, for your comments on the policy and evaluation criteria changes. |
| Dr. Peter V. Kilburn | <p>Thank you for the opportunity for input on Policy Proposals and Policy Changes and Grant Program Evaluation Criteria Changes.</p> <p>I am a Newby--my first time commenting.</p> <p>On the topics of "Proposed evaluation criteria changes for the Washington Wildlife and Recreation Program's State Parks Category," these too seem very reasonable. Not being a numbers person, the "Point range" scoring system and its variable weighting system is a little mysterious.</p> <p>All in all, the proposed changes seem reasonable and seem simple enough to implement without any serious side-tracking.</p> <p>Again, thank you for the opportunity to comment. If I may be of any further assistance, please advise.</p> | Thank you for your comments. |
| Greg Griffith, Washington State Department of Archeology and Historic Preservation | <p>On behalf of the Department of Archaeology and Historic Preservation (DAHP), I am providing the following comments/recommendations on Proposed Evaluation Criteria Changes for the WWRP's State Parks Category:</p> <ol style="list-style-type: none"> 1) In proposed language for Question 5: Sustainability and Environmental Stewardship, I recommend two changes to the two sentences so that the question would read as: What techniques or resources are proposed to ensure the project will result in a quality, sustainable, recreational, <u>heritage</u> preservation, or educational opportunity, while protecting the integrity of the environment? Describe how the project will protect natural <u>and cultural</u> resources and integrate sustainable elements such as low impact development techniques, green infrastructure, or environmentally preferred building products. 2) In proposed language for Question 9: Readiness to Proceed, I recommend addition of another bullet point to read something like the following: Has cultural resource protection consultations been completed including contact with affected Tribal governments? <p>Thank you for the opportunity to provide these comment.</p> | Thank you, Greg, for your comments. |

Recommendations

Table 2: Evaluation Criteria Summary (areas of change in track changes).

| State Parks Criteria Summary | | | | | |
|---|------------------------|--|--------------|-------------------------|------------------------|
| Score | # | Question | Project Type | Maximum Points Possible | Percent of Total Score |
| Advisory Committee | 1 | <u>Public Need</u> | All | 5 | 6% |
| Advisory Committee | 2 | Project Significance | All | 15 | 17% |
| Advisory Committee | 3 | Threat and Impact | Acquisition | 10 | 11% |
| | | | Combination | 5 | 6% |
| Advisory Committee | 4 | Project Design | Development | 10 | 11% |
| | | | Combination | 5 | 6% |
| Advisory Committee | 5 | <u>Sustainability and Environmental Stewardship</u> | All | 10 | 11% |
| Advisory Committee | 6 | <u>Expansion/Phased Project</u> | All | 15 | 17% |
| <u>Advisory Committee</u> | <u>7</u> | <u>Project Support</u> | <u>All</u> | <u>10</u> | 11% |
| Advisory Committee | <u>87</u> | Partnership or Match | All | 5 | 6% |
| Advisory Committee | <u>98</u> | <u>Readiness to Proceed</u> | All | 10 | 11% |
| State Parks Commission | <u>109</u> | <u>Commission Priorities Consistency with Mission and Vision</u> | All | <u>65</u> | 6% |
| RCO Staff | <u>111</u> <u>0</u> | Proximity to Human Populations | All | 3 | 3% |
| Total Points Possible = <u>89-78</u> | | | | | 100 |

Current and Proposed Evaluation Criteria, by Question Number

Question 1: Public Need

Intent: Add a need satisfaction element to the question to improve evaluating how the project will satisfy the need for the project.

Current

- Public Need.** Describe why this project should be built or property acquired? Is it:
- Cited in CAMP (Classification and Management Plan)?
 - Identified in a park master plan or other approved planning document?
 - Included in the current State Parks 10-year capital plan?
 - Consistent with State Parks' strategic plan?
 - Identified and supported by the public or park partners?

Point Range: Evaluators award a maximum of 5 points.

- 0 points: No CAMP or other plan, no or little public interest.
- 1-2 points: Consistent with CAMP or other plan, some public support, property acquisition listed in CAMP but not essential.
- 3-5 points: Consistent with CAMP or other plan, resolves a management problem, essential to a partnership or will increase park visitation, strong public support.

Proposed

Public Need and Need Satisfaction. What is the need for the proposed project? To what extent will the project satisfy the need? Consider the following:

- Cited in a Classification and Management Plan (CAMP), if one exists?
- Identified in a park master plan or other approved planning document?
- Included in the current State Parks' 10-year capital plan?
- Consistent with State Parks' strategic plan?
- Project or property is suited to serve the stated need?
- To what degree will the project:
 - Further care for Washington's most treasured lands, waters, and historic places.
 - Connect more Washingtonians to their diverse natural and cultural heritage.
 - Improve quality or expand capacity for recreational and educational experiences.

Point Range: Evaluators award a maximum of 5 points.

- 0 points: No CAMP or other plan, indirectly implements State Parks' mission and vision
- 1-2 points: Implements mission and vision despite a CAMP. Adequately addresses stated need.
- 3-4 points: Implements mission and vision. Consistent with CAMP or other plan, resolves a management problem, essential to a partnership, or will increase park visitation. Greatly addresses stated need.
- 5 points: Strongly implements mission and vision. High priority in a CAMP or other plan, resolves a management problem, essential to a partnership, or will increase park visitation. Maximizes the satisfaction of the stated need.

Current Question 5: Sustainability and Environmental Stewardship

Will the project result in a quality, sustainable, recreational opportunity while protecting the integrity of the environment? Factors to consider for acquisition and/or development and renovation projects are outlined in the table below.

| Acquisition | Development and Renovation |
|---|--|
| <ul style="list-style-type: none"> Does the acquisition and proposed development preserve the natural function of the site? | <ul style="list-style-type: none"> Does the proposed development protect natural resources onsite and integrate sustainable elements such as low impact development techniques, green infrastructure, or environmentally preferred building products? |
| <ul style="list-style-type: none"> How do the proposed uses protect, enhance or restore the ecosystem functions of the property? | <ul style="list-style-type: none"> Vegetation/Surfaces – Are you replacing invasive plant species with native vegetation? Are you using pervious surfaces for any of the proposed facilities? |
| <ul style="list-style-type: none"> Are there invasive species on site? If there are, what is your response plan? | <ul style="list-style-type: none"> Education – Are you installing interpretive panels/signs that educate users about sustainability? |
| <ul style="list-style-type: none"> What is the strategy or plan for maintenance and stewardship of the site? | <ul style="list-style-type: none"> Materials – What sustainable materials are included in the project? |
| <ul style="list-style-type: none"> How do the natural characteristics of the site support future planned uses? | <ul style="list-style-type: none"> Energy – What energy efficient features are you adding? |
| <ul style="list-style-type: none"> To provide for greater fuel economy, is the proposed acquisition located close to the intended users? | <ul style="list-style-type: none"> What modes of transportation provide access to the site? |
| <ul style="list-style-type: none"> What modes of transportation provide access to the site? | <ul style="list-style-type: none"> Water – Is the on-site storm water managed by rain gardens, porous paving, or other sustainable features? Does the design exceed permit requirements for storm water management? |
| <ul style="list-style-type: none"> Does this project protect wetlands or wetland functions? Describe the size, quality, and classification. | <ul style="list-style-type: none"> If there are wetlands on site, describe the size, quality and classification and explain how the design considers the wetland functions. |
| <ul style="list-style-type: none"> How does the proposed acquisition help create connectivity? How many acres are already protected? How critical is this property to the overall plan? | <ul style="list-style-type: none"> What is the strategy or plan for long-term maintenance and stewardship of the site? |
| <ul style="list-style-type: none"> What other noteworthy characteristics demonstrate how the natural features of the site contribute to energy efficiency, less maintenance, fewer environmental impacts, or sustainability? | <ul style="list-style-type: none"> What other developed features will contribute to increasing energy efficiencies, reducing maintenance, minimizing environmental impacts, or being more sustainable? |

Point Range: Evaluators award a maximum of 5 points that are multiplied later by 2.

Proposed Question 5: Sustainability and Environmental Stewardship

Intent: Changing the format of evaluation question to streamline guidance, facilitate more meaningful responses, and align scoring with State Parks' environmental stewardship plan.

Proposed

What techniques or resources are proposed to ensure the project will result in a quality, sustainable, recreational, heritage preservation, or educational opportunity, while protecting the integrity of the environment? Describe how the project will protect natural and cultural resources and integrate sustainable elements such as low impact development techniques, green infrastructure, or environmentally preferred building products.

Point Range: Evaluators award 0-5 points that are multiplied later by 2.

- 0 points: No or little stewardship elements.
- 1-2 points: Contains stewardship elements and protects natural or cultural resources. Consistent with State Parks' Sustainability Plan and goals.
- 3-4 points: Numerous stewardship elements, protects and enhances natural resources or cultural resources. Implements many of State Parks' sustainability goals
- 5 points: Maximizes natural or cultural resource protection, enhances natural resources or cultural resources, and contains innovative and outstanding stewardship elements. Implements many of State Parks' sustainability goals.

Question 6: Expansion/Phased Projects

Intent: Expand the guidance to help applicants better understand the question and help evaluators better score the question.

| Current | Proposed |
|--|---|
| <p>Describe whether this project supports past investments. Consider:</p> <ul style="list-style-type: none"> • Is the project part of a phased acquisition or development? • When did the previous phases start and end? • Is this project a distinct stand-alone phase? <p>Point Range: Evaluators award a maximum of 5 points that are multiplied later by 3.</p> <ul style="list-style-type: none"> • 0 points: Not a phased project or is not a distinct stand-alone project • 1-5 points: Project is a key phase in a statewide legacy project or it expands a popular or notable park or facility. | <p>Does this project implement an important phase of a previous project, represent an important first phase, or expand or improve an existing site? Consider:</p> <ul style="list-style-type: none"> • Is the project part of a phased acquisition or development? • To what extent will this project advance completion of a plan or vision? • Is this project an important first phase? • What is the value of this phase? • How does the project complement an existing site or expand usage, preservation, or education within a site? <p>Point Range: Evaluators award a maximum of 5 points that are multiplied later by 3.</p> <ul style="list-style-type: none"> • 0 points: Neither a significant phase or expansion nor a distinct stand-alone project. • 1-2 points: Project is a quality or important phase or expansion. • 3-4 points: Project is a key first phase or expansion or moves a project significantly towards realizing a vision. • 5 points: Project is highly important first phase, final (or near final) phase, moves a project a great deal towards realizing a vision. |

Question 7: Project Support

Intent: Add a new Project Support question to better evaluate the public's support for a project.

| Current | Proposed |
|-----------------------------|---|
| No Project Support Question | <p>What is the extent to which the public (statewide, community, or user groups) has been provided with an adequate opportunity to become informed of the project, or support for the project seems apparent.</p> <p>Broadly interpret the term project support to include, but not be limited to:</p> <ul style="list-style-type: none"> • Extent of efforts by the applicant to identify and contact all parties, i.e. an outreach program to local, regional, and statewide entities. • The extent that there is project support, including: <ul style="list-style-type: none"> ○ Voter-approved initiative ○ Public participation and feedback. ○ Endorsements or other support from advisory boards and user and friends groups. ○ Positive media coverage. <p>Point Range: Evaluators award a maximum of 5 points that are multiplied later by 2.</p> <ul style="list-style-type: none"> • 0 points: No evidence presented. • 1-2 points: Marginal community support. Opportunities for only minimal public involvement (i.e. a single adoption hearing), or little evidence that the public supports the project. • 3 points: Adequate support and opportunity presented for participation. • 4-5 points: The public has received ample and varied opportunities to provide meaningful input into the project and there is overwhelming support. The public was so supportive from the project's inception that an extensive public participation process was not necessary. |

Question 9: Readiness to Proceed

Intent: Expand the guidance to help applicants better understand the question, and evaluators to score the question.

| Current | Proposed |
|---|---|
| <p>Describe the project’s timeline. Consider:</p> <ul style="list-style-type: none">• For development projects, is it fully designed and permitted?• For acquisition projects, is there written documentation indicating a willing seller?• For acquisition projects, is there a written sales agreement with the property owner?• Are there any significant zoning, permitting issues, or encumbrances?• Has an economic impact analysis been completed for the project that identifies operational impacts and potential for revenue enhancement? <p>Point Range: Evaluators award a maximum of 5 points that are multiplied later by 2.</p> <ul style="list-style-type: none">• 0 points: (Acquisition) No agreement with landowner and fiscal impact will be substantial and require operational impact from the Legislature. (Development) Construction drawings less than 60 percent complete and fiscal impact will be substantial and require operational impact from the Legislature.• 1-2 points: (Acquisition) Willing seller and/or economic impact analysis identifies minimal operating impacts. (Development) Construction drawings over 60 percent complete, and/or economic impact analysis identifies minimal operating impacts.• 3-5 points: (Acquisition) Signed sales agreement, and/or economic impact analysis identifies potential revenue from the project. (Development) All permits in hand and/or economic analysis identifies potential revenue from the project. | <p>Describe the project’s timeline. Is the project ready to proceed? Consider:</p> <ul style="list-style-type: none">• For development projects, is it fully designed and permitted?• For acquisition projects, is there written documentation indicating a willing seller?• For acquisition projects, is there a written sales agreement or option with the property owner?• Are there any significant zoning, permitting issues, or encumbrances?• Has State Parks completed an economic impact analysis or business plan for the project that identifies operational impacts and potential for revenue enhancement? <p>Point Range: Evaluators award a maximum of 5 points that are multiplied later by 2.</p> <ul style="list-style-type: none">• 0 points: Not ready, business case not evident. (Acquisition) No agreement with landowner and fiscal impact will be substantial and require operational impact from the Legislature. (Development) No construction drawings, no formal (or negative) business case determined, and fiscal impact will be substantial and require operational impact from the Legislature.• 1-2 points: (Acquisition) Willing seller identified, economic impact analysis completed or positive cost-benefit determined. (Development) Construction drawings at or near 60 percent complete. Economic impact analysis identifies minimal operating impacts. Positive cost–benefit analysis exists.• 3-4 points: (Acquisition) Property (purchase) secured in some way by legal instrument to include a letter of intent, or being held in trust or by a nongovernmental organization (for example). Positive cost-benefit analysis exists. (Development) Construction drawings at or more than 60 percent complete, and economic analysis identifies potential revenue from the project or positive cost-benefit analysis exists.• 5 points: (Acquisition) Parks has a “Purchase and Sale Agreement or Option” signed and the purchase will be made within its existing term, has very strong business case, and cost-benefit analysis exists. (Development) Plans completed and all permits in hand, economic analysis identifies potential revenue from the project. Positive cost-benefit analysis exists. Completed business plan identifies potential revenue from the project. |

Question 10: Commission's Priorities

Intent: Improve the relevancy and efficacy of the evaluation question.

| Current | Proposed |
|--|--|
| <p>Consistency with Mission and Vision. How well does this project support the State Parks' mission and vision?</p> <p>Point Range: The State Parks and Recreation Commission awards a maximum of 5 points.</p> <ul style="list-style-type: none"> • 0 points: Does not support the State Parks' mission or vision. • 1-2 points: Moderately supports the State Parks' mission and vision. • 3-5 points: Strongly supports the State Parks' mission and vision. | <p>Commission's Priority. How well does this project implement the commission's priorities?</p> <p>The Washington State Parks and Recreation Commission evaluates this criterion.</p> <p>The Commission provides RCO with a ranked list of their applications.</p> <p>RCO assigns a point value to each project based on its rank. The highest priority project shall receive a point score equal to the number of applications ranked. The second highest ranked project shall receive a point score 1 less than the one above it, and so on. The lowest priority application shall receive a value of 1.</p> <p>RCO will apply a variable multiplier to the scores so the highest ranked application will receive a point value of 6, and all other applications will have a point value less than 6 and proportional to their rank.</p> <p>Point Range (after multiplier): 0-6.</p> |

The following is an example of how the commission's ranked list, RCO's assigned point values, and the variable multiplier function in Question 10 "Commission's Priorities." The example assumes 13 projects are ranked by the commission.

| Application/ Project | Commission's Rank | RCO Assinged Point Value | Multiplier (6/13) | Final Point Value |
|-------------------------|----------------------|-----------------------------|----------------------|----------------------|
| A | 1 | 13 | 0.462 | 6.00 |
| B | 2 | 12 | 0.462 | 5.54 |
| C | 3 | 11 | 0.462 | 5.08 |
| D | 4 | 10 | 0.462 | 4.62 |
| E | 5 | 9 | 0.462 | 4.15 |
| F | 6 | 8 | 0.462 | 3.69 |
| G | 7 | 7 | 0.462 | 3.23 |
| H | 8 | 6 | 0.462 | 2.77 |
| I | 9 | 5 | 0.462 | 2.31 |
| J | 10 | 4 | 0.462 | 1.85 |
| K | 11 | 3 | 0.462 | 1.38 |
| L | 12 | 2 | 0.462 | 0.92 |
| M | 13 | 1 | 0.462 | 0.46 |
| Total Applications = 13 | | | | |

**Recreation and Conservation Funding Board
Resolution 2016-20
Washington Wildlife and Recreation Program, State Parks Category**

WHEREAS, the Revised Code of Washington (RCW) 79A.15 authorizes the Recreation and Conservation Funding Board (board) to adopt evaluation criteria for the Washington Wildlife and Recreation Program (WWRP) State Parks category, and

WHEREAS, the Recreation and Conservation Office (RCO), with board direction, drafted evaluation criteria changes for the WWRP – State Parks category to improve the questions the WWRP – State Parks Advisory Committee and the Washington State Parks and Recreation Commission use to evaluate projects; and

WHEREAS, RCO solicited comments from over 3,000 members of the public and posted notice on its Web site, and

WHEREAS, staff reviewed the public comments, adjusted the evaluation questions as appropriate and recommends the board approve the proposed evaluation questions as presented in Item 16, and

WHEREAS, the proposed evaluation questions are consistent with state law and the board's administrative rules,

NOW, THEREFORE BE IT RESOLVED, that the board adopts the proposed revisions to the evaluation questions for the WWRP State Parks category as described in item 16, and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes into the evaluation criteria and in the appropriate grant program manuals; and

BE IT FURTHER RESOLVED, that the evaluation criteria shall be effective beginning with the 2016 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 27-28, 2016

Title: Firearms and Archery Range Safety Policy Changes for Recreation Grant Programs

Prepared By: Adam Cole, Natural Resource Policy Specialist

Summary

At the February 2016 meeting, the Recreation and Conservation Funding Board (board) reviewed recommended changes to the Firearms and Archery Range Recreation (FARR) program's Range and Course Safety Policy (safety policy). A public comment period was held from February 29 through March 18, 2016. This memo summarizes the proposed changes, public comments received, and recommends adoption of Resolution 2016-21 which updates policies for grant programs that provide funding for firearms and archery recreation projects.

Board Action Requested

This item will be a:

- ☒ Request for Decision
- ☐ Request for Direction
- ☐ Briefing

Resolution: 2016-21

Background

At the [February 2016 meeting](#), the Recreation and Conservation Funding Board (board) reviewed the following recommended changes to the Firearms and Archery Range Recreation (FARR) program's Range and Course Safety Policy (safety policy):

1. Ensure projectile containment for projects using design guidance from the Archery Trade Association;
2. Apply the FARR safety policy to all firearms and archery projects funded by the board; and
3. Limit the number of safety policy certifications, evaluations, and reports eligible for reimbursement.

The board directed Recreation and Conservation Office (RCO) staff to solicit public comments on the proposed policy changes and prepare a recommendation for decision at the April 2016 meeting.

Public Comments Received

The public comment period lasted from February 29 through March 18, 2016. During this time, staff reached out to a broad audience using the following methods:

- Notification to 3,100 individuals in RCO's PRISM database with an "interest area" related to this topic;

- Notification to several grant programs' standing Advisory Committees, including the FARR Advisory Committee;
- Outreach to planning and law enforcement staff at the Washington State Departments of Natural Resources, Fish and Wildlife, and State Parks.
- Notification on RCO's Policy and Rule-making Web page.

Four individuals submitted comments on the proposed changes, included below with RCO's responses. Two commenters agreed with all the policy recommendations; one commenter did not oppose the recommendations, but suggested considering the location of projects based on noise, amount of use, and time of day of operation; and a fourth commenter supported the recommendations and of requiring containment structures, but suggested the containment requirements could be evaluated, and potentially not required, on a case-by-case basis.

Based on the public comments received, staff made no changes to the recommended policy changes.

Table 1. Public Comments

| Commenter | Comment | Staff Reply |
|----------------------|---|---|
| Lunell Haught | In addition to safety, you consider the noise factor on placement, and let the public who is not shooting know that shooting happens during times/days. | <p>Thank you for your comments.</p> <p>A policy for location of a proposed project is not being considered at this time.</p> <p>RCO requires each FARR project applicant to conduct a public meeting with the nearby property owners. If the project is selected for funding, sponsors must contact those who attended the public meeting of the project's status. For firearms and archery range projects in other board funded grant programs, the applicants are government organizations which have their own public planning, public information and meeting requirements.</p> |
| Dr. Peter V. Kilburn | <p>Thank you for the opportunity for input on Policy Proposals and Policy Changes and Grant Program Evaluation Criteria Changes.</p> <p>I am a Newby--my first time commenting.</p> <p>I have reviewed the "Proposed policy changes for any board funded firearm or archery project. These changes proposed seem very reasonable.</p> <p>Again, thank you for the opportunity to comment. If I may be of any further assistance, please advise.</p> | <p>Thank you for your comments.</p> |

| | | |
|---|--|-------------------------------------|
| <p>Robert Ingram, State Parks Chief Law Enforcement</p> | <p>I have no concerns, as it appears these proposed changes may provide for improved safety and access to such opportunities. A positive impact that indirectly relates to WSPRC's law enforcement function appears to be the potential for greater availability of firing ranges to practice at/on.</p> | <p>Thank you for your comments.</p> |
| <p>Richard Mann, Captain, WDFW Police</p> | <p><i>(Comments stem from multiple email exchanges. The main points are captured below and may contain some edits for clarity.)</i></p> <p>As for a "No Blue Sky" baffle or a shed system, I think you should really consider that requirement on a case by case basis. Berms or other containment facilities may be sufficient on a given sight w/o public or other human development nearby. If an agency can satisfy <i>(site safety considerations)</i> I don't see why the project should not be considered. Safety is the key issue. Some type of structure that forces shooters to shoot down the range and not all over should be desired. One shooter who decides to discharge outside of a shed, beyond no blue sky baffles or in the wrong direction is <i>(a)</i> problem and no type of safety measure, even on a supervised range, will account for that person.</p> <p>At least with an established, well designed facility, safety is improved and shooters contained at a single location...Think you need to do the very best you can, but also understand that there may be facilities that have been built in environmental layouts that contribute to safety without some of the built measures. Each is a case by case study, which makes it difficult at times.</p> | <p>Thank you for your comments.</p> |

Staff Recommendation

Staff recommends the board adopt Resolution 2016-21, included as Attachment A.

Next Steps

If the board adopts Resolution 2016-21, RCO staff will update the program and policy manuals with the approved policy changes. These updated policies shall apply to grant proposals submitted in 2016.

Strategic Plan

The proposed policy changes support Goal 2 in the board's [Strategic Plan](#):

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

**Recreation and Conservation Funding Board
Resolution 2016-21
Firearms and Archery Recreation Projects**

WHEREAS, pursuant to the Revised Code of Washington (RCW) 79.15 and 79A.25, and Washington Administrative Code (WAC) 286-04 and 286-30, the Recreation and Conservation Funding Board (board) administers and approves policies that govern grant programs which do, or may, support firearms and archery range recreation; and

WHEREAS, the board adopted a Range and Couse Safety Policy for the Firearms and Archery Range Recreation (FARR) program in January of 2014 (Resolution 2014-05) and see the benefits of extending this policy to other grant programs; and

WHEREAS, the recommended changes in Item 17 reflect the opportunity to make a number of policy improvements that support the board's goals to achieve a high level of accountability in managing the resources and responsibilities entrusted to the board; and

WHEREAS, the board reviewed the draft changes in February of 2016 in an open public meeting and instructed Recreation and Conservation Office (RCO) staff to release the draft changes for public review and comment; and

WHEREAS, based upon the public comment received, RCO staff recommends the board approve the recommendations as presented in Item 17; and

WHEREAS, these proposed policy changes are consistent with state law and the board's administrative rules,

NOW, THEREFORE BE IT RESOLVED, that the board adopts the proposed policy changes for FARR and other board funded grant programs which do, or may, support firearms and archery range recreation; and

BE IT FURTHER RESOLVED that the board directs RCO staff to incorporate these changes into the appropriate grant program and policy manuals; and

BE IT FURTHER RESOLVED that the policy changes shall be effective beginning with the 2016 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

RECREATION AND CONSERVATION FUNDING BOARD SUMMARIZED AGENDA & ACTIONS

April 27-28, 2016

Agenda Items

| Item | Formal Action | Board Request for Follow-up |
|--|---|--|
| 1. Consent Calendar A. Board Meeting Minutes – February 9-10, 2016 | Resolution 2016-12 Decision: Approved | No follow-up action requested. |
| 2. Director's Report <ul style="list-style-type: none">Director's Report (Briefing)Legislative, Budget, & Policy UpdateGrant Management ReportProjects of Note<ul style="list-style-type: none">Railroad Bridge Trestle Extension (RCO Project #10-1364D)Naches Spur Rail to Trail (RCO Project #10-1596)Fiscal Report (<i>written only</i>)Performance Report (<i>written only</i>) | Briefings | No follow-up action requested. |
| 3. Introduction of Governor's Outdoor Recreation Policy Advisor | Briefing | The board invited Mr. Snyder to attend future meetings and provide updates. |
| 4. State Agency Partner Reports | Briefings | Staff will follow-up on the conflict resolution model suggested by Member Stohr for a briefing at a future meeting. |
| 5. Department of Natural Resources' Natural Heritage Program: How Proposed Acquisitions are Prioritized | Briefing | No follow-up action requested |
| 6. Follow-Up on Board Performance Measures | Briefing & Decision Motion: Approved | The board supported staff in tracking public outreach and the number of RCFB volunteer hours in order to assess the draft performance measure for addressing stakeholder and public involvement. Staff will bring a draft agenda for a board retreat during 2017 to the July 2016 meeting. |
| 7. Implementation of the Legislative Changes to the Washington Wildlife and Recreation Program (WWRP) A. Overview of Policy Implementation for the Next Two Years | Briefing | No follow-up action requested. |

| Item | Formal Action | Board Request for Follow-up |
|--|--|---|
| B. Early Action Board Decisions Needed to Align Board Policy with New Law | <p>Resolution 2016-13 Decision: Approved, as amended April 27, 2016</p> <p>Resolution 2016-14 Decision: Approved</p> <p>Resolution 2016-15 Decision: Approved</p> | <p>The board approved an amendment to the policy statement and to an amendment to the Resolution language, specifically noting that Attachment A was amended.</p> <p>No follow-up action requested.</p> <p>No follow-up action requested.</p> |
| C. Upcoming Requests for Direction in July for October Decisions | Briefing | No follow-up action requested. |
| 8. Department of Health: Healthy Communities Program | Briefing | No follow-up action requested. |
| 9. Land and Water Conservation Fund: Outdoor Recreation Legacy Partnership | Briefing | No follow-up action requested. |
| 10. Follow-Up on Definition of "Project Area" and Formation of a Subcommittee | Resolution 2016-16 Decision: Approved, as amended April 28, 2016. | Member Herzog and Member Deller volunteered to participate on the committee. The board approved amended the resolution language to state one citizen member of the board (instead of two) will be appointed to the committee. The Chair will appoint the remaining members prior to the committee's first meeting in May 2016. The committee will provide a briefing to the board concerning their progress at the July 2016 meeting. |
| 11. Conversion Request: Methow Valley Community Trail Phase 3 (RCO Project #97-1181AD) | Resolution 2016-17 Decision: Approved | The director will notify the board of any substantial public comment received. |
| 12. State Parks Allowable Use Requests for Agricultural Use on Certain Segments of Two Funded Trails | Briefing | No follow-up action requested. |
| 13. Nonhighway and Off-road Vehicle Activities Policy Changes | Request for Direction | The board directed staff to proceed with preparing the recommendations for public comment. |

| Item | Formal Action | Board Request for Follow-up |
|--|--|---|
| 14. Proposed Changes to Project Type Definitions for Nonhighway and Off-road Vehicle Activities and Recreational Trails Program. | Request for Direction | The board directed staff to proceed with preparing the recommendations for public comment. |
| 15. Nonhighway and Off-road Vehicle Activities Program Funding | | |
| A. Allocation of Funding per Legislative Budget Provisos | Briefing | No follow-up action requested. |
| B. The Department of Natural Resources and Fish and Wildlife request reinstatement as alternates on the 2014 ranked lists | Resolution 2016-18 Decision: Approved | No follow-up action requested. |
| | Resolution 2016-19 Decision: Denied | No follow-up action requested. |
| 16. Washington Wildlife and Recreation Program, State Parks Category Criteria Changes for 2016 | Resolution 2016-20 Decision: Approved, as amended April 28, 2016 | No follow-up action requested. |
| 17. Firearms and Archery Range Safety Policy Changes for Recreation Grant Programs | Resolution 2016-21 Decision: Approved | The board directed staff to research further on known published guidances and qualifications of range evaluators and return to the board for a briefing at the July 2016 meeting. |

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: April 27, 2016

Place: Natural Resources Building, Room 175, Olympia, WA

Recreation and Conservation Funding Board Members:

| | | | |
|------------------|----------|--------------|---|
| Ted Willhite | Chairman | Jed Herman | Designee, Department of Natural Resources |
| Betsy Bloomfield | Yakima | Peter Herzog | Designee, Washington State Parks |
| Pete Mayer | Everett | Joe Stohr | Designee, Department of Fish & Wildlife |
| Mike Deller | Mukilteo | | |

It is intended that this summary be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording as the formal record of the Recreation and Conservation Funding Board (board) meeting.

Call to Order

Chairman Willhite called the meeting to order at 9:04 am. Staff called roll, and a quorum was determined. Member Bloomfield arrived at noon.

Member Herzog moved to approve the meeting agenda; Member Herman seconded. The motion carried.

Item 1: Consent Agenda

The board reviewed Resolution 2016-12, Consent Agenda, including the approval of the board meeting minutes.

Resolution 2016-12

Moved by: Member Mike Deller

Seconded by: Member Pete Mayer

Decision: Approved

Item 2: Director's Report

Director's Report: Director Kaleen Cottingham shared an overview of RCO updates including an update on filling the vacancy on the board, an opportunity to partner with Earth Economics using SCORP data, preparing for the 2017-18 budget, and congressional efforts to reauthorize the Land and Water Conservation Fund (LWCF). Upcoming this summer, there will be several park dedications to which all board members are invited. Director Cottingham also provided an update on the July travel meeting of the board in Bellevue and several staffing and organizational changes at RCO.

Director Cottingham shared information about the successful start of the No Child Left Inside Grant Program. Deputy Director Robinson provided the most recent grant award lists to the board and highlighted several of the top projects. The board discussed appropriate monetary amounts for grant requests, all contingent upon need and the applicant, and the process for communicating the grant program's progress with board members.

Legislative, Budget, & Policy Update: Wendy Brown, Policy Director, summarized the recent legislative session, including reauthorization of the Washington Invasive Species Council (WISC) and Habitat and Recreation Lands Coordinating Group, and Senate Substitute Bill (SSB 6227) regarding changes to the

Washington Wildlife and Recreation Program (WWRP). She also provided information about RCO's operating and capital budget results, highlighting program funding shifts. Deputy Director Robinson responded to board questions regarding the Recreational Trails Program, which received funding during the last session.

Grant Management Report: Marguerite Austin, Recreation and Conservation Section Manager, shared information about the current grant round and applications received. Ms. Austin provided an update on LWCF funding which resulted in additional awards to previously ranked projects. Director Cottingham and Ms. Austin responded to board questions regarding director-approved time extensions and other recent trends in grant applications.

Featured Projects: Marguerite Austin, Recreation and Conservation Section Manager, provided an overview of the Railroad Bridge Trestle Extension project (RCO # [10-1364D](#)). Alison Greene, Outdoor Grants Manager, presented information about the Naches Spur Rail to Trail project (RCO # [10-1596D](#)).

Item 3: Introduction of Governor's Outdoor Recreation Policy Advisor

Chair Willhite introduced, Jon Snyder, the Governor's Outdoor Recreation Policy Advisor. Mr. Snyder provided information about a recent No Child Left Inside grant awarded in Bellingham, highlighting the award as positive example of agency and local partnerships using public funding. He briefly shared his background and experience, including how this history contributes to him serving in his new role. Mr. Snyder intends to join the board on the July tour meeting, and may attend future meetings to provide brief updates from the Governor's Office.

Item 4: State Agency Partner Reports

Washington Department of Natural Resources (DNR): Member Herman provided an update on behalf of DNR. Currently, DNR is seeking a new commissioner. Member Herman spoke to the recent legislative session, including struggles with budget requests and challenging legislation. He briefly summarized work being done on several projects across the state, as well as current efforts to implement changes resulting from the WWRP legislation passed last session. Member Herman responded to questions regarding DNR recreation plans in Whatcom County, which contribute to local support and partnerships, and information about DNR fire-prevention and response policies.

Washington State Parks (State Parks): Member Herzog provided an update on behalf of State Parks regarding the outcomes of the recent legislative session, highlighting the issues surrounding St. Edward's Seminary and state park. Member Herzog responded to board comments regarding local partnerships, creating public trust, and private investment issues. Member Herzog also provided updates on the John Wayne Pioneer Trail, other trail policies and issues, and challenges concerning recreational use near or on agricultural areas with public access. He responded to board comments regarding local partnerships, creating public trust, and private investment issues.

Washington Department of Fish and Wildlife (WDFW): Member Stohr provided an update on behalf of WDFW, describing ongoing tribal and federal negotiations to obtain permits to conduct fisheries in the face of endangered species' needs. Member Stohr updated the board on WDFW's Washington's Wild Future Initiative, progress made during the fall to solicit public input, and resulting proposals that incorporate the public input and existing resources. Further workshops are scheduled in May. Member Stohr summarized outcomes from the recent legislative session, including capital and operating budget results and legislative requests to address conflict resolution through a transformation model in broader contexts and within the public sphere. Chair Willhite suggested adding information about this model as a topic for a future board retreat.

General Public Comment

Robert Kavanaugh, private citizen, addressed the board regarding grazing policy and conflicts with WDFW policies. Mr. Kavanaugh shared a handout with the board, in addition to written comment submitted before the meeting. He addressed concerns about WDFW conflicts that arise under the pressures of the Cattleman's Livestock Association and their (WDFW's) statutory needs to protect species and ecological integrity.

Break 11:00 a.m. – 11:10 a.m.

Briefings & Discussions

Item 5: Department of Natural Resources' Natural Heritage Program: How Proposed Acquisitions are Prioritized

John Gamon, Natural Heritage Program Manager, presented information about DNR's [Natural Heritage Program](#). He summarized the establishing statute, as well as the program goals and purposes. DNR's Natural Areas Program manages approximately ninety-two sites, with the goal of creating a robust system that exemplifies Washington's diversity of ecosystems and species. The program is guided by the *Washington Natural Heritage Plan*, which identifies priority species and ecosystem targets and the processes by which natural areas are identified and designated. Using the [NatureServe](#) methodology, the program ranks the conservation status of several species, monitors the status and maintenance needs over time of various species, and prioritizes conservation efforts. The information is used to make recommendations to DNR regarding site designations and support the public process.

Mr. Gamon responded to board questions about collaboration with other agencies, public involvement, legislative direction, concerns about site-monitoring and budget needs, and ecological integrity assessments. He described the multiple processes and authorities at the local, state, federal, and research levels as natural areas are concerned. He shared that a significant resource is the Natural Area Database (NAD), housed by the U.S. Geological Survey (USGS).

Member Mayer shared a resource tool for critical habitat assessment (CHAT) offered by the Western Governors' Association that may serve some benefit in agency collaboration efforts where budget is a concern. Mr. Gamon addressed further questions about agency partnerships for federal grants or funding, involving public forums and resources, and managing government protocols and legislative direction.

Note: Member Bloomfield joined the RCFB meeting in progress.

Lunch Break: 12:00 p.m. – 1:00 p.m.

General Public Comment (continued)

Christa Little, Bainbridge Island citizen, addressed the board on behalf of a citizen's group regarding concerns about the Bainbridge Island Sportsmen's Club and the safety of a board-funded project sponsored by Club. She formally requested that funding be retracted due to lack of safety requirement enforcements. She shared that the current NRA range guidebook (2012) has been dramatically changed and may no longer serve to meet the safety needs that a range manual should provide. She encouraged the board to reference the standards of a specific manual (versus the modified version) in project agreements. She offered to meet with staff to share suggestions to improve the safety and policy formation of board projects. RCO staff will return to the board after addressing Ms. Little's concerns.

Item 6: Follow-Up on Board Performance Measures

Scott Robinson, RCO Deputy Director, summarized the staff progress made since the board's February 2016 meeting, at which the board directed staff to work with Member Bloomfield in revising her suggested draft measures.

Mr. Robinson shared several GIS story maps using WDFW, State Parks, RCO, and DNR project data as examples in demonstrating board performance measure achievement; current county population and trends in population growth as compared to the concentration of projects funded by the board; and projects funded through the WWRP trails category. Member Bloomfield stated that the spatial data meets the needs of the board in terms of measuring performance. Chair Willhite posed the question of benefit versus burden to staff, and noted that this would meet the board's needs as well if there is sufficient capacity. Members Deller and Mayer agreed.

The board discussed additional uses of spatial tools for projects, trails, and potential acquisitions. Additional ideas included the incorporation of economic data to address the needs of underserved communities.

Mr. Robinson shared the proposed draft performance measure for addressing applicant satisfaction with the grant process. Member Bloomfield agreed with the amended measure, also noting that staff should additionally address the negative comments received and track how these comments are resolved.

Member Mayer suggested that the board follow a mock application process to gain context from the applicant perspective. Chair Willhite agreed, but noted that this falls under the topic of "board training" versus performance measure revision.

Finally, Mr. Robinson shared the proposed draft performance measure for addressing stakeholder and public involvement. Member Bloomfield and Chair Willhite agreed with the suggestions to track RCO's public outreach and the number of RCFB volunteer hours.

Member Mayer moved to accept proposed framing questions and performance measures as presented today, effective July 1, 2016. Member Bloomfield seconded. The motion carried.

Briefings & Decisions

Item 7: Implementation of the Legislative Changes to the Washington Wildlife and Recreation Program (WWRP)

Item 7A: Overview of Policy Implementation for the Next Two Years

Wendy Brown, Policy Director, provided an overview of the recommendations for statutory revisions to the Washington Wildlife and Recreation Program (WWRP) resulting from Senate Substitute Bill (SSB) 6227, signed into law on March 31, 2016. With the passage of the bill and inclusion of a modified emergency clause, some parts of the law became effective immediately and others will be phased in over the next two years. RCO anticipates implementation of the new law to occur in three over-lapping phases: 1) the 2016 grant ground (to be presented in Items 7B and 7C); 2) the Forestland Preservation Program; and 3) the policies, evaluation criteria, and other needs for the 2018 grant round. Ms. Brown summarized these three phases and anticipated timeline, detailed in the board materials.

The board discussed the anticipated roles of various groups, committees, and the board itself in the implementation of these phases.

Note: Member Stohr was excused from the RCFB meeting for the day.

Item 7B: Early Action Board Decisions Needed to Align Board Policy with New Law

Leslie Connelly, Policy Specialist summarized three requests for action by the board for 2016 grant round applications, detailed in the board materials. Ms. Connelly shared the process for public outreach in this expedited timeframe, the revisions made as a result, and suggestions for future policies.

Nonprofit Nature Conservancies as Eligible Applicants (Resolution 2016-13)

Ms. Connelly presented the first request concerning policies needed in response to nonprofit nature conservancies becoming eligible applicants in the Habitat Conservation Account, addressing the need to:

- Update acquisition policies to:
 - Clarify land already owned by a sponsor is ineligible for funding,
 - Allow certain properties already owned by nonprofit organization to be granted a Waiver of Retroactivity, and
 - Add a new policy on partnerships and property transfers.
- Extend existing policies on nonprofit qualifications to all categories in the Habitat Conservation Account

The board discussed potential project examples and questions that may arise considering various applicant scenarios, eligible costs, and the grace period for waivers of retroactivity. Ms. Connelly stated that the purpose behind the grace period is to allow land trusts to catch up with the new law and continue established partnerships.

The board discussed the new policies proposed for partnerships and property transfers, using examples to clarify the purpose of the policy, the definition of sponsor as it pertains to the policy, and the various ways sponsor match can be reached using property or funds.

Break: 3:05 p.m. – 3:15 p.m.

Public Comment:

Hannah Clark, WALT, addressed the board regarding the new policy allowing land trusts as eligible project sponsors. She appreciated that examples that the board worked through today and thanked the board and staff. She noted that the policies are sufficient for the short term, but before the next ground round a firmer, more thorough policy would need to be in place.

Tom Bugert, TNC, stated that considering the short time frame before the grant round closes, the proposed policies are sufficient. He echoed Ms. Clark's comments regarding a more thorough policy for the next grant round. He provided additional examples where a land trust, TNC, may serve as sponsor or property owner and emphasized the importance of allowing for time and flexibility in the grant process.

Chair Willhite confirmed that both commenters do not have any opposition to Resolution 2016-13 as proposed. Ms. Clark added that as a short-term provision, it is sufficient.

Ms. Connelly continued to address proposed policy regarding the eligibility of nonprofits.

Resolution 2016-13, as amended

Moved by: Member Mike Deller

Seconded by: Member Jed Herman

Board Discussion: The board discussed the possibility of a match requirement versus a closing date requirement, which staff confirmed. (This is summarized in Attachment A of Item 7B). The board suggested an amendment to the policy statement as follows:

"The minimum matching share required in the application is determined by who will own the property at the time of acquisition by an eligible sponsor."

The board also agreed to an amendment to the Resolution language, specifically noting that Attachment A was amended.

Chair Willhite asked for further public comment on this matter, at which time there was none. Member Mayer requested that staff provide an update on these policies at the July meeting.

Decision: Approved

**** The board deferred the remainder of Item 7B and Item 7C until after Item 8 was presented.*

Definition of Farmland in the Farmland Preservation Category

Ms. Connelly summarized the changes resulting from SSB 6227 which expanded the types of farmland eligible for funding in the Farmland Preservation category to include lands that meet the definition of "Farms and Agricultural Conservation Land" in the Open Space Tax Act. The change requires the board to update its policy on "Parcels Eligible" in the WWRP Farmland Preservation category.

Resolution 2016-14

Moved by: Member Pete Mayer

Seconded by: Member Peter Herzog

Decision: Approved

Evaluation Question on Statewide Significance in the Urban Wildlife, Critical Habitat and Natural Areas Categories Evaluation Criteria

Ms. Connelly summarized the changes resulting from SSB 6227 which revised the evaluation criteria question on statewide significance. The law removed the reference to local agency sponsors addressing a project's statewide significance in the Critical Habitat category. The effect of the change is that all applications in the Critical Habitat, Natural Area, and Urban Wildlife Habitat categories must address how the project has statewide significance. To make this adjustment, staff proposed that the board apply the existing questions about statewide significance in the Critical Habitat category to the other two categories.

Resolution 2016-15

Moved by: Member Mike Deller

Seconded by: Member Betsy Bloomfield

Decision: Approved

Item 7C: Upcoming Requests for Direction in July for October Decisions

Leslie Connelly, Natural Resource Policy Specialist, outlined the plan to incorporate changes into the Washington Wildlife and Recreation Program (WWRP) for the remainder of this grant round (closing Monday, May 2, 2016). Ms. Connelly summarized the requests, as detailed in the board materials. To meet the legislative deadline, staff will draft materials for the board's review at the July 2016 meeting and final policies and evaluation criteria at the October 2016 meeting. Staff will work with a soon-to-be-created advisory committee and stakeholders to develop the draft materials. The formal public comment period is planned for August 2016.

Item 8: Department of Health: Healthy Communities Program

**Presented out of order*

Kathryn Akeah, Healthy Communities Manager, and Amy Ellings, Healthy Eating Active Living Manager, provided an overview of the Healthy Communities Program structure, mission, goals, and current initiatives. The board received handouts covering various aspects of the program: key activities, priorities, partnerships, plans, and upcoming community events. The board discussed ways that the information can be incorporated into grant polices and evaluation criteria, speaking particularly to the benefit of youth and school partnerships.

Closing: Day One

The meeting was adjourned for the day at 4:21 p.m. by Chair Willhite.

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: April 28, 2016

Place: Natural Resources Building, Room 175, Olympia, WA

Recreation and Conservation Funding Board Members:

| | | | |
|------------------|----------|--------------|---|
| Ted Willhite | Chairman | Jed Herman | Designee, Department of Natural Resources |
| Betsy Bloomfield | Yakima | Peter Herzog | Designee, Washington State Parks |
| Pete Mayer | Everett | Joe Stohr | Designee, Department of Fish & Wildlife |
| Mike Deller | Mukilteo | | |

It is intended that this summary be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording as the formal record of the Recreation and Conservation Funding Board (board) meeting.

Call to Order

Chairman Willhite called the meeting to order at 9:01 am. Staff called roll, and a quorum was determined.

Board Business: Briefing

Item 9: Land and Water Conservation Fund: Outdoor Recreation Legacy Partnership

Marguerite Austin, Recreation and Conservation Section Manager provided an overview of the National Land and Water Conservation Fund's Outdoor Recreation Legacy Partnership Program and provided an overview of the three preliminary applications submitted by the March 31 due date. Staff is currently reviewing and assessing the applications to ensure they meet qualifications for the national competition.

Ms. Austin stated delegation of authority was given to Director Cottingham to approve projects for submittal to the national competition following review and ranking by the advisory committee. Due to the tight timeline, the director will select projects and submit, once reviewed and ranked by the advisory committee. The board discussed opportunities and process for public comment for each project.

Board Business: Decisions

Item 10: Follow-Up on Definition of “Project Area” and Formation of a Subcommittee

Leslie Connelly, Natural Resource Policy Specialist, summarized presentations made to and discussion of the board regarding the definition of “project area” and its significance for projects. Due to the extent of the questions and information gathering needed, members of the board suggested a committee be formed to discuss the above needs and to draft definition for consideration by the full board. At this time, Ms. Connelly recommended that the board form a special committee which includes three board members: two citizen members; one state agency member; and one member from a local agency sponsor. The goal of the committee would be to bring a recommendation to the board for decision at the October 2016 meeting.

Member Deller volunteered to participate; Member Herzog volunteered. The board discussed refining the scope of the members to one agency and one citizen member.

Public Comment: No public comment was received at this time.

Resolution 2016-16, as amended

Moved by: Member Mike Deller

Seconded by: Member Peter Herzog

Board Discussion: Member Herman clarified that the project area definition is often viewed dichotomously, and that this conflict between state and sponsor understanding of the term and how this may affect project scope will be addressed by the committee. Ms. Connelly confirmed that the definition will be applied to the extent of projects under agreement with RCO, ensuring that the term is something that works for both staff and project sponsors. The board discussed having the committee provide a briefing covering their progress at the July 2016 board meeting.

Decision: Approved

Item 11: Conversion Request: Methow Valley Community Trail, Phase 3 (RCO Project 97-1181AD)

Myra Barker, Policy Compliance Specialist, summarized a request from Okanogan County that the board approve a conversion of 1.44 acres located at the Mazama Trailhead. The information presented reviewed the conversion briefing as presented at the February 2016 meeting. Ms. Barker delivered that staff recommendation, proposing that the board delegate approval of the conversion to Director Cottingham following completion of the remaining conversion documentation and process, including the public comment period, and the caveat that should any questions arise the issue will be brought back to the board for consideration.

Public Comment:

James DeSalvo, Methow Trails Executive Director, and **John L. Hayes**, Okanogan County and representing Bill Pope of Okanogan County, were present to respond to board questions. Mr. Hayes responded to a question about concerns presented at the February meeting by an adjacent land owner regarding the project timeline and implementation schedule; he shared that in later discussions with the adjacent land owner these concerns were resolved. Mr. DeSalvo responded to questions about the continued process for public involvement. He shared that no further conflicts are anticipated as the project moves forward.

The board discussed the process for addressing opposing comments or other issues that may arise from the public comment period, ensuring that the board will be briefed on any future issues.

Resolution 2016-17

Moved by: Member Betsy Bloomfield

Seconded by: Member Jed Herman

Decision: Approved

Item 12: State Parks Allowable Use Requests on RCO Funded Trails

Myra Barker, Compliance Specialist, summarized the Allowable Use Policy and the board actions that dictate the guidance for and implementation of this policy. Ms. Barker briefed the board on three Washington State Parks allowable use requests that demonstrate the types of issues and challenges being faced by RCO project sponsors. Per policy, each allowable use request is reviewed by the internal compliance team, composed of grant managers from the Recreation/Conservation and the Salmon grant sections, who make a recommendation to the RCO director. The RCO Director holds authority to approve or deny requests based on the recommendation.

The board discussed the direction provided by the Legislature, limited use on some of the trails in the eastern half of the state, public involvement and participation, acknowledging landowner agreements, engaging existing trail user groups, and honoring long-term ecological integrity under project agreements while continuing to allow recreational use.

Break: 10:15 a.m. – 10:30 a.m.

Board Business: Requests for Direction

Item 13: Nonhighway and Off-road Vehicle Activities (NOVA) Policy Changes

Adam Cole, Natural Resource Policy Specialist, provided an overview of the NOVA program categories, funding sources, and grant criteria. He summarized the proposed changes to the NOVA grant program policy. Mr. Cole requested board direction and comment in order to solicit public comments for the proposed changes. The final draft of the proposed policies, including any changes based on public comment, will be brought to the board for decision at the July 2016 meeting.

Grant Limits

Mr. Cole summarized the proposed changes to grant limits, including the recommendations to:

- Raise the maximum grant limits from \$100,000 to \$200,000 for all project types in the Nonhighway Road and Nonmotorized categories; and to
- Remove the annual \$50,000 spending maximum for maintenance and operations projects.

The board did not have further comment and directed staff to proceed with preparing the recommendations for public comment.

NOVA Project Technical Review

Mr. Cole summarized the proposed changes to the technical review process, including the recommendation to:

- Eliminate the current application Technical Review process whereby each Advisory Committee member reviews all grant applications and provides feedback, and instead rely on RCO Grant Managers to review applications to ensure completeness and clarity.

Mr. Cole and Marguerite Austin responded to board questions about the requirements and expectations of the technical review process, and the benefits of working more closely with inexperienced applicants. Ms. Austin clarified that the NOVA program, in contrast with other programs, entails a written versus verbal review process and this leads to some challenges. Chair Willhite advocated for maintaining some form of technical review to encourage transparency and public involvement and trust in the process. Mr. Cole acknowledged there was no clear consensus by the NOVA Advisory Committee on which option was the best to adopt. In response, the board provided direction for staff to publish all options for public comment.

Nonprofit Applicant and Project Eligibility

Mr. Cole summarized the proposed changes to the applicant and project eligibility criteria, including the recommendations to:

- Create eligibility criteria for a “non-profit off-road vehicle organization”;
- Define “publicly-owned lands,” as it appears in RCW 46.09.530; and to
- Establish Control and Tenure Requirements.

The board discussed potential eligible applicants, and the process and understanding for successor organizations that may assume projects or property. The board did not have further comment and directed staff to proceed with preparing the recommendations for public comment.

Item 14: Proposed Changes to Project Type Definition for Nonhighway and Off-road Vehicle Activities and Recreational Trails Program

Adam Cole, Natural Resource Policy Specialist, provided a brief overview of the Recreational Trails Program (RTP), and referred to Item 13 for an overview of NOVA. Mr. Cole summarized the background of the most recent changes made in 2014; the numerous challenges encountered after one grant cycle of implementation for staff managing maintenance grants; and the clarifying language added to the 2014 adopted policy statements, which redefined the project types. Mr. Cole requested board direction and comment in order to solicit public comments for the proposed changes. The final draft of the proposed policies, including any changes based on public comment, will be brought to the board for decision at the July 2016 meeting.

The board discussed project examples where staff encountered the described challenges, acknowledgment of the adaptive management approach to policy refinement, and implications to other grant programs’ criteria definitions. The board did not have further comment and directed staff to proceed with preparing the recommendations for public comment.

Board Business: Decisions

Item 15: Nonhighway and Off-road Vehicle Activities

Item 15A: Allocation of Funding per Legislative Budget Provisos:

Wendy Brown, Policy Director, summarized the legislative budget provisos resulting from the 2016 session. The Governor signed the supplemental budget for NOVA, after setting aside funds for the trails database per the proviso and program administration, \$2.2 million will be available for grants. RCO staff plans to allocate the funds approved by the supplemental budget to alternate projects on the approved ranked list. A complete list of projects funded per the 2016 supplemental budget was provided to the board. The allocation will comply with the terms included in the budget proviso and with board adopted policies for allocation of NOVA funds.

Item 15B: The Departments of Fish and Wildlife and Department of Natural Resources request reinstatement as alternates on the 2014 ranked lists

Darrell Jennings, Senior Outdoor Grants Manager, followed up on the impacts to the 2014 ranked lists, based on the information provided in Ms. Brown's immediately preceding presentation. He stated that the Departments of Fish and Wildlife (WDFW) and Natural Resources (DNR) are requesting reinstatement of six grant proposals from the 2014 NOVA grants process. He summarized the background and details of the requests, as detailed in the board materials. Mr. Jennings described the project list shared with the board, and the respective staff recommendations for both WDFW and DNR project reinstatements.

Mr. Jennings stated that both the Department of Fish and Wildlife and RCO staff request the board reinstate RCO Project 14-2148 to be eligible for any additional program revenues or returned funds that may become available, following the board's funding procedures.

Public Comment:

Paul Dahmer, WDFW, addressed the board in support of reinstatement of RCO Project 14-2148. He summarized the public support and project benefits.

Member Deller discussed the challenges in maintaining integrity, transparency, and confidence in the public process. He shared that he is not comfortable reinstating these projects, in part due to the aforementioned reasons and in part due to refraining from setting any kind of precedent by the board.

The board discussed the implications to other projects, should one or either of the proposed resolutions be approved and projects reinstated, and the potential sources of alternate funding for the projects in question.

Resolution 2016-18

Moved by: Member Pete Mayer

Seconded by: Member Betsy Bloomfield

Board Discussion: Chair Willhite confirmed that the reservations expressed by Member Deller were restricted to Resolution 2016-19, not 2016-18.

Decision: Approved

The Department of Natural Resources request reinstatement as alternates on the 2014 ranked lists. Mr. Jennings stated DNR did not provide match certification for five projects due to the projects scoring below the expected funding line (RCO Projects 14-1826, 14-1822, 14-1848, 14-1813, 14-1821). However, with the subsequent passage of Senate Bill (SB) 5987 increasing the gas tax during the 2015 legislative session, the five projects would now be within the funding range.

Public Comment:

Brock Milliern, DNR, addressed the board and explained in more detail the process by which WDFW committed their paperwork errors and the resulting project decisions. He requested that the board reinstate the project considering this information.

Resolution 2016-19

Moved by: Member Pete Mayer, for denial

Seconded by: Member Peter Herzog, for discussion

Board Discussion: Member Herzog questioned the issue's potential for precedence-setting. Member Herman responded that there may be a compromise to address reinstatement of some DNR-requested projects, but not all. The board continued the discussion of precedence, noting the importance of transparency in the public process. Member Deller and Member Mayer agreed that the Resolution should not pass for these reasons. Member Herzog asked whether an alternative or satisfactory solution could be reached; Member Herman acknowledged that the following grant cycle will be another opportunity for these projects to get funded.

Decision: Option "B", Approved (to deny the DNR request), five in favor, two nay votes:

"NOW, THEREFORE BE IT RESOLVED, that the board rejects the request from Washington Department of Natural Resources projects, and that these projects remain ineligible to receive any available NOVA funding that may be available pursuant to the board's allocation of returned and unallocated funding."

Lunch Break: 12:00 p.m. – 12:45 p.m.

Item 16: WWRP, State Parks Category Criteria Changes for 2016

Adam Cole, Natural Resource Policy Specialist, provided a brief summary of the WWRP, State Parks Category criteria and evaluation process. Mr. Cole summarized the public comments received, which did which resulted in some changes to: "Question 9" to remove the phrase "and require operational impact from the Legislature"; referencing cultural resources; and changes to the scoring criteria. Mr. Cole advised that should the board adopt the resolution, next steps are to send the new questions to State Parks staff, update the materials before the application deadline, and conduct technical review.

Member Herzog confirmed that these changes are in line with State Parks' staff.

Public Comment: No further public comment was received at this time.

Resolution 2016-20, as amended

Moved by: Member Peter Herzog

Seconded by: Member Mike Deller

Decision: Approved

Item 17: Firearms and Archery Range Safety Policy Changes for Recreation Grant Programs

Adam Cole, Natural Resource Policy Specialist, provided a summary of the FARR Course Safety policy, proposed policy changes, scenarios to demonstrate the policy changes, and the role of RCO staff. Mr. Cole summarized the public comment received, which did not result in any changes to the staff recommendations. Mr. Cole stated that based on public comment received in the future, should staff need to make any further amendments, the issue would be brought before the board.

The board discussed the intent of the safety policy, noting that the board is not intended to be responsible for certifying safety, rather, the project sponsor must certify safety and assure this requirement as part of their project application. The board further discussed how sponsors and applicants identify appropriate representatives to certify safety, again noting that this is not part of the board's purview other than designating potential resources for applicants to refer to for certification and guidance. Member Bloomfield emphasized exploring the scope of the referenced guidance in the policy

statement, to understand whether it addresses elements beyond projectile containment, specifically thinking of ecological components, e.g., impacts of lead projectiles in the environment:

Public Comment:

Christa Little addressed the board regarding her comments yesterday and further written comments provided to the board. She specifically requested that the board explore the certification background of National Rifle Association (NRA) representatives, stating concerns of the inadequacy of their training. She encouraged the board to consider revising the reference to an NRA technical range advisor in the policy, and substitute, "independent professionals with subject expertise."

The board discussed the identification of certified professionals, and the challenges in determining appropriate criteria to meet such a requirement. Ms. Little clarified her comments submitted yesterday and today, stating that she is encouraging the board to guide sponsors to refer to more than the NRA manuals and advisors for increased safety compliance.

The board discussed ways to strengthen the policy, in line with public comment received, while maintaining criteria for applications moving forward. The board suggested that staff research further guidance and return to the board for a briefing at the July 2016 meeting.

Resolution 2016-21

Moved by: Member Mike Deller

Seconded by: Member Joe Stohr

Decision: Approved

Closing

The meeting was adjourned at 1:45 p.m. by Chair Willhite.

Approved by:


Theodore Willhite, Chair


Date

**Recreation and Conservation Funding Board
Resolution #2016-12
April 27-28, 2016 Consent Agenda**

BE IT RESOLVED, that the following April 27-28, 2016 Consent Agenda items are approved:

A. Board Meeting Minutes – February 9-10, 2016

Resolution moved by: Mike Deller

Resolution seconded by: Pete Mayer

Adopted Date: April 27, 2016

**Recreation and Conservation Funding Board
Resolution 2016-13
Update to Acquisition Policies
And
Nonprofit Eligibility in the Habitat Conservation Account**

WHEREAS, pursuant to RCW 79A.15.060, the Recreation and Conservation Funding Board (board) administers and approves policies that govern the Washington Wildlife and Recreation Program (WWRP) Habitat Conservation Account and sets evaluation criteria for grant applications; and

WHEREAS, the Legislature amended RCW 79A.15.040 to allow nonprofit nature conservancies to compete for grants in the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories in the Habitat Conservation Account; and

WHEREAS, the board has adopted policies regarding policies regarding the types of acquisition projects that are eligible and ineligible for funding;

WHEREAS, the addition of nonprofit nature conservancies has raised some issues on how to apply the board's acquisition policies on ineligible projects; and

WHEREAS, the types of partnerships and property transfers in an acquisition project needs to be formalized to provide transparency; and

WHEREAS, the board seeks to foster partnerships among sponsors to achieve the goals of the Habitat Conservation Account; and

WHEREAS, the board also has nonprofit eligibility requirements for grants in the Farmland Preservation and Riparian Protection categories; and

WHEREAS, the board has planning requirements in the Habitat Conservation Account and Riparian Protection Account which are different;

NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt revisions to the acquisition policies as described in Attachment A, as amended; and

BE IT FURTHER RESOLVED, that the Recreation and Conservation Office (RCO) Director may issue Waivers of Retroactivity on properties already owned by nonprofit nature conservancies as if they were eligible sponsors the past four years; and

BE IT FURTHER RESOLVED, that the board adopt policy for nonprofit eligibility in the WWRP Habitat Conservation Account as described in Attachment A, as amended; and

BE IT FURTHER RESOLEVED, that the board rescinds the planning eligibility requirements for nonprofit nature conservancies adopted in resolution 2010-08; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes in the appropriate policy manuals with language that reflects the policy intent; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to implement these policies changes beginning with the 2016 grant cycle.

Resolution moved by: Mike Deller

Resolution seconded by: Jed Herman

Adopted Date: April 27, 2016

Acquisition Policies: Ineligible Project Type, Partnership, Property Transfers
Adopted by the Recreation and Conservation Funding Board
April 27, 2016
Resolution 2016-13, as amended

INELIGIBLE PROJECT TYPE

Property already owned by an eligible sponsor, unless the property meets the eligibility requirements described in the "Acquisition of Existing Public Property" or "Buying Land Without a Signed RCO Agreement (Waiver of Retroactivity)".

PARTNERSHIPS

Two or more eligible sponsors may apply for grant funds together when they are working in partnership to buy property.

Sponsors that plan to purchase property before receiving a project agreement must request a Waiver of Retroactivity in advance of the purchase.

The minimum matching share required in the application is determined by who will own the property at the time of acquisition by an eligible sponsor.

Regardless of how partnerships are formed, the scope of the application is only property acquired from an owner who is not eligible to receive funds in the grant program. This applies the board's acquisition policies and procedures, including appraisal requirements, offers of just compensation, and relocation benefits, to the property owner who is not eligible to receive funds.

When multiple eligible sponsors partner together, the sponsors that will acquire property within the scope of the project, including property acquired through a donation or used as match, must be included as applicants in the application. See the Diagram 1 for how to structure the application for multiple sponsors.

PROPERTY TRANSFERS

An eligible sponsor may apply for a grant with the understanding they intend to transfer the property to another eligible sponsor. A sponsor may transfer property to another eligible sponsor after both parties request an amendment to the project agreement to change sponsors and the amendment is signed by RCO and both the original sponsor and the new sponsor. The new sponsor becomes responsible for complying with the terms of the project agreement. See Diagram 2 below for how to structure the application for property transfers.

An eligible sponsor that intends to transfer property to another eligible sponsor but will retain any portion of the property rights, including any rights or encumbrances such as a covenant or conservation easement, must remain as a sponsor to the project agreement. The sponsor receiving property rights must be added as a sponsor to the project agreement with an amendment signed by RCO and both the original sponsor and the new sponsor.

Alternatively, RCO may issue a new project agreement to the sponsor receiving property for the portion of the property transferred. This ensures that the complete bundle of rights acquired with a grant continues to be protected by the terms of a project agreement.

**Recreation and Conservation Funding Board
Resolution 2016-14
Washington Wildlife and Recreation Program
Definition of Farmland in the Farmland Preservation Category**

WHEREAS, pursuant to RCW 79A.15.130, the Recreation and Conservation Funding Board (board) administers and approves policies that govern the Washington Wildlife and Recreation Program Farmland Preservation category and sets evaluation criteria for grant applications, and

WHEREAS, the Legislature amended the definition of farmland in RCW 79A.15.010 to include "Farm and Agricultural Conservation Land" in the Open Space Tax Act, and

WHEREAS, board policy on eligible parcels in the Farmland Preservation category includes reference to the definition of farmland which is outdated due to the changes made by the Legislature;

NOW, THEREFORE BE IT RESOLVED, that the board adopts a revised policy on eligible parcels in the Farmland Preservation category to update the definition of farmland as described in Attachment C, and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes in the appropriate policy manuals with language that reflects the policy intent; and

BE IT FURTHER RESOLVED, that these policies shall be effective beginning with the 2016 grant cycle.

Resolution moved by: Pete Mayer

Resolution seconded by: Peter Herzog

Adopted Date: April 27, 2016

**Recreation and Conservation Funding Board
Resolution 2016-15
Washington Wildlife and Recreation Program
Critical Habitat, Natural Areas, and Urban Wildlife Habitat Evaluation Criteria**

WHEREAS, the Revised Code of Washington (RCW) 79A.15 authorizes the Recreation and Conservation Funding Board (board) to adopt evaluation criteria for the Washington Wildlife and Recreation Program (WWRP) Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories, and

WHEREAS, the Legislature amended the evaluation criteria for the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories to include all projects addressing a question on statewide significance, and

WHEREAS, the Critical Habitat category includes questions on statewide significance that can be applied to the other categories;

NOW, THEREFORE BE IT RESOLVED, that the board adopts revised evaluation criteria for the Critical Habitat, Natural Areas, and Urban Wildlife Habitat categories as described in Attachment C, and

BE IT FURTHER RESOLVED that the board directs Recreation and Conservation Office staff to incorporate these changes in the appropriate policy manual; and

BE IT FURTHER RESOLVED that these policies shall be effective beginning with the 2016 grant cycle.

Resolution moved by: Mike Deller

Resolution seconded by: Betsy Bloomfield

Date: April 27, 2016

**Recreation and Conservation Funding Board
Resolution 2016-16
Project Area Special Committee**

WHEREAS, the term "project area" is used to delineate the area on the ground that is subject to long-term obligations for maintaining property acquired, developed, or restored with grant funds from the Recreation and Conservation Funding Board (board), and

WHEREAS, there is a need to define "project area" so RCO staff and the project sponsor have a common understanding on what is the "project area" that is subject to the project agreement, and

WHEREAS, RCO staff has presented options for defining "project area" for the board's consideration at the April 2015 and February 2016 meetings and the board provided feedback on the need for more research and analysis; and

WHEREAS, at the February 2016 meeting, the board suggested forming a committee of the board to discuss options and to draft a definition for consideration by the full board;

NOW, THEREFORE BE IT RESOLVED, the board does hereby form a special committee on the term "project area". The special committee will review RCO staff research and analysis, options for consideration, and make a recommendation to the board on a final definition for "project area"; and

BE IT FURTHER RESOLVED, the chair of the board will appoint members to the special committee to include one citizen member of the board, one state agency member, and one member from a local agency sponsor such as a city, park district, or county parks department; and

BE IT FURTHER RESOLVED, the special committee will meet once a month with the goal to recommend a definition at the October 2016 board meeting.

Resolution moved by: Mike Deller

Resolution seconded by: Peter Herzog

Adopted Date: April 28, 2016

**Recreation and Conservation Funding Board
Resolution 2016-17
Conversion Request: Okanogan County Methow Community Trail (RCO #97-1181AD)**

WHEREAS, Okanogan County used a grant from the Washington Wildlife and Recreation Program – Trails category (WWRP-Trails) to acquire properties and to develop the Methow Community Trail; and

WHEREAS, the county will convert of a portion of one of the properties acquired; and

WHEREAS, as a result of this conversion, a portion of the property no longer satisfies the conditions of the RCO grant; and

WHEREAS, the county is asking for Recreation and Conservation Funding Board (board) approval to replace the converted property; and

WHEREAS, the proposed replacement property is adjacent to the conversion site, has an appraised value that is greater than the conversion site, and has greater acreage than the conversion site; and

WHEREAS, the site will provide opportunities that closely match those displaced by the conversion and will expand the trailhead that serves the Methow Community Trail; that has been identified in the Okanogan County Outdoor Recreation Plan recommendation on acquiring land for current and future trailhead users, thereby supporting the board's goals to provide funding for projects that result in public outdoor recreation purposes; and

WHEREAS, the sponsor sought public comment on the conversion, thereby supporting the board's strategy to regularly seek public feedback in policy and funding decisions;

NOW, THEREFORE BE IT RESOLVED, Recreation and Conservation Funding Board Recreation and Conservation Funding Board hereby delegates approval of the conversion to the RCO Director contingent upon completion of the conversion policy requirements.

BE IT FURTHER RESOLVED, that the board the Board authorizes the Director to execute the necessary amendments.

Resolution moved by: Betsy Bloomfield

Resolution seconded by: Jed Herman

Adopted Date: April 28, 2016

**Recreation and Conservation Funding Board
Resolution 2016-18
Washington State Department of Fish and Wildlife Request to Reinstate Project #14-2148**

WHEREAS, pursuant to state law, the Recreation and Conservation Funding Board (board) approves general grant assistance rules that govern the grant programs administered by the Recreation and Conservation Office (office) on the board's behalf, and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(c) requirements and deadlines for when applicants must certify their matching resources for projects; and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(2), the circumstances and process for the board or the director to consider waivers to grant process deadlines, and

WHEREAS, the Department of Fish and Wildlife applied in the 2014 grant cycle for the Wenas Wildlife Area Manastash Ridge Trail project (RCO #14-142148), a Nonmotorized category planning grant from the Nonhighway and Off-road Vehicle Activities program, and

WHEREAS, the Department of Fish and Wildlife successfully petitioned the office director for an extension of the match certification deadline for project #14-2148, and

WHEREAS, the Department of Fish and Wildlife provided the match certification on May 26, 2015; and

WHEREAS, RCO staff overlooked the approved deadline extension in the development of the director's funding recommendation in board resolution 2015-14 that caused the board to declare project #14-2148 ineligible to receive funding, and

WHEREAS, upon recognizing the error, the Department of Fish and Wildlife is requesting reinstatement of project #14-2148 and to be eligible as an alternate to receive additional NOVA funding that may come available through additional fuel tax revenue and returned funds,

NOW, THEREFORE BE IT RESOLVED, that the board reinstates project #14-2148 for the Washington Department of Fish and Wildlife, and

BE IT FURTHER RESOLVED, that project #14-2148 be eligible to receive any available NOVA funding that may be available pursuant to the boards allocation of returned and unallocated funding.

Resolution moved by: Pete Mayer

Resolution seconded by: Betsy Bloomfield

Adopted Date: April 28, 2016

**Recreation and Conservation Funding Board
Resolution 2016-19
Washington State Department of Natural Resources Request to Reinstate Projects**

WHEREAS, pursuant to state law, the Recreation and Conservation Funding Board (board) approves general grant assistance rules that govern the grant programs administered by the Recreation and Conservation Office (office) on the board's behalf, and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(c) requirements and deadlines for when applicants must certify their matching resources for projects; and

WHEREAS, the board has adopted in Washington Administrative Code 286-13-040(2), the circumstances and process for the board or the director to consider waivers to grant process deadlines, and

WHEREAS, the Department of Natural Resources applied in the 2014 grant cycle for grant assistance from the Nonhighway and Off-road Vehicle Activities program, and

WHEREAS, because of an internal communication and paperwork error the Department of Natural Resources did not provide match certification for the following five projects:

| | |
|---------|---|
| 14-1826 | Northeast Region Education and Enforcement |
| 14-1822 | Reiter Foothills Forest Education and Enforcement |
| 14-1848 | Green Mountain Trail Planning |
| 14-1813 | Olympic Region Reade Hill Planning |
| 14-1821 | Reiter Foothills Nonmotorized Trail Phase 2 |

WHEREAS, the Department of Natural Resources is now requesting reinstatement of these projects to be eligible as alternates to receive additional NOVA funding that may come available through additional fuel tax revenue and returned funds,

NOW, THEREFORE BE IT RESOLVED, that the board rejects the request from Washington Department of Natural Resources projects, and that these projects remain ineligible to receive any available NOVA funding that may be available pursuant to the board's allocation of returned and unallocated funding.

Resolution moved by: Pete Mayer, for option for rejection

Resolution seconded by: Peter Herzog

Adopted/Defeated/Deferred (underline one)

Date: April 28, 2016

**Recreation and Conservation Funding Board
Resolution 2016-20
Washington Wildlife and Recreation Program, State Parks Category**

WHEREAS, the Revised Code of Washington (RCW) 79A.15 authorizes the Recreation and Conservation Funding Board (board) to adopt evaluation criteria for the Washington Wildlife and Recreation Program (WWRP) State Parks category, and

WHEREAS, the Recreation and Conservation Office (RCO), with board direction, drafted evaluation criteria changes for the WWRP – State Parks category to improve the questions the WWRP – State Parks Advisory Committee and the Washington State Parks and Recreation Commission use to evaluate projects; and

WHEREAS, RCO solicited comments from over 3,000 members of the public and posted notice on its Web site, and

WHEREAS, staff reviewed the public comments, adjusted the evaluation questions as appropriate and recommends the board approve the proposed evaluation questions as presented in Item 16, and

WHEREAS, the proposed evaluation questions are consistent with state law and the board's administrative rules,

NOW, THEREFORE BE IT RESOLVED, that the board adopts the proposed revisions to the evaluation questions for the WWRP State Parks category as described in item 16, and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these changes into the evaluation criteria and in the appropriate grant program manuals; and

BE IT FURTHER RESOLVED, that the evaluation criteria shall be effective beginning with the 2016 grant cycle.

| | |
|--------------------------------|-----------------------|
| <i>Resolution moved by:</i> | <u>Peter Herzog</u> |
| <i>Resolution seconded by:</i> | <u>Mike Deller</u> |
| <i>Adopted Date:</i> | <u>April 28, 2016</u> |

Washington Wildlife and Recreation Program – State Parks Category Evaluation Criteria Changes
Adopted by the Recreation and Conservation Funding Board
April 28, 2016 (Item 16)
Resolution #2016-20

At the April 28, 2016 RCFB meeting, the board made the changes to the following 2014 State Parks category evaluation questions.

- Question #1 Public Need
- Question #5 Sustainability and Environmental Stewardship
- Question #6 Expansion/Phased Project
- Question #8 Readiness to Proceed
- Question #9 Consistency with Mission and Vision

And added the following question:

- Question #7 Project Support.

The below evaluation summary and questions represent the complete updated evaluation criteria.

State Parks Category

This project category is reserved for the Washington State Parks and Recreation Commission for acquisition and/or development of state parks.

| State Parks Criteria Summary | | | | | |
|-------------------------------------|----------|--|---------------------|--------------------------------|---------------|
| Score | # | Question | Project Type | Maximum Points Possible | Focus* |
| Advisory Committee | 1 | Public Need and Need Satisfaction | All | 5 | State |
| Advisory Committee | 2 | Project Significance | All | 15 | Agency |
| Advisory Committee | 3 | Threat and Impact | Acquisition | 10 | State |
| | | | Combination | 5 | |
| Advisory Committee | 4 | Project Design | Development | 10 | Technical |
| | | | Combination | 5 | |
| Advisory Committee | 5 | Sustainability and Environmental Stewardship | All | 10 | State |
| Advisory Committee | 6 | Expansion/Phased Project | All | 15 | State |

| State Parks Criteria Summary | | | | | |
|------------------------------|----|--------------------------------|------------|-----------|--------|
| Advisory Committee | 7 | Project Support | <u>All</u> | <u>10</u> | Agency |
| Advisory Committee | 8 | Partnership or Match | All | 5 | State |
| Advisory Committee | 9 | Readiness to Proceed | All | 10 | Agency |
| State Parks Commission | 10 | Commission Priorities | All | 6 | Agency |
| RCO Staff | 11 | Proximity to Human Populations | All | 3 | State |
| Total Points Possible =89 | | | | | |

*Focus—Criteria orientation in accordance with the following priorities:

- State—those that meet general statewide needs (often called for in Revised Codes of Washington or the Statewide Comprehensive Outdoor Recreation Plan (SCORP))
- Agency—those that meet agency needs (usually an item of narrower purview, often called for in the State Parks and Recreation Commission's plans)
- Technical—those that meet technical considerations (usually more objective decisions than those of policy).

Detailed Scoring Criteria: State Parks Category

Evaluation Team Scored

1. **Public Need and Need Satisfaction.** What is the need for the proposed project? To what extent will the project satisfy the need? Consider the following:
 - Cited in a Classification and Management Plan (CAMP), if one exists?
 - Identified in a park master plan or other approved planning document?
 - Included in the current State Parks' 10-year capital plan?
 - Consistent with State Parks' strategic plan?
 - Project or property is suited to serve the stated need?
 - To what degree will the project:
 - Further care for Washington's most treasured lands, waters, and historic places.
 - Connect more Washingtonians to their diverse natural and cultural heritage.
 - Improve quality or expand capacity for recreational and educational experiences.

▲ Point Range

- 0 points: No CAMP or other plan, indirectly implements State Parks' mission and vision
- 1-2 points: Implements mission and vision despite a CAMP. Adequately addresses stated need.
- 3-4 points: Implements mission and vision. Consistent with CAMP or other plan, resolves a management problem, essential to a partnership, or will increase park visitation. Greatly addresses stated need.
- 5 points: Strongly implements mission and vision. High priority in a CAMP or other plan, resolves a management problem, essential to a partnership, or will increase park visitation. Maximizes the satisfaction of the stated need.

Evaluators award a maximum of 5 points.

Adopted April 2016.

2. **Project Significance.** Describe how this project supports State Parks' strategic goals. Does it:

- Serve underserved visitors or communities?
- Protect or restore natural or cultural resources?
- Have a demonstrated ability to save money or increase park net revenue?
- Provide recreational, cultural, or interpretive opportunities people want?
- Promote meaningful opportunities for volunteers, friends, and partners?
- Facilitate a meaningful partnership with other agencies, tribes, or non-profits?

▲ Point Range

- 0 points Does not directly support strategic goals
- 1-2 points Indirectly supports one or two strategic goals
- 3-5 points Directly supports at least one strategic goal or indirectly supports three or more strategic goals

Evaluators award a maximum of 5 points that are multiplied later by 3.

3. **Threat and Impacts** (acquisition and combination projects only). Describe why it is important to acquire the property now. Consider:

- Is there an immediate threat to the property that will result in a loss in quality or availability of future public use?
- Will the acquisition result in additional operating impacts, and if so, is there potential for those impacts to be offset by additional revenue?

▲ Point Range

0 points No evidence of threat to the property, and/or the acquisition will result in unreasonable operating impacts

1-2 points Minimal threat to the property, or the acquisition will result in moderate operating impacts

3-5 points Imminent threat of the property losing quality or becoming unavailable for future public use, or a threat led to a land trust acquiring rights in the land at the request of State Parks, and operating impacts will be minimal or offset by additional revenue

Evaluators award a maximum of 5 points. Scores for acquisition projects are multiplied later by 2.

4. **Project Design** (development and combination projects only). Is the project well designed? Consider the following:

- Does this property support the type of development proposed? Describe the attributes: size, topography, soil conditions, natural amenities, location and access, utility service, wetlands, etc.
- How does the project design make the best use of the site?
- How well does the design provide equal access for all people, including those with disabilities? How does this project exceed current barrier-free requirements?
- Does the nature and condition of existing or planned land use in the surrounding area support the type of development proposed?
- How does the design conform to current permitting requirements, building codes, safety standards, best management practices, etc.? What, if any, are the mitigation requirements for this project?

- Does the design align with the described need?
- Are the access routes (paths, walkways, sidewalks) designed appropriately (width, surfacing) for the use and do they provide connectivity to all site elements?
- For trails, does the design provide adequate separation from roadways, surfacing, width, spatial relationships, grades, curves, switchbacks, road crossings, and trailhead locations?
- Is the cost estimate realistic?

▲ Point Range

| | |
|------------|--|
| 0 points | Design is not appropriate for the site or the intended use |
| 1-2 points | Design is moderately appropriate for the site and the intended use |
| 3-4 points | Design is very appropriate for the site and the intended use, it addresses most elements of the question, and cost estimates are accurate and complete |
| 5 points | Design addresses all elements of the question very well, and cost estimates are accurate and complete |

Evaluators award a maximum of 5 points. Scores for acquisition projects are multiplied later by 2.

5. **Sustainability and Environmental Stewardship.** What techniques or resources are proposed to ensure the project will result in a quality, sustainable, recreational, heritage preservation, or educational opportunity, while protecting the integrity of the environment? Describe how the project will protect natural and cultural resources and integrate sustainable elements such as low impact development techniques, green infrastructure, or environmentally preferred building products.

| | |
|-------------|--|
| 0 points: | No or little stewardship elements. |
| 1-2 points: | Contains stewardship elements and protects natural or cultural resources. Consistent with State Parks' Sustainability Plan and goals. |
| 3-4 points: | Numerous stewardship elements, protects and enhances natural resources or cultural resources. Implements many of State Parks' sustainability goals. |
| 5 points: | Maximizes natural or cultural resource protection, enhances natural resources or cultural resources, and contains innovative and outstanding stewardship elements. Implements many of State Parks' sustainability goals. |

- ▲ Point Range: Evaluators award a maximum of 5 points that are multiplied later by 2.

Adopted April 2016.

6. **Expansion/Phased Project.** Does this project implement an important phase of a previous project, represent an important first phase, or expand or improve an existing site? Consider:
- Is the project part of a phased acquisition or development?
 - To what extent will this project advance completion of a plan or vision?
 - Is this project an important first phase?
 - What is the value of this phase?
 - How does the project complement an existing site or expand usage, preservation, or education within a site?

▲ Point Range

- 0 points: Neither a significant phase or expansion nor a distinct stand-alone project.
- 1-2 points: Project is a quality or important phase or expansion.
- 3-4 points: Project is a key first phase or expansion or moves a project significantly towards realizing a vision.
- 5 points: Project is highly important first phase, final (or near final) phase, moves a project a great deal towards realizing a vision.

Evaluators award a maximum of 5 points that are multiplied later by 3.

Adopted April 2016.

7. **Project Support.** What is the extent to which the public (statewide, community, or user groups) has been provided with an adequate opportunity to become informed of the project, or support for the project seems apparent.

Broadly interpret the term project support to include, but not be limited to:

- Extent of efforts by the applicant to identify and contact all parties, i.e. an outreach program to local, regional, and statewide entities.
- The extent that there is project support, including:

- Voter-approved initiative
- Public participation and feedback.
- Endorsements or other support from advisory boards and user and friends groups.
- Positive media coverage.

▲ Point Range

- 0 points: No evidence presented.
- 1-2 points: Marginal community support. Opportunities for only minimal public involvement (i.e. a single adoption hearing), or little evidence that the public supports the project.
- 3 points: Adequate support and opportunity presented for participation.
- 4-5 points: The public has received ample and varied opportunities to provide meaningful input into the project and there is overwhelming support. The public was so supportive from the project's inception that an extensive public participation process was not necessary.

Evaluators award a maximum of 5 points that are multiplied later by 2.

Adopted April 2016.

8. **Partnerships or Match.** Describe how this project supports strategic partnerships or leverages matching funds. Consider:

- Does the project help form strategic partnerships with other agencies, tribes, or nonprofits? (A strategic partnership is one that ultimately is expected to offset expenses, leverage investments, or stimulate activity that directly or indirectly generates a financial return.)
- Does the partnership facilitate a key State Parks' goal or objective?
- Does the project have a match of cash, grants, or in-kind services?

▲ Point Range

- 0 points No partners or match
- 1-2 points One partner or up to 10 percent match
- 3-4 points Two partners or 10.01-24.99 percent match

5 points Three or more partners or 25 percent or more match

Evaluators award a maximum of 5 points.

9. **Readiness to Proceed.** Describe the project's timeline. Is the project ready to proceed? Consider:

- For development projects, is it fully designed and permitted?
- For acquisition projects, is there written documentation indicating a willing seller?
- For acquisition projects, is there a written sales agreement or option with the property owner?
- Are there any significant zoning, permitting issues, or encumbrances?
- Has State Parks completed an economic impact analysis or business plan for the project that identifies operational impacts and potential for revenue enhancement?

▲ Point Range

0 points: Not ready, business case not evident.

(Acquisition) No agreement with landowner and fiscal impact will be substantial.

(Development) No construction drawings, no formal (or negative) business case determined, and fiscal impact will be substantial.

1-2 points: (Acquisition) Willing seller identified, economic impact analysis completed or positive cost-benefit determined.

(Development) Construction drawings at or near 60 percent complete. Economic impact analysis identifies minimal operating impacts. Positive cost-benefit analysis exists.

3-4 points: (Acquisition) Property (purchase) secured in some way by legal instrument to include a letter of intent, or being held in trust or by a nongovernmental organization (for example). Positive cost-benefit analysis exists.

(Development) Construction drawings at or more than 60 percent complete, and economic analysis identifies potential revenue from the project or positive cost-benefit analysis exists.

5 points: (Acquisition) Parks has a "Purchase and Sale Agreement or Option" signed and the purchase will be made within its existing term, has very strong business case, and cost-benefit analysis exists.

(Development) Plans completed and all permits in hand, economic analysis identifies potential revenue from the project. Positive cost-benefit analysis exists. Completed business plan identifies potential revenue from the project.

Evaluators award a maximum of 5 points that are multiplied later by 2.

Adopted April 2016.

Scored by Washington State Parks and Recreation Commission—Applicants do not answer.

10. **Commission's Priority.** How well does this project implement the commission's priorities?

The Washington State Parks and Recreation Commission evaluates this criterion.

The Commission provides RCO with a ranked list of their applications.

RCO assigns a point value to each project based on its rank. The highest priority project shall receive a point score equal to the number of applications ranked. The second highest ranked project shall receive a point score 1 less than the one above it, and so on. The lowest priority application shall receive a value of 1.

RCO will apply a variable multiplier to the scores so the highest ranked application will receive a point value of 6, and all other applications will have a point value less than 6 and proportional to their rank.

- ▲ Point Range (after multiplier): 0-6.

Adopted April 2016.

Example (assumes 13 projects evaluated):

| Application/ Project | Commission's Rank | RCO Assigned Point Value | Multiplier (6/13) | Final Point Value |
|-------------------------|----------------------|-----------------------------|----------------------|----------------------|
| A | 1 | 13 | 0.462 | 6.00 |
| B | 2 | 12 | 0.462 | 5.54 |
| C | 3 | 11 | 0.462 | 5.08 |
| D | 4 | 10 | 0.462 | 4.62 |
| E | 5 | 9 | 0.462 | 4.15 |
| F | 6 | 8 | 0.462 | 3.69 |
| G | 7 | 7 | 0.462 | 3.23 |
| H | 8 | 6 | 0.462 | 2.77 |
| I | 9 | 5 | 0.462 | 2.31 |
| J | 10 | 4 | 0.462 | 1.85 |
| K | 11 | 3 | 0.462 | 1.38 |
| L | 12 | 2 | 0.462 | 0.92 |
| M | 13 | 1 | 0.462 | 0.46 |
| Total Applications = 13 | | | | |

Scored by RCO Staff—Applicants do not answer.

11. **Proximity to Human Populations.** Where is this project located with respect to urban growth areas, cities and town, and county density?

This question is scored by RCO staff based on a map provided by the applicant. To receive a score, the map must show the project location and project boundary in relationship to a city's or town's urban growth boundary.

▲ Point Range

- A. The project is within the urban growth area boundary of a city or town with a population of 5,000 or more.

Yes 1.5 points

No 0 points

AND

- B. The project is within a county with a population density of 250 or more people per square mile.

Yes 1.5 points

No 0 points

The result from A is added to the result from B. Projects in cities with a population of more than 5,000 *and* within high density counties receive points from both A and B. RCO staff awards a maximum of 3 points.

**Recreation and Conservation Funding Board
Resolution 2016-21
Firearms and Archery Recreation Projects**

WHEREAS, pursuant to the Revised Code of Washington (RCW) 79.15 and 79A.25, and Washington Administrative Code (WAC) 286-04 and 286-30, the Recreation and Conservation Funding Board (board) administers and approves policies that govern grant programs which do, or may, support firearms and archery range recreation; and

WHEREAS, the board adopted a Range and Couse Safety Policy for the Firearms and Archery Range Recreation (FARR) program in January of 2014 (Resolution 2014-05) and see the benefits of extending this policy to other grant programs; and

WHEREAS, the recommended changes in Item 17 reflect the opportunity to make a number of policy improvements that support the board's goals to achieve a high level of accountability in managing the resources and responsibilities entrusted to the board; and

WHEREAS, the board reviewed the draft changes in February of 2016 in an open public meeting and instructed Recreation and Conservation Office (RCO) staff to release the draft changes for public review and comment; and

WHEREAS, based upon the public comment received, RCO staff recommends the board approve the recommendations as presented in Item 17; and

WHEREAS, these proposed policy changes are consistent with state law and the board's administrative rules,

NOW, THEREFORE BE IT RESOLVED, that the board adopts the proposed policy changes for FARR and other board funded grant programs which do, or may, support firearms and archery range recreation; and

BE IT FURTHER RESOLVED that the board directs RCO staff to incorporate these changes into the appropriate grant program and policy manuals; and

BE IT FURTHER RESOLVED that the policy changes shall be effective beginning with the 2016 grant cycle.

Resolution moved by: Mike Deller

Resolution seconded by: Joe Stohr

Adopted Date: April 28, 2016

Range and Course Safety Policy for all Board Grant Programs
Adopted by the Recreation and Conservation Funding Board
April 28, 2016 (Item 17)
Resolution #2016-21

The following policies were adopted for all grant programs administered by the board:

1. **Firearms and Archery Range and Course Safety Policy.** The RCO does not certify ranges or courses as being safe. However, RCO does require range and course facilities funded by the FARR Recreation and Conservation Funding Board to be acquired, planned, designed, operated, and maintained to contain bullets, shot, arrows, or other projectiles within the facility property and to minimize noise impacts to adjacent and nearby properties. Therefore, all funded projects that directly benefit shooting activities or noise and safety abatement projects must be constructed to contain all projectiles. Depending upon the type of facility, the design must meet guidance published by the National Rifle Association (NRA), National Field Archery Association (NFAA), and the Archery Trade Association (ATA).

For projects using guidance from the Archery Trade Association: 1) projects must be acquired, planned, designed, operated, and maintained to ensure projectiles do not leave the range property the sponsor has demonstrated its control and tenure over; and 2) all safety buffer zones must be on property the sponsor has demonstrated its control and tenure over.

To determine whether a project meets RCO policy, projects that directly benefit shooting activities and noise and safety abatement projects must be evaluated by a certified advisor from one of the associations identified above or a professional engineer or other qualified professional consultant with experience and expertise in the evaluation and design of ranges and courses. Project sponsors must provide documentation of the project's evaluation by one of the above reviewers before receiving reimbursement from RCO. Costs associated with meeting this requirement are eligible administration expenses in the grant.

2. For Range and Course Safety policy certifications, evaluations, and reports, RCO limits the number eligible for reimbursement to two, one at design and one at project completion. The RCO Director may approve reimbursements for additional certifications, evaluations, and reports on a case by case basis.