

Proposed Agenda

February 8, 2017



Regular Meeting

Natural Resources Building, Rooms 175A & 175B, 1111 Washington Street SE, 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: 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 may also submit written comments to the board by mailing them to RCO, attn: Wendy Loosle, Board Liaison, at the address above or to 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 email leslie.frank@rco.wa.gov; or 2) 711 relay service. Accommodation requests should be received by January 25, 2017 to ensure availability.

WEDNESDAY, FEBRUARY 8

OPENING AND MANAGEMENT REPORTS

9:00 a.m. Call to Order

Chair Willhite

- Roll Call and Determination of Quorum
- Review and Approval of Agenda
- Introduction of New Board Members
- Remarks of the Chair

9:15 a.m. 1. Consent Calendar *(Decision)*

Chair Willhite

- A. Approve Board Meeting Minutes
 - October 26-27, 2016
 - November 7, 2016
- B. Time Extension Requests
 - Washington State Parks and Recreation Commission, James Island Moorage Replacement (RCO # [12-1343](#))
 - Jefferson County, Discovery Bay Shoreline Restoration and Trail Construction (RCO # [12-1250D](#))
 - Whidbey Camano Land Trust, Crockett Lake Riparian 2012 (RCO # [12-1535A](#))
 - Department of Natural Resources, Camas Meadows Natural Areas Preserve 2012 (RCO # [12-1173A](#))

Resolution 2017-01

9:20 a.m. 2. Recognition of Pete Mayer

Chair Willhite

Resolution 2017-02

9:25 a.m.	3. Director's Report <i>(Briefing)</i>	
	<ul style="list-style-type: none"> Director's Report 	<i>Kaleen Cottingham</i>
	<ul style="list-style-type: none"> Legislative, Budget, and Policy Update <ul style="list-style-type: none"> Governor's Budget Proposal Bills of Interest to RCO Programs Policy Work Plan Update 	<i>Wendy Brown</i>
	<ul style="list-style-type: none"> Grant Management Report <ul style="list-style-type: none"> Port of Camas-Washougal, Washougal Waterfront, RCO #14-1347D Town of Winthrop, Winthrop Ice Rink, RCO #12-1123D 	<i>Marguerite Austin</i> <i>Alison Greene</i> <i>Karen Edwards</i>
	<ul style="list-style-type: none"> Fiscal Report – Briefing and Introduction 	<i>Mark Jarasitis</i>
	<ul style="list-style-type: none"> Performance Report - Briefing and Introduction 	<i>Brent Hedden</i>

10:20 a.m.	4. State Agency Partner Reports	
	<ul style="list-style-type: none"> Governor's Outdoor Recreation Policy Advisor Department of Natural Resources State Parks and Recreation Commission Department of Fish and Wildlife 	<i>Jon Snyder</i> <i>Brock Millienn</i> <i>Peter Herzog</i> <i>Joe Stohr</i>

10:40 a.m. General Public Comment for issues not identified as agenda items. Please limit comments to 3 minutes.

10:45 a.m. BREAK

BOARD BUSINESS: BRIEFINGS & DISCUSSIONS

11:00 a.m.	5. Introduction of New Commissioner of Public Lands, Hilary Franz	<i>Chair Willhite</i>
11:15 a.m.	6. Compliance Briefings	
	A. Compliance Overview and Update	<i>Myra Barker</i>
	B. Upcoming Conversion Requests from Washington State Parks and Recreation Commission, Multiple Projects	<i>Karl Jacobs</i>
11:45 a.m.	7. Firearms Safety Policy Implementation Follow-up Discussion	<i>Adam Cole</i>

12:00 p.m. LUNCH

BOARD BUSINESS: REQUESTS FOR DIRECTION

1:00 p.m.	8. Briefing on Control and Tenure Policy Changes	<i>Adam Cole</i>
1:30 p.m.	9. Draft Amendments to the Washington Administrative Code	<i>Leslie Connelly</i>
	<ul style="list-style-type: none"> Project Area Definition Compliance Updates Forestland Preservation Program 	
2:00 p.m.	10. Draft Policy for Partnership Acquisitions	<i>Leslie Connelly</i>

2:30 p.m.	11. Conservation Easement Template for Farm, Forest, and Habitat Conservation	<i>Leslie Connelly</i>
2:50 p.m.	BREAK	
3:05 p.m.	12. Follow-up on Grant Application Questions on Climate Change	<i>Leslie Connelly</i>
3:30 p.m.	13. Development of a Match Waiver or Reduction Policy for the Washington Wildlife and Recreation Program's Local Parks, Trails, and Water Access Categories	<i>Adam Cole</i>
3:55 p.m.	14. Update on the State Comprehensive Outdoor Recreation Plan (SCORP)	<i>Leslie Connelly</i>
4:30 p.m.	15. Planning for the July Board Retreat	<i>Scott Robinson</i>
4:55 p.m.	Comments for the Good of the Order	<i>Open</i>
5:00 p.m.	ADJOURN	

Recreation and Conservation Funding Board
Resolution #2017-01
February 8, 2017 Consent Agenda

BE IT RESOLVED, that the following February 8, 2017 Consent Agenda items are approved:

A. Board Meeting Minutes

- October 26-27, 2016
- November 7, 2016

B. Time Extension Requests

- Washington State Parks and Recreation Commission, James Island Moorage Replacement (RCO # [12-1343](#))
- Jefferson County, Discovery Bay Shoreline Restoration and Trail Construction (RCO # [12-1250D](#))
- Whidbey Camano Land Trust, Crockett Lake Riparian 2012 (RCO # [12-1535A](#))

Resolution moved by: _____

Resolution seconded by: _____

Adopted Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017
Title: Time Extension Requests
Prepared By: Recreation and Conservation Section Grants Managers

Summary

This is a request for the Recreation and Conservation Funding Board to consider the proposed project time extensions shown in Attachment A.

Board Action Requested

This item will be a:

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

Resolution: 2017-01

Purpose of Resolution: Approve the requested time extensions.

Background

Manual #7, *Funded Projects*, outlines the board's adopted policy for progress on active funded projects. Key elements of this policy are that the sponsor must complete a funded project promptly and meet the project milestones outlined in the project agreement. The director has authority to extend an agreement for up to four years. Extensions beyond four years require board action.

The RCO received a request for a time extensions for each of the projects listed in Attachment A. This document summarizes the circumstances for the requested extension and the expected date of project completion. Board action is required because the project sponsor is requesting an extension to continue the agreement beyond four years.

General considerations for approving time extension requests include:

- Receipt of a written request for the time extension;
- Reimbursements requested and approved;
- Date the board granted funding approval;
- Conditions surrounding the delay;
- Sponsor's reasons or justification for requesting the extension;
- Likelihood of sponsor completing the project within the extended period;
- Original dates for project completion;
- Current status of activities within the grant;
- Sponsor's progress on this and other funded projects;
- Revised milestones or timeline submitted for completion of the project; and
- The effect the extension will have on re-appropriation request levels for RCO.

Plan Link

Consideration of this request supports the board's goal of helping its partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.

Summary of Public Comment

At the time of the writing of this memo, no public comment on the projects has been received.

Staff Recommendation

Staff recommends approval of the time extension requests for the projects listed in Attachment A.

Attachments

A. Time Extension Requests for Board Approval

Time Extension Requests for Board Approval

Whidbey Camano Land Trust

Project number and type	Project name	Grant programs	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
12-1535 Acquisition	Crockett Lake Riparian 2012	WWRP Riparian Protection	\$143,874.25	6/30/2017	6 months (12/31/2017)	<p>The Whidbey Camano Land Trust (the Trust) is purchasing 393 acres that are recognized nationally as critically important, coastal wetlands. The Trust will complete the acquisitions by 6/30/2017; however, several properties are in need of invasive plant control. Since these are sensitive wetland habitats, there are critical growth windows when it is best to apply herbicides for the most adequate control of the noxious species, hairy willow-herb.</p> <p>The Trust will be contracting with the Washington Department of Fish and Wildlife's invasive species control crew to conduct the herbicide applications at the site. Control work will occur July-September (2017) and possibly in October, if necessary. This 6-month extension will provide adequate time for the Trust to conduct this important stewardship activity on the recently protected properties.</p>

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant programs	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
<u>12-1343</u> Development	James Island Moorage Replacement	Boating Facilities Program - State	\$798,410 (92%) State Parks has not yet billed for any construction activities.	6/30/2017	12 months (6/30/2018)	<p>The State Parks and Recreation Commission encountered significant delays in the permitting process. First, they were required to develop on-site monitoring plans due to threatened and endangered species in the area. Second, the Washington Department of Fish and Wildlife's issued HPA was appealed by Sound Action. The appeal resulted in a settlement by which State Parks agreed to conduct post-project monitoring for five years.</p> <p>This project is now back on track for construction to start during the next work window, which will begin September 1, 2017. Regulatory requirements mandate that construction in aquatic environments only occur during certain times of the year due to fish and other sensitive species.</p> <p>Substantial completion is scheduled for spring 2018, however, State Parks has requested an extension through June 2018 just in case there are delays due to significant adverse weather conditions or other unforeseen events.</p>

Jefferson County

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
12-1250 Development	Discovery Bay Shoreline Restoration and Trail Construction	Aquatic Lands Enhancement Account and RCO's Recreation Grants - Trails Category	\$1,241,891	6/30/2017	6 Months (12/31/2017)	<p>Jefferson County encountered a number of issues that have delayed construction of the Olympic Discovery Trail at Discovery Bay. Initially, there were delays while the county worked to complete a route study and analysis (RCO #12-1735) that would identify a suitable alignment between State Route 101 and the west and south ends of Discovery Bay. Concurrently, salmon recovery work in Discovery Bay that removed the trestle (RCO #12-1268) required the alignment to change when the trestle could no longer serve as a viable route for the trail.</p> <p>Jefferson County also had extreme difficulty in obtaining adequate control and tenure from the Washington State Department of Transportation (WSDOT) and the Washington Department of Fish and Wildlife (WDFW). WSDOT has approved the portion of trail that occurs within their right of way and the county is currently in final negotiations with WDFW for control of the portion of their land that the trail crosses. WDFW had to seek concurrence with the U.S. Fish and Wildlife Service (USFWS) who had provided a grant to WDFW to acquire the property for habitat conservation purposes. USFWS asked the county to develop a trail management plan before allowing WDFW to grant a right of way easement. Jefferson County and WDFW are in the final stage of negotiating the land use agreement that would permit construction and maintenance of the trail. This should be completed soon.</p> <p>Crucially, during this period the Jefferson County Public Works Department lacked sufficient staff to carry out these multiple grant projects.</p> <p>In August 2016, Jefferson County hired a project manager to manage their Olympic Discovery Trail projects. Since then, there has been steady and measureable progress made at implementing the project. The sponsor is on schedule for advertising bids by February 1, 2017, and awarding a construction contract by March 17 with construction expected to be completed by October 15, 2017. Construction activities</p>

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
						<p>for a portion of the trail may only occur during the July 1 and August 31 fish window granted by the HPA permit.</p> <p>It should be noted that over 80 percent of the County's match has been satisfied through salmon recovery work performed by the North Olympic Peninsula Lead Entity (RCO #12-1268). The restoration work is complete and the county is working to submit documentation for billing. The only remaining work to be done in this grant is the construction of ¾ mile of Olympic Discovery Trail.</p>

Department of Natural Resources

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
12-1173 Acquisition	Camas Meadows Natural Areas Preserve 2012	Washington Wildlife and Recreation Program, Natural Areas Category	\$1.3 million (70.6%)	6/30/2017	6 months (12/31/2017)	<p>The Department of Natural Resources' (DNR) progress to date includes attempts to purchase five properties. Two offers were rejected; however, DNR was successful in purchasing two priority properties and is completing appraisals on the fifth.</p> <p>Two properties have structures onsite which will be removed. Also, DNR plans to conduct noxious weed control on all acquired properties.</p> <p>The removal of structures is hindered by early snowfall that can remain until late spring. To avoid damaging the habitat, the site needs to be dry enough to operate the heavy equipment necessary for removal of the structures.</p> <p>With additional time, DNR will complete the pending acquisition, remove the onsite structures, and complete the noxious weed control. DNR anticipates returning about \$800,000 in unspent grant funds.</p>



A Resolution to Recognize the Service of

Pete Mayer

To the Residents of Washington State and the Recreation and Conservation Office

WHEREAS, from January 2011 to December 2016, Pete Mayer provided outstanding service to the Recreation and Conservation Funding Board and the people of Washington; and

WHEREAS, Mr. Mayer's service assisted the State of Washington in protecting some of its most important wildlife habitat, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, Mr. Mayer's wise counsel made him a valuable board member, providing the board with unique insight and advice that assisted in the development of exemplary policies and decisions for funding projects that promoted sound investments of public funds; and

WHEREAS, Mr. Mayer's help with the legislatively-mandated review of the Washington Wildlife and Recreation Program was invaluable as the board embraced a new category and reconsidered the proportion of funding allocated in all other categories, with thoughtfulness, intelligence, patience, and creativity; and

WHEREAS, Mr. Mayer is appreciated for his persistence and passion, for being curious and encouraging the board to reinvigorate their goals, and striving to move the needle in recreation and conservation efforts across the state; and

WHEREAS, Mr. Mayer always displayed creative problem solving skills, dedication to providing service to the public, and an enthusiasm for outdoor recreation that would let no trail go undiscovered; and

WHEREAS, Mr. Mayer inspired Recreation and Conservation Office staff to always ask themselves the question "What will Pete think?" while preparing memos and presentations; and

WHEREAS, the members of the board wish to recognize his leadership and service;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Mayer's dedication and excellence in performing his responsibilities and duties as a member of the Recreation and Conservation Funding Board, his peers and staff from the Recreation and Conservation Office extend their sincere appreciation and compliments on a job well done.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on February 8, 2017

Ted Willhite, Chair
Citizen Member

Mike Deller
Citizen Member

Michael Shiosaki
Citizen Member

Danica Ready
Citizen Member

Kathryn Gardow
Citizen Member

Peter Herzog
Washington State Parks
and Recreation Commission

Brock Milliern
Department of Natural Resources

Joe Stohr
Department of Fish and Wildlife

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Director's Report

Summary

This memo outlines key agency activities and happenings.

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

Events and Celebrations

Bravo Award Goes to Port of Camas-Washougal

Director Cottingham presented a Bravo Award, the Recreation and Conservation Office's (RCO) award to top ranking projects, to commissioners at a meeting of the Port of Camas-Washougal. The port received three grants to develop a waterfront park on the last piece of publicly-owned waterfront in Washougal along the Columbia River. From some points along the trail, the view looks very much like what Lewis and Clark might have experienced. To see more details, visit RCO [Project Snapshot 14-1349](#).



Trails Conference a Big Success

More than two hundred recreational trail planners, managers, and advocates attended the 11th Biennial Washington State Trails Conference in November. RCO helped plan the conference, which featured keynote speaker Ken Wilcox (recreation planner with Federal Energy Regulatory Commission), John Snyder (Governor Jay Inslee's Recreation Policy Advisor), and the first Awards Program recognizing Lifetime Service, Trail Leader, Youth Advocacy, and Outstanding Trail. Ten RCO staff attended and helped with various aspects of conference logistics. Before the conference, Director Cottingham met with our trails stakeholder group to share and exchange information and activities related to recreational trails and RCO's grant programs.

Cultural Resources Training

In November, RCO hosted its first cultural resource training program. This two-day training was designed to help participants gain a basic understanding of working with cultural resource protection laws and tribal consultation from project concept through project completion. Forty-eight people participated in the training, including staff from four tribes, one federal agency, six different state agencies, eight local governments, and three non-governmental entities. Trainers included staff from: the City of Olympia; Departments of Archeology and Historic Preservation, Commerce, Fish and Wildlife, Health, Natural Resources, and Transportation; and the Nisqually Indian Tribe, Puyallup Tribe of Indians, Snoqualmie Tribe, and Confederated Tribe of the Chehalis Reservation.

RCO is now on Twitter

RCO launched its Twitter account with a series of tweets covering agency news, such as the appointment of the newest Salmon Recover Funding Board member, recruitment of members for the Recreation and Conservation Funding Board, a project groundbreaking, and salmon recovery projects. Check us out on Twitter [@RCO_Director](#). RCO is now fully engaged in social media with sites on Facebook, YouTube, Twitter, and Flickr. Feel free to "friend," "Like," "Subscribe," and "Re-tweet" us!

Next Phase for Saint Edwards State Park

The Washington State Parks and Recreation Commission agreed to lease buildings at the historic Saint Edwards State Park on the shore of Lake Washington for a conference center, overnight lodging, and a restaurant. The park and buildings were purchased using a 1977 RCO-administered Land and Water Conservation Fund grant. RCO and the National Park Service reviewed the draft lease prepared by State Parks and concurred that the lease does not trigger a conversion. The rehabilitation of the former seminary will comply with the Secretary of Interior's Standards for Treatment of Historic Properties and Rehabilitating Historic Structures. When renovated and opened, the public will have access into areas of the seminary building that have been closed for decades.

Match Waiver or Reduction Policy

RCO is developing a proposed policy that would be applicable in some Washington Wildlife and Recreation Program (WWRP) categories to waive or reduce match requirements if projects address underserved populations or communities in need. RCO hired Washington State University to help define those populations. The WSU report recommends using income as the determining factor because household income is directly related to a multitude of other socio-economic indicators of hardship. The Match Waiver Work Group agrees with the recommendations of the report and next will evaluate specific recommendations to take to the board for consideration. The Match Waiver Work Group is a twelve-member group of parks and recreation professionals, citizens, and elected officials. Match waivers are being considered for local governments in the WWRP Local Parks, Trails, and Water Access Categories.

Planning Advisory Committee for Outdoor Recreation Plan Meets

RCO's Planning Advisory Committee, which is helping craft the *Statewide Comprehensive Outdoor Recreation Plan*, tested a new online survey that will be sent to the general public. Developed by Eastern Washington University, the survey was released in January. The data collected will feed directly into the statewide plan. The committee also met in December to hear about the work of the match waiver work group. Committee members were interested in the potential commonalities between that effort and the outdoor recreation plan. Staff will continue to cross-pollinate these two efforts as final recommendations emerge in both areas. Finally, the committee started to discuss the purpose and scope for surveying providers of outdoor recreation facilities and services. Members were open to reshaping this survey effort to make it more relevant to the statewide plan.

RCO Employee Changes

After three years with RCO, Cindy Gower accepted a position with the Washington Department of Fish and Wildlife as an administrative assistant within the Capital and Asset Management Program. Cindy provided administrative support for the Recreation and Conservation Funding Board and the Recreation and Conservation Grants Section. Recruitment is currently underway to fill the vacant position.

Meetings with Partners

- During November 2016, Director Cottingham met with the State Conservation Commission and the Washington Wildlife and Recreation Coalition to brief them on agency-related legislative and policy issues, budget requests, board decisions, and grant cycles.
- Director Cottingham participated in Governor's Inslee's Cabinet Retreat, at which agency directors and Governor's staff spent time sharing accomplishments and getting better acquainted with each other's efforts. In early December, she participated in another cabinet meeting to go over the Governor's priorities for the coming Legislative session and subsequent biennium.
- Director Cottingham participated in the annual Washington Wildlife and Recreation Coalition board retreat. At this retreat, the board identified some areas to work on in the future. One example is where Washington Wildlife and Recreation Program projects intersect with efforts to improve the health of Washington residents. They also discussed legislative strategy to get robust funding for the program.

Update on Sister Boards

Salmon Recovery Funding Board (SRFB)

The SRFB held a successful meeting December 8, 2016, focused on awarding grants, updates to Manual 18, the 2017 *State of Salmon in Watersheds* report, and details about the May 2017 board retreat. Additionally, the board welcomed new member, Jeff Breckel, a long-time advocate and supporter of salmon recovery efforts. The next meeting is scheduled for March 1-2, 2017 in Olympia.

Washington Invasive Species Council

At its December meeting, WISC voted to update the [Top 50 priority species list](#), which has not been revised since 2009. New additions include [white nose syndrome](#), [northern pike](#), and [flowering rush](#). In collaboration with U.S. Department of Agriculture (Animal and Plant Health Inspection Service), and the Departments of Agriculture and Fish and Wildlife, WISC sent out a [media release](#) to raise awareness of feral swine impacts and reporting pathways. The next council meeting will be held March 23 in Olympia.

Legislative, Budget, and Policy Update

The Governor's proposed budgets were released on December 14, 2016. RCO's operating budget remains at the carry-forward level, with a few minor exceptions of budget 'puts and takes.' Here are the details of the RCO capital budget as proposed by the Governor:

Program	RCO Request	Governor
Washington Wildlife and Recreation Program	\$120,000,000	\$100,000,000
RCO Recreation Grants	\$0	\$1,500,000
Aquatic Lands Enhancement Account (ALEA)	\$6,600,000	\$1,000,000
ALEA – Bonds Backfill	\$0	\$4,537,000
Youth Athletics Facilities	\$12,000,000	\$4,077,000
Boating Facilities Program	\$17,166,000	\$17,175,000
Nonhighway and Off-Road Vehicle Activities	\$13,194,000	\$13,195,000
Firearms and Archery Range Recreation Program	\$813,000	\$813,000
Salmon Recovery (SRFB-State)	\$55,300,000	\$30,000,000
Puget Sound Acquisition and Restoration	\$80,000,000	\$50,000,000
Estuary and Salmon Restoration	\$20,000,000	\$10,000,000
Family Forest and Fish Passage Program	\$10,000,000	\$5,000,000
Fish Barrier Removal Board Grants	\$51,400,000	\$19,747,000
Coastal Restoration Grants	\$12,500,000	\$12,500,000
Catastrophic Flood Relief	\$0	\$50,000,000*
Boating Infrastructure Grants	\$2,200,000	\$2,200,000
Land and Water Conservation Fund	\$4,000,000	\$4,000,000
Recreational Trails Program	\$5,000,000	\$5,000,000
Salmon Recovery - Federal	\$50,000,000	\$50,000,000
Update to the Public Lands Inventory (one-time)	\$250,000	\$230,000
Total	\$460,446,000	\$375,974,000

**RCO administration of these funds is specified in Section 3083. However, the amount of project funds that RCO would administer from the total appropriation to Ecology is yet to be determined.*

Details related to the Recreation and Conservation Funding Board that were called out specifically in this budget include the following provisos:

- In the Washington Wildlife and Recreation Program (WWRP) section, the draft bill allows RCO to begin funding projects in the WWRP Forestland Preservation category immediately after we submit the prioritized list of projects to OFM on or before November 1, 2017, rather than waiting for direction from the legislature in the 2018 supplemental budget.
- Funding is put into the RCO Recreation Grants Account for the purpose of purchasing replacement properties for Blanchard Mountain, which is current trust land being transferred into recreation status.

Other budget items of note include:

- \$2 million is appropriated in the State Parks budget for the No Child Left Inside grant program.
- Approximately \$2.4 million is provided to State Parks for various trail development and renovation projects.

The 2017 Legislative Session began on January 9, 2017.

Grant Management Report

More than \$30 Million Identified for Potential Ball Fields in Letter of Intent Process

Local communities have submitted letters of intent to apply for grants for 132 projects in the Youth Athletic Facilities program, requesting more than \$30 million. RCO requested letters to get a better sense for legislators of the need for such facilities around the state. The average request was about \$228,000. Cities requested the most with 97 proposed projects asking for \$22.2 million. Counties and park districts tied, each proposing 11 projects, with \$2.2 million and \$3 million, respectively. Requests were submitted by nonprofits, school districts, and private organizations. However, the Governor's budget did not include funding for this supplemental grant round. We will see if the Legislature agrees or if they decide to provide more funding. The Governor's budget did include \$4.07 million to fund the YAF projects previously submitted.

Monitoring Crumb Rubber Studies

Beginning in the early 2000's, local jurisdictions across the country questioned the health risks associated with the exposure to crumb rubber, a common infill product on synthetic surface athletic fields, and multiple studies have been conducted over the last decade. Recently, these concerns were brought to the Washington State Legislature during the 2016 session after citizen concerns raised questions about state funding for projects involving crumb rubber.

The Washington Department of Health (DOH) and researchers at the University of Washington School of Public Health formed a project team to investigate issues related to soccer playing and cancer¹. The primary objectives of the investigation were to:

1. Determine whether the number of cancer diagnoses among the soccer players reported to the project team was higher than would be expected if rates of cancer among these soccer players were similar to rates among all Washington residents of the same ages.
2. Describe individuals reported to the project team in terms of their demographics, factors related to cancer and history of playing soccer and other sports.

A short question and answer list is available on [DOH's website](#). Additionally, the State of California is conducting an ongoing [comprehensive study](#) projected to be finalized in 2019. RCO staff will continue to monitor the relevant studies and will update the board as more information becomes available.

Grant Applications

Applicants submitted 257 grant applications requesting nearly \$43.5 million during RCO's second grant cycle for the 2017-19 biennium. This represents a 4 percent increase in the number of applications and a 16 percent increase in the grant funds requested last biennium for the following programs:

Grant Programs	Number of Projects	Grant Requests	Applicant Match	Total
Boating Facilities Program	45	\$20,474,253	\$8,532,494	\$29,006,747
Nonhighway and Off-road Vehicle Activities	141	\$17,494,883	\$12,234,621	\$29,729,504
Recreational Trails Program	63	\$4,941,189	\$6,769,853	\$11,711,042
Firearms and Archery Range Recreation	8	\$587,453	\$541,576	\$1,129,029

¹ The full report, [Investigation of Reported Cancer Among Soccer Players in Washington State](#), published in January 2017.

After the November 1, 2016 application deadline, staff and advisory committees conducted technical reviews of the project proposals. Technical review involves an in-depth review of the application materials, and in some instances presentation to the advisory committee for their preliminary feedback. Staff is now working with applicants to ready their proposals for evaluation, which begins January 25.

The board will approve ranked lists at the May 2017 meeting and will award grants at the following July meeting, after legislative approval of the state capital budget.

Projects of Note

Port of Camas-Washougal

Washougal Waterfront, RCO #[14-1347D](#) and Washougal Waterfront Trail, RCO #[14-1349D](#)

The Port of Camas-Washougal used three RCO grants totaling \$1.7 million to develop a 2.4-acre water access area and trail on the last piece of publicly-owned waterfront in Washougal. The project is located on the south side of Highway 14 along the Columbia River.

The Port created a half mile 12-foot wide paved trail; an adjacent parking lot with rounded staging area for kayakers and canoeists; a 32,150 square foot lawn picnicking area with an outdoor classroom/picnic shelter; a viewing plaza to enjoy the spectacular views, energy efficient restrooms, and historical and educational interpretive kiosks and signs. Core community values were to provide a trail, preserve the waterfront, and to increase public access to the water.



The project was funded with grants from the Aquatic Lands Enhancement Account, WWRP Water Access category, and a RCO Recreation Grant. The Port of Camas-Washougal contributed more than \$1.3 million in cash and donations of labor.

Town of Winthrop

Winthrop Ice Rink Phase 2, RCO #[12-1123D](#) and Winthrop Community Park and Ice Rink, RCO #[02-1047C](#)

On the evening of December 1, 2016, Chair Ted Willhite and RCO grant managers, Karen Edwards, and Ben Donatelle attended the grand opening of the Winthrop ice rink. Over 200 individuals and businesses donated cash, labor, and materials for these projects. Many of the donors were recognized at this event.

The Town of Winthrop used two WWRP Local Parks category grants to develop a permanent outdoor ice skating rink and service building. In 2003, Winthrop used a \$375,000 grant and \$426,000 in sponsor match to buy land and construct a lighted ice rink with a support building and restrooms. Winthrop accepted a \$497,000 grant in 2013 and provided \$498,000 in match, to improve the ice rink by installing refrigeration to expand the use season.



In addition, Winthrop renovated and expanded the existing support building to include new restrooms, showers, changing rooms, a common sitting and viewing area, and storage. The outdoor ice rink's winter season is now extended to 115 days per year, which enables a full operating schedule with tournaments and events that contribute to Winthrop's winter economy. During the off-season the rink is enjoyed by roller skaters for year-round outdoor recreational use.



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	0	19
Boating Facilities Program (BFP)	26	0	4	30
Boating Infrastructure Grant Program (BIG)	6	0	1	7
Firearms and Archery Range Recreation (FARR)	6	0	1	7
Land and Water Conservation Fund (LWCF)	6	1	1	8
Marine Shoreline Protection (MSP)	1	0	0	1
Nonhighway and Off-Road Vehicle Activities (NOVA)	114	0	0	114
Recreation & Conservation Office Recreation Grants (RRG)	60	0	2	62
Recreational Trails Program (RTP)	48	0	1	49
Washington Wildlife and Recreation Program (WWRP)	130	0	1	131
Youth Athletic Facilities (YAF)	29	0	0	29
Total	445	1	11	457

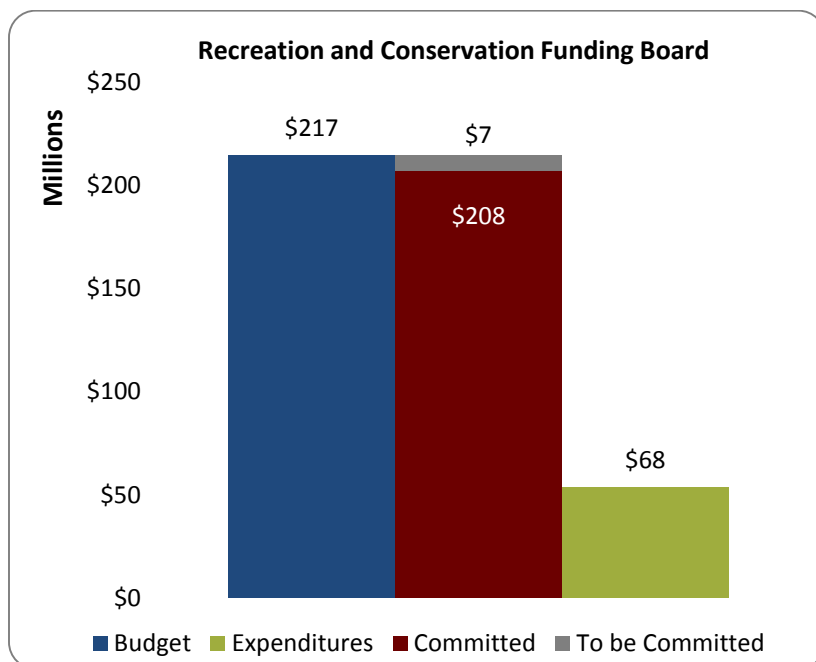
Viewing Closed Projects

Attachment A lists projects that closed between October 1, 2016 and December 31, 2016. Click on the project number to view the project description, grant funds awarded, and other information (e.g., photos, maps, reports, etc.)

Fiscal Report

For July 1, 2015 - June 30, 2017, actuals through August 31, 2016 (Fiscal Month 14). Percentage of biennium reported: 58.3 percent. The "Budget" column shows the state appropriations and any received federal awards.

Grant Program	BUDGET New and Re-appropriations 2015-2017	COMMITTED Dollars	TO BE COMMITTED		EXPENDITURES		
			% of Budget	Dollars	% of Budget	Dollars	% Expended of Committed
Grant Programs							
ALEA	\$10,014,000	\$9,715,301	97%	\$298,699	3%	\$2,751,132	28%
BFP	\$19,108,000	\$18,385,945	96%	\$722,055	4%	\$4,111,506	22%
BIG	\$1,996,860	\$1,996,860	100%	\$0	0%	\$247,948	12%
FARR	\$895,000	\$753,084	84%	\$141,916	16%	\$257,222	34%
LWCF	\$3,968,743	\$3,968,743	100%	\$0	0%	\$187,203	8%
NOVA	\$15,289,708	\$15,041,051	98%	\$248,657	2%	\$5,055,558	34%
RTP	\$6,057,927	\$5,895,928	97%	\$161,999	3%	\$2,513,951	43%
WWRP	\$106,746,111	\$103,334,677	97%	\$3,411,434	3%	\$37,697,451	36%
RRG	\$33,245,160	\$31,661,969	95%	\$1,583,191	5%	\$5,321,777	17%
YAF	\$11,791,595	\$10,725,086	91%	\$1,066,509	9%	\$4,935,812	46%
Subtotal	\$209,113,104	\$201,478,644	96%	\$7,634,460	4%	\$63,079,560	30%
Administration							
General Operating Funds	\$7,464,926	\$7,464,926	100%	\$0	0%	\$4,763,230	64%
Grand Total	\$216,578,030	\$208,943,570	96%	\$7,634,460	4%	\$67,842,790	31%



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 November 30, 2016 (Fiscal Month 17).

Percentage of biennium reported: 70.8%.

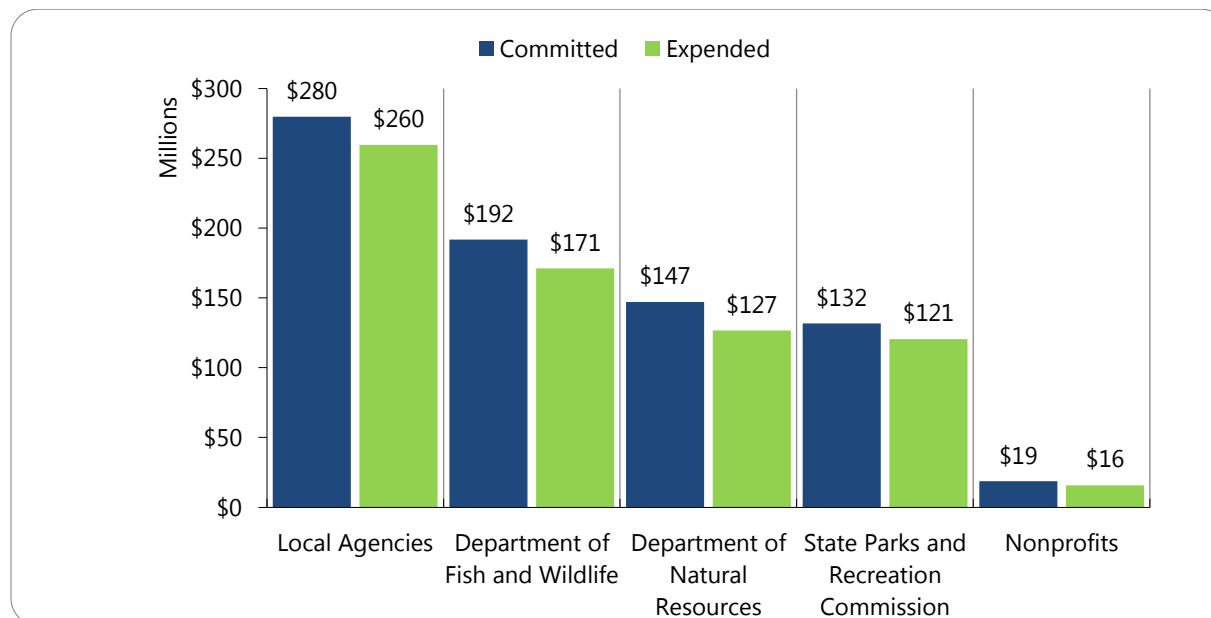
Program	Biennial Forecast	Collections	
	Estimate	Actual	% of Estimate
Boating Facilities Program (BFP)	\$17,998,516	\$11,729,121	65.2%
Nonhighway, Off-Road Vehicle Program (NOVA)	\$12,841,640	\$8,917,331	69.4%
Firearms and Archery Range Rec Program (FARR)	\$850,779	\$554,280	65.1%
Total	\$31,690,935	\$21,200,732	66.9%

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 June 2016. The next forecast is due in September 2016.

WWRP Expenditure Rate by Organization (1990-Current)








Agency	Committed	Expenditures	% Expended
Local Agencies	\$279,613,058	\$259,596,361	93%
Department of Fish and Wildlife	\$191,649,889	\$171,164,520	89%
Department of Natural Resources	\$147,137,243	\$126,673,930	86%
State Parks and Recreation Commission	\$131,696,337	\$120,522,414	92%
Nonprofits	\$18,609,871	\$15,818,842	85%
Conservation Commission	\$378,559	\$378,559	100%
Tribes	\$689,411	\$642,748	93%
Other			
Special Projects	\$735,011	\$735,011	100%
Total	\$770,509,379	\$695,532,385	90%



Performance Measures for Fiscal Year 2017

The following performance data are for recreation and conservation projects in fiscal year 2017 (July 1, 2016 – June 30, 2017). Data are current as of January 10, 2017.

Recreation and Conservation Funding Board Performance Measures

Measure	Target	Fiscal Year-to-Date	Status	Notes
Percent of Projects Issued Agreement within 120 Days of Board Funding	85-95%	76%		42 agreements for RCFB-funded projects were due to be mailed this fiscal year. Of those, 32 agreements were mailed on time.
Percent of Projects Under Agreement within 180 Days of Board Funding	95%	84%		58 projects were set to come under agreement this fiscal year. Of those, 49 agreements were issued on time.
Percent of Progress Reports Responded to On Time	65-75%	89%		316 progress reports were due so far this fiscal year. Of these, 282 were responded to within 15 days or less.
Percent of Bills Paid within 30 days	100%	100%		130 bills were due this fiscal year, and staff paid all within 30 days.
Percent of Projects Closed on Time	60-70%	41%		There were 32 recreation and conservation projects due to close and 13 closed on time.
Number of Projects in Project Backlog	0	17		Staff continues to work with sponsors to get the proper documentation to close backlog projects.
Number of Compliance Inspections (by Worksite)	No target set	110	N/A	Staff revised the performance query for this measure to count inspections by worksite.
Percent of Project Sponsors Submitting Annual Bill	100%	68%		Of the 324 active recreation and conservation projects required to submit a bill this FY, 221 have done so. The remaining sponsors have until June 30, 2017 to submit a bill.

Attachments

A. Projects Completed and Closed from October 1, 2016 and December 31, 2016

Projects Completed and Closed from October 1, 2016 and December 31, 2016

Project Number	Project Name	Sponsor	Program	Closed On
<u>12-1045C</u>	Belmondo Reach Acquisition and Restoration, Phase 1	Seattle Public Utilities	Aquatic Lands Enhancement Account	11/15/16
<u>14-1886D</u>	Port Townsend Boat Haven Ramp Expansion	Port of Port Townsend	Boating Facilities Program, Local	10/20/16
<u>14-2100D</u>	Squalicum Harbor Boat Launch Ramp Extension	Port of Bellingham	Boating Facilities Program, Local	10/05/16
<u>14-2006D</u>	Gig Harbor Sportsman's Club Trap Machine Upgrades	Gig Harbor Sportsmen's Club	Firearms and Archery Range Recreation	12/12/16
<u>14-1885D</u>	Sporting Clays Range Expansion	Seattle Skeet and Trap Club	Firearms and Archery Range Recreation	12/07/16
<u>14-1911D</u>	Yakima Valley Trap Range Improvements	Yakima Valley Sportsmen's Association	Firearms and Archery Range Recreation	12/22/16
<u>12-1840E</u>	Snoqualmie Ranger District Front Country Patrol	U.S. Forest Service, Mount Baker Snoqualmie National Forest, Snoqualmie Ranger District	Nonhighway and Off-road Vehicle Activities, Education and Enforcement	11/01/16
<u>12-1290M</u>	Dispersed Site and Trailhead Maintenance	U.S. Forest Service, Mount Baker Snoqualmie National Forest, Snoqualmie Ranger District	Nonhighway and Off-road Vehicle Activities, Nonhighway Road	10/21/16
<u>12-1754M</u>	Naches Developed and Dispersed Maintenance and Operation	U.S. Forest Service, Okanogan-Wenatchee National Forest, Naches Ranger District	Nonhighway and Off-road Vehicle Activities, Nonhighway Road	10/18/16
<u>11-1044D</u>	Colonel Bob Trail Redevelopment Phase 1	U.S. Forest Service, Olympic National Forest, Pacific Ranger District - Quinault	Nonhighway and Off-road Vehicle Activities, Nonmotorized	10/25/16
<u>12-1753M</u>	Naches Wilderness Trails Maintenance and Operation	U.S. Forest Service, Okanogan-Wenatchee National Forest, Naches Ranger District	Nonhighway and Off-road Vehicle Activities, Nonmotorized	11/09/16
<u>12-1292D</u>	Middle Waddell Off-road Vehicle Campground and Trailhead	Washington Department of Natural Resources	Nonhighway and Off-road Vehicle Activities, Off-Road Vehicle	11/16/16

Project Number	Project Name	Sponsor	Program	Closed On
<u>12-1752M</u>	Naches Motorized Trails Maintenance and Operation	U.S. Forest Service, Okanogan-Wenatchee National Forest, Naches Ranger District	Nonhighway and Off-road Vehicle Activities, Off-Road Vehicle	11/03/16
<u>11-1146D</u>	Pasayten Drive Restoration and Bridge	U.S. Forest Service, Okanogan-Wenatchee National Forest, Methow Ranger District	Nonhighway and Off-road Vehicle Activities, Off-Road Vehicle	12/06/16
<u>14-1367D</u>	Civic Field Lighting Replacement	Port Angeles	RCO Recreation Grants, Local Parks	12/23/16
<u>14-1349D</u>	Washougal Waterfront Trail	Port of Camas-Washougal	RCO Recreation Grants, Trails	10/26/16
<u>12-1488M</u>	Tahoma Trails Maintenance	Mount Tahoma Trails Association	Recreational Trails Program, General	11/02/16
<u>12-1512M</u>	Chelan Down Lake Trails - Winter and Summer	U.S. Forest Service, Okanogan-Wenatchee National Forest, Chelan Ranger District	Recreational Trails Program, General	11/07/16
<u>11-1345D</u>	Lake Serene Trail Rehabilitation	U.S. Forest Service, Mount Baker Snoqualmie National Forest, Skykomish Ranger District	Recreational Trails Program, General	10/26/16
<u>12-1301M</u>	Methow Valley Ranger District Trail Maintenance	U.S. Forest Service, Okanogan-Wenatchee National Forest, Methow Ranger District	Recreational Trails Program, General	12/08/16
<u>12-1749M</u>	Naches District Motorized Trails Maintenance and Operation	U.S. Forest Service, Okanogan-Wenatchee National Forest, Naches Ranger District	Recreational Trails Program, General	11/02/16
<u>12-1750M</u>	Naches District Wilderness Trails Maintenance and Operation	U.S. Forest Service, Okanogan-Wenatchee National Forest, Naches Ranger District	Recreational Trails Program, General	10/28/16
<u>12-1483M</u>	Non-Motorized Sno-Parks and Trails - I-90 Corridor	Washington State Parks and Recreation Commission	Recreational Trails Program, General	12/23/16
<u>10-1684A</u>	Ebey's Reserve Farmland - Ebey's Prairie	Whidbey Camano Land Trust	WWRP Farmland Preservation	10/20/16
<u>12-1152D</u>	Sam Benn Park Renovation, Phase 2	Aberdeen City of	WWRP Local Parks	10/17/16
<u>12-1215D</u>	Old Highway 10 Access Development	Department of Fish and Wildlife	WWRP State Lands Development	12/23/16

Project Number	Project Name	Sponsor	Program	Closed On
<u>12-1612R</u>	Lacamas Prairie Restoration	Washington Department of Natural Resources	WWRP State Lands Restoration	10/03/16
<u>12-1723D</u>	Nisqually Initial Park Access	Washington State Parks and Recreation Commission	WWRP State Parks	12/07/16
<u>12-1240D</u>	Spokane River Centennial Trail Northwest Extension	Washington State Parks and Recreation Commission	WWRP Trails	12/15/16
<u>14-1347D</u>	Washougal Waterfront Water Access Area	Port of Camas-Washougal	WWRP Water Access	10/26/16
<u>15-1482D</u>	Northwest Soccer Park Turf Field	Whatcom Sports and Recreation	Youth Athletic Facilities, Renovation	10/05/16
<u>15-1331D</u>	Quillayute Valley School District Athletic Field Renovation	Forks	Youth Athletic Facilities, Renovation	11/04/16
<u>15-1349D</u>	South End Recreation Area Baseball Complex Lighting	Metropolitan Park District of Tacoma	Youth Athletic Facilities, Renovation	12/09/16

* WWRP = *Washington Wildlife and Recreation Program*

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Compliance Overview and Briefing

Prepared By: Myra Barker, Compliance Specialist

Summary

Staff will provide an overview of the Recreation and Conservation Funding Board's compliance policies and an update regarding ongoing compliance efforts.

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

Compliance

From the first project completed in 1966 to a project that is completed today, a condition of the grant funding is that the project is operated and maintained for its intended purpose of providing outdoor recreation or habitat conservation for a specific period of time. The long-term obligation begins when a project is accepted as complete and is classified in a "post-completion" status.

The project agreement describes the scope and intent of each project, specifies the compliance period, and includes a restriction on conversion of the funded site without prior approval.

The long-term obligation, or compliance period, can vary and is determined by the grant program, project type, and ownership of the project area.

- Acquisition projects with fee simple acquisition, the compliance period is forever; for lesser property interests, the compliance period is for the term of the lease or easement acquired.
- For six of the Recreation and Conservation Funding Board's grant programs, the compliance period for development projects on sponsor-owned property is currently forever.
- Development projects funded in the Youth Athletic Facilities (YAF) program have a twenty year compliance period.
- Development projects funded in the Firearms and Archery Range Recreation (FARR) program have a ten year compliance period.
- Development projects funded in the federal Boating Infrastructure Grant (BIG) program have a compliance period derived from the "useful life" of the developed or renovated facility.

All other projects types (such as education and enforcement projects, maintenance¹ and operation projects, and planning projects) are not monitored for post-completion compliance.

¹ When a maintenance project includes a constructed element, the compliance period is derived from the "useful life" of the element.

Compliance Portfolio and Inspections

The number of projects in the compliance portfolio at the Recreation and Conservation Office (RCO) changes over time. As of January 2017, there are 5,529 projects in the portfolio (both Recreation and Conservation Funding Board and Salmon Recovery Funding Board projects).

The agency's goal is to inspect each grant project site once every five years. This approach mirrors the inspection requirements of the federal Land and Water Conservation Fund (LWCF) program. Grant managers use a variety of tools, including aerial imagery and a combination of desk and field work, to conduct inspections. A project is assigned to a compliance area², a PRISM feature that identifies projects located in the same area so that multiple inspections may be completed in one site visit. Currently, RCO staff have a back log of inspections as noted in the chart below.

It is important to note that a project may have more than one worksite³ to inspect, which can be located in different areas. A few of the earliest funded projects included more than one worksite, with one project having 44 worksites scattered throughout the state. Since that time, a multi-site policy has been adopted that either prohibits⁴ more than one worksite for many of the grant programs, or limits multiple worksites to a geographic envelope⁵ or to locations within two adjacent counties in certain grant programs and categories.

Generally, staff prioritize inspections by those that are due or overdue, by funding source, and sites with known or potential compliance issues. LWCF sites are a priority because the National Park Service requires sites to be inspected once every five years and compliance can be a consideration in receiving funding.

Inspecting sites continues to be a challenge, given staffing levels and work load. In addition to managing an average of over 75 projects (from pre-application to active status), each grant manager also conducts compliance inspections and works with sponsors on resolving compliance issues.

RCO's Compliance Inspections Workload

Category	Count
Current compliance portfolio	5,529
Number of compliance inspections completed in 2016 (4% of the portfolio)	222
Number of compliance inspections due (48% of the portfolio)	2,638
Number of completed inspections needed each year to reach goal of once every five years	1,106
Number of completed inspections needed each year per grants manager based on current staffing (15 grants managers RCFB and SRFB)	74

² A PRISM database term, a compliance area is a geographic area defined by an external source (a specific park, wildlife area, state park, trail, etc.). Projects located on private land are assigned a compliance area by the sub-watershed HUC 6th field.

³ A PRISM database term for the specific location/s of the scope of work in a project. A project may have one or more worksites.

⁴ Manual 4: Development Projects

⁵ Manual 3: Acquisitions; Manual 10a and 10b: Washington Wildlife and Recreation Program

Compliance: Focus on Land and Water Conservation Fund (LWCF)

Land and Water Conservation Fund (LWCF) projects represent about 10% of the portfolio (569 projects). Many of the agency's first funded projects included LWCF as part of the grant funding. Every LWCF project has a perpetual long-term obligation.

The Recreation and Conservation Office (RCO) is the state administrator of this federal grant program with oversight by the National Park Service (NPS). NPS tracks and monitors the agency's progress in addressing compliance issues. Progress made on resolving compliance issues has been a consideration in reallocation of unspent LWCF grant funds.

Currently, NPS is tracking 110 compliance issues on 77 projects. Over half of the issues are noted as "preliminary," meaning more information is needed to determine if there is an actual compliance issue. The compliance issues range from a change in sponsor, change in ownership of the property, to unauthorized cell towers and wireless infrastructure, encroachments by adjacent landowners, levee setbacks, and road-widening projects.

Outreach

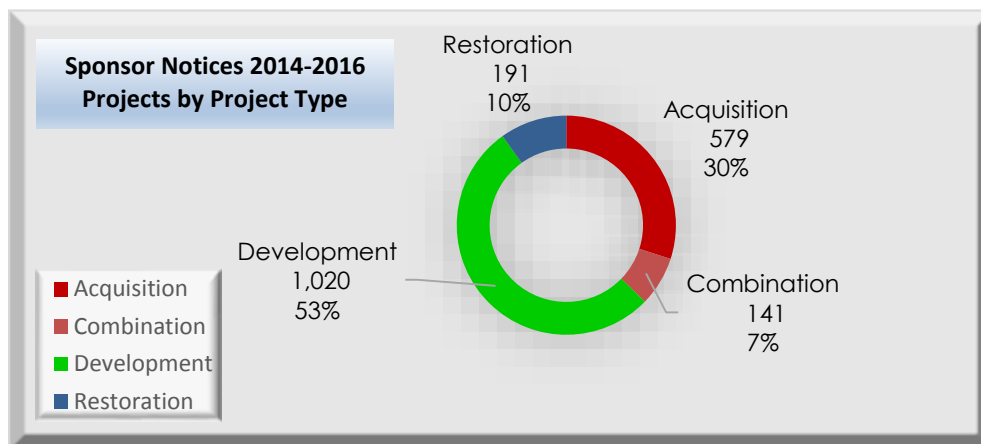
A specific outreach effort began in 2014 to notify sponsors of their long-term obligations. The notice includes a description of the long-term obligation and a list of the sponsor's projects that are subject to compliance requirements. To date, 344 sponsors have been contacted for 1,931 projects. The charts below display the metrics for sponsors contacted and the project types.

RCO receives limited responses to the notice; only about 9% of those contacted submit a reply. Responses range from "Thank you, we are in compliance" to "We transferred that property to another organization." Staff continue to work on resolving the issues that were discovered through the outreach.

The chart below illustrates the number of sponsors that were contacted each year. The number of sponsors change over time, as indicated. This occurs as new sponsors complete projects and as compliance periods expire on a respective sponsor's projects.



Each notice included a list of the sponsor's projects with a long-term obligation. The chart below illustrates the types of projects that were included in the 2014-2016 notices.



The Board's Compliance Policy

The board's compliance policy is:

"interests in real property, structures, and facilities acquired, developed, enhanced, or restored with RCO funds must be not changed, either in part or in whole, nor converted to uses other than those for which the funds were originally approved. If an RCO funded project is found to be changed or converted (out of compliance with the project agreement or agreement amendments), the project sponsor is responsible for replacing the changed or converted interests in real property, structures, or facilities with interests, structures, or facilities of equivalent size, value, and utility.⁶

RCO recognizes a difference between projects that acquire interest in land and projects that fund structures or facilities. Compliance with project agreements involving structures or facilities for outdoor recreation will be tied to a reasonable, agreed-upon service life for the structure or facility, with the further provision that the development of the structure or facility constitutes the sponsor's agreement to provide outdoor recreation opportunity on the development site in perpetuity.⁷

There are varying degrees of non-compliance, with conversion being the most serious. Although a conversion is not prohibited, replacement for what is converted is required. The replacement requirements vary by program and project type but, at a minimum, the replacement must provide equivalent utility. The replacement must also meet the same eligibility requirements as a new proposal. A sponsor may not use RCO funding for purchasing or developing the replacement.

A conversion is triggered when one or more of the following takes place, whether affecting a portion of, or the entire site:

- Property interests are conveyed for non-public outdoor recreation, habitat conservation, or salmon recovery uses.

⁶ Manual 7 Long-Term Obligations

⁷ Manual 7 Long-Term Obligations

- Property interests are conveyed to a third party not otherwise eligible to receive grants in the program from which funding was derived.⁸
- Non-outdoor recreation, habitat conservation, or salmon recovery uses (public or private) are made in a manner that impairs the originally intended purposes of the project area.
- Non-eligible indoor facilities are developed within the project area.
- Public use of the property or a portion of the property acquired or developed/restored with RCO assistance is terminated, unless public use was not allowed under the original grant.
- If a habitat project, the property or a portion of the property acquired, restored, or enhanced no longer provides the environmental functions for which RCO funds were approved originally.⁹

A sponsor must consider and provide evidence that alternatives other than conversion were considered. Additionally, the sponsor must submit the following information¹⁰ for the request:

- A list and discussion of all alternatives for replacement or remediation of the conversion, including avoidance;
- Documentation that the replacement provides at least equivalent value and equivalent recreation or habitat utility; 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.

The Role of the Board in Conversions

The role of the 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 of providing at least equivalent value and at least equivalent recreation or habitat utility as 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.

The board has delegated authority to the director to approve a conversion if it is less than 20% of the original scope of the project and has a value of \$75,000 or less. In these instances, the director may defer the decision to the board. For state-funded conversions, the board (or director) either approves or denies the conversion request. For federal LWCF conversions, the board (or director) makes a recommendation to the National Park Service (NPS) on approving or denying the request.

Specific Grant Project Updates

Pending Conversion Approval Requests

Staff is currently working on a number of active conversions. Depending upon the final conversion proposal, some of the conversions listed below may fall within the director's authority to approve.

Projects in **bold type** are known to require the board's decision. Projects marked with an asterisk * are known to fall within the director's authority to approve. The approval level is unknown for the three

⁸ An exception is allowed under Salmon Recovery Funding Board rules: Property acquired for salmon recovery purposes may be transferred to federal agencies, provided the property retains adequate habitat protections, and with written approval.

⁹ Manual 7 Long-term Obligations

¹⁰ Manual 7 Long-term Obligations

projects marked with a diamond ♦ at this time because the value of the proposed conversion area has not been determined.

Project Number	Project Sponsor	Park Name	Conversion Issue
#71-023	City of Auburn	Brannan Park	Reddington Levee Setback on the Green River
#00-1469	City of Leavenworth	Leavenworth Skate Park	Skate park was built on school property and has been demolished due to school facility expansion
#75-030 #98-1123	City of Yakima	Chesterley Park	Construction of a YMCA Facility on the park property
#06-1651	State Parks	Millersylvania	Recreation Concession Area
#14-1486	State Parks	Westport Light	Recreation Concession Area
#05-1135♦	State Parks	Bridle Trails	Cell tower lease
#88-9017* #90-33*	City of Richland	Columbia Point Park	Restaurants constructed within the project area
#08-1469*	City of Bellingham	Cordata Park	Road improvement project
#83-607♦	Washington Department of Fish and Wildlife (WDFW)	Kenmore Access	Bridge replacement project
#85-044♦	City of Kent	Van Doren's Landing Park	Levee setback on the Green River

Compliance Work Plan for 2017

Staff develops an informal annual work plan to guide the compliance program. The work plan includes issues identified by sponsors, staff, and executive management. The work plan includes the following elements:

- Assist with compliance-related amendments to RCO's rules in the Washington Administrative Code (WAC)
- Assist with specific project compliance workload and issues
- Explore compliance policy exceptions and development of a small conversion policy
- Continue the sponsor notice outreach effort
- Continue effort on developing a mobile app for inspection reporting
- Continue to improve the compliance workbench functions in PRISM
- Refine compliance documentation and tracking

Next Steps

RCO staff will bring compliance and conversion briefings and requests for conversion approvals to the board throughout the year.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Upcoming Conversion Requests from Washington State Parks and Recreation Commission, Multiple Projects: RCO #05-1135D, RCO #06-1654A, and RCO #14-1486A

Prepared By: Karl Jacobs, Senior Grants Manager

Summary

The Washington State Parks and Recreation Commission requests the Recreation and Conservation Funding Board (board) approve conversions affecting three state parks. The conversions are due to future use of two of these state parks as Recreation Concession Areas, and one for a cell tower lease. Staff will brief the board at the February 2017 meeting in order to prepare for a decision at the July 2017 meeting.

Board Action Requested

This item will be a:

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

Conversion Request Summary

The subject of this memo is proposed conversions of three properties, of which two properties were acquired with state grant funds and one property was protected with federal grant funds. The State Parks and Recreation Commission (Commission) requests approval from the Recreation and Conservation Funding Board to remove the Deed of Right and 6(f)(3) boundary protection from small portions of these parks so that State Parks can authorize future use as Recreation Concession Areas and for a cell tower lease.

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

The Role of the Board

Because local and state 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.

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 Washington Wildlife and Recreation Program (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, the appropriate replacement measures, and the steps that sponsors must take to request approval. Federal law has similar rules for recreation land protected under the Land and Water Conservation Fund (LWCF) Act.

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 a funded project.² The applicable rules that apply to a funded 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.

Conversions in the Land and Water Conservation Fund Program

In accordance with federal law, the National Park Service has established procedures to address a project sponsor's obligation to resolve a conversion on federally protected land. These procedures are essentially the same as for our state-funded projects, including finding replacement property of at least equal market value and public benefit at the time of replacement.

¹ Revised Code of Washington 79A.15.030(8)

² Washington Administrative Code 286-27-066

³ Manual 7, *Long-Term Obligations*, Section 2

Background

Recreation Concession Areas

In March 2013, the State Parks Commission adopted a Transformation Strategy that includes an approach to “Expand the use of land holdings for compatible revenue generating purposes.” To further this strategy, the Commission adopted sweeping changes to the agency’s real estate management policies. A key part of this policy effort included establishing a framework for designating sites within existing state parks for development of privately financed recreation facilities. Sites designated for this purpose are called Recreation Concession Areas (RCA).

The purpose of RCAs is not to privatize the park system, but rather to provide park visitors with agency mission aligned amenities that are beyond State Parks’ financial capacity, while generating lease revenue to help operate the park system. RCAs are conditionally permitted activities in areas classified as recreation, resource recreation, or heritage areas under the agency’s land classification system. Conditionally permitted activities are only allowed when specifically authorized by the Commission. The decision to allow RCAs can be made as part of the initial land classification, or later, through classification revisions.

Current state park recreational developments include campgrounds, picnic facilities, trails, cabins, vacation houses, dormitories, hostels, and even small resorts. All of these might also be appropriate for private development as an RCA, as would other facilities such as lodges or small hotels. A business consultant working with State Parks has identified four kinds of RCAs that are most likely to generate revenue for the state park system:

- Moorage facilities
- RV campgrounds
- Groupings of vacation cottages
- Food services

In order to encourage creative proposals from RCA partners, the Commission has not created a list of acceptable RCA development types, but instead in March 2015, it approved guidelines for evaluating proposed recreational uses in designated RCA sites. Appropriate uses:

1. Are consistent with the agency’s mission, vision, and core values.
2. Are consistent with the park’s approved land classifications.
3. Advance the agency’s Transformation Strategy.
4. Are consistent with grant funding restrictions that may apply to the park, or that are able to resolve inconsistencies with those restrictions.
5. Are mutually beneficial to both State Parks and the project developer in:
 - a. Providing recreational benefits to park users
 - b. Providing economic benefits to the state park system
 - c. Having a net positive impact on park operation, and
 - d. Providing activities that respond to recreation trends and help meet current and future recreation demands.

In addition to these guidelines, when the Commission approves RCAs as a conditional activity in a park, it may also impose park-specific restrictions to ensure consistency with the park's design and operational needs. Such restrictions may include:

1. Building height limits
2. Development size limits
3. Building setbacks
4. Design standards (aesthetics, materials, lighting, etc.)
5. Resource stewardship requirements
6. Hours of operation
7. Restrictions on access to other park facilities

In September 2016, the Commission approved the first round of RCAs at Fort Flagler Historical State Park, Millersylvania State Park, Squilchuck State Park and Westport Light State Park to permit privately financed development of recreation facilities. Sites at several other state parks are also being considered, but have not yet been vetted through the Commission. If approved by the State Parks Commission, RCO will bring any conversion request triggered by the RCA to the board at a future meeting.

Before the board today are two conversion requests triggered by the State Parks Commission's approval of two of the approved RCAs that have grant funding restrictions: Millersylvania in Thurston County and Westport Light in Grays Harbor County. The sites at Fort Flagler and Squilchuck were not funded with any board grants.

Cell Tower Lease

A third conversion site located at Bridle Trails State Park in King County is also included in this request. A small site for a cell tower is proposed for conversion. State Parks will assume ownership of the tower and lease space to cellular companies. The park is encumbered with federal 6(f)(3) protection due to a LWCF development grant. The grant funded development actually occurred in another area of the park, however the 6(f)(3) project boundary was placed around a larger area, including the cell tower site.

This conversion may fall under the \$75,000 value threshold for the Director's delegated authority to approve conversions. State Parks has not established the exact footprint or appraised value of the conversion area, however, staff has included the proposed conversion in this briefing in case it requires board approval.

The Conversions

RCA's are purposely structured by the Commission to expand the variety of park amenities available to the public. Most RCA developments will not result in a conversion. Because the development plans for private partners is currently unknown, it is not possible to make a determination about conversions at this time. The Commission is seeking to remove underlying deed restrictions and otherwise "entitle" these sites to potentially provide for more intense levels of recreational developments. The requested conversions would allow State Parks to unencumber areas located within two state parks, Millersylvania and Westport Light, for future anticipated RCAs.

The Millersylvania RCA is approximately 20 acres. State Parks used a WWRP State Parks category grant to purchase 70 acres in 2008 (RCO #06-1651A). The 20 acres lie within the larger 70-acre parcel, which was a former sand and gravel operation.

The Westport Light RCA is approximately 34 acres. State Parks used a WWRP State Parks category grant to purchase approximately 280 acres in 2015 (RCO #14-1486A). Anticipating a possible RCA at this site, State Parks acquired an additional 17 acres which is excluded from the Deed of Right. The Commission, however, approved use of a larger area (34 acres) for an RCA in September; therefore only 17 of the original 280 acres is the subject of this conversion.

Additionally, this proposal will address a proposed conversion at Bridle Trails State Park (RCO #05-1135D) for a cell tower. The footprint of the cell tower site will be a 50' x 50' (2,500 square feet) fenced area near the southern boundary of the park, and will include non-exclusive access. To minimize recreational and visual impact, the cell tower will be located adjacent to an existing water tank and transmission line right of way.

Details of Proposed Replacement Property

McDonald Property

The Commission proposes to use a portion of the McDonald property as replacement property for all three of these conversions, and potentially more in the future. The McDonald property is adjacent to Saint Edward State Park, which is located on Lake Washington in the City of Kenmore in King County (see the maps in Attachments E and F).

The McDonald property is approximately 9.77 acres and is one of the last remaining undeveloped parcels of land on Lake Washington. The topography of the site includes a ridge that runs from the southeast to the northwest. There is an unnamed stream along the northeast corner of the site. The western property line is the Lake Washington shoreline. There are trails that currently run through the property and connect with the trail system in Saint Edward State Park (see photos in Attachments).

This property will be transferred to State Parks by Daniels Real Estate as part of the 62-year lease agreement for rehabilitation of the St. Edward Seminary Building. Both RCO and the National Park Service approved a waiver of retroactivity for the property. The Commission is motivated to move quickly to ensure the waiver on this property does not expire prior to satisfying the proposed conversions.

It is anticipated that only a portion of the value of this replacement property will be needed for the three immediate conversions. State Parks plans to use the remaining value to satisfy future conversions.

The concept of having a large replacement property serve as a "bank" for several conversions is not a new concept. The board has approved several conversions of Washington Department of Fish and Wildlife conversions using a similar approach; therefore, as long as each conversion is completely made whole (in value and usefulness), such an approach satisfies board policy and rules.

Analysis

Conversion Requirements 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.

Staff will provide details of the analysis at the July 2017 meeting.

Other Basic Requirements Met

Same Project Sponsor

The replacement property will be administered by the same project sponsor (State Parks).

Satisfy Needs in Adopted Plan

In 2008, State Parks completed an extensive three year public planning process for Saint Edward State Park, designating a long-term boundary and land classification for the park. The McDonald property was included within the park's long-term boundary and classified as natural forest, which is designated for preservation, restoration, and interpretation of natural forest processes while providing for low-intensity outdoor recreation activities.

Eligible in the Funding Program

The replacement parcel is privately-owned and meets eligibility requirements for both WWRP and LWCF.

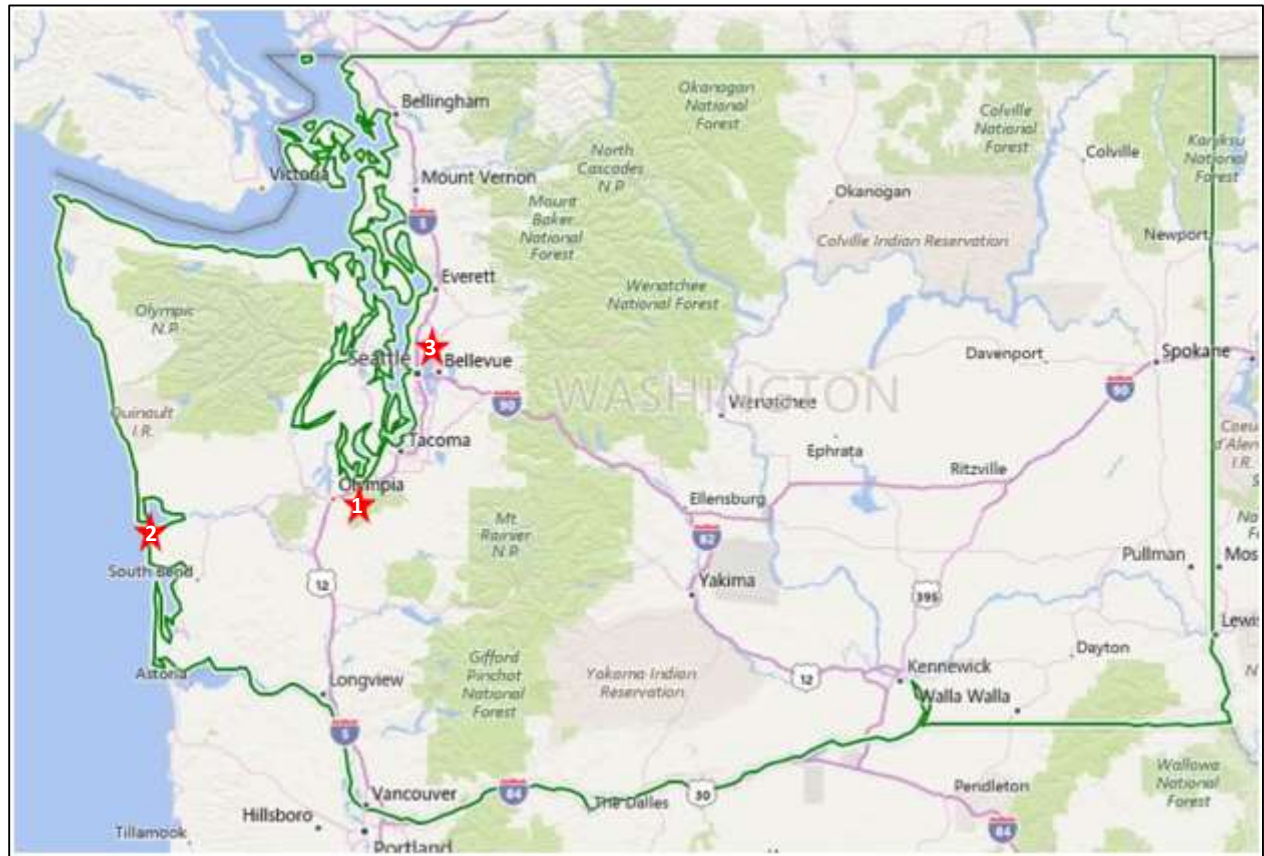
Next Steps

RCO will work with State Parks staff to finalize the conversion footprints in the three State Parks. State Parks staff will order appraisals and appraisal reviews on the proposed conversion sites and the proposed replacement property. RCO staff anticipates completing the conversion analysis and bringing this back to the board for a decision at the July 2017 meeting. RCO will also be working closely with the National Park Service with regards to the LWCF portion of the proposed conversion at Bridle Trails.

Attachments

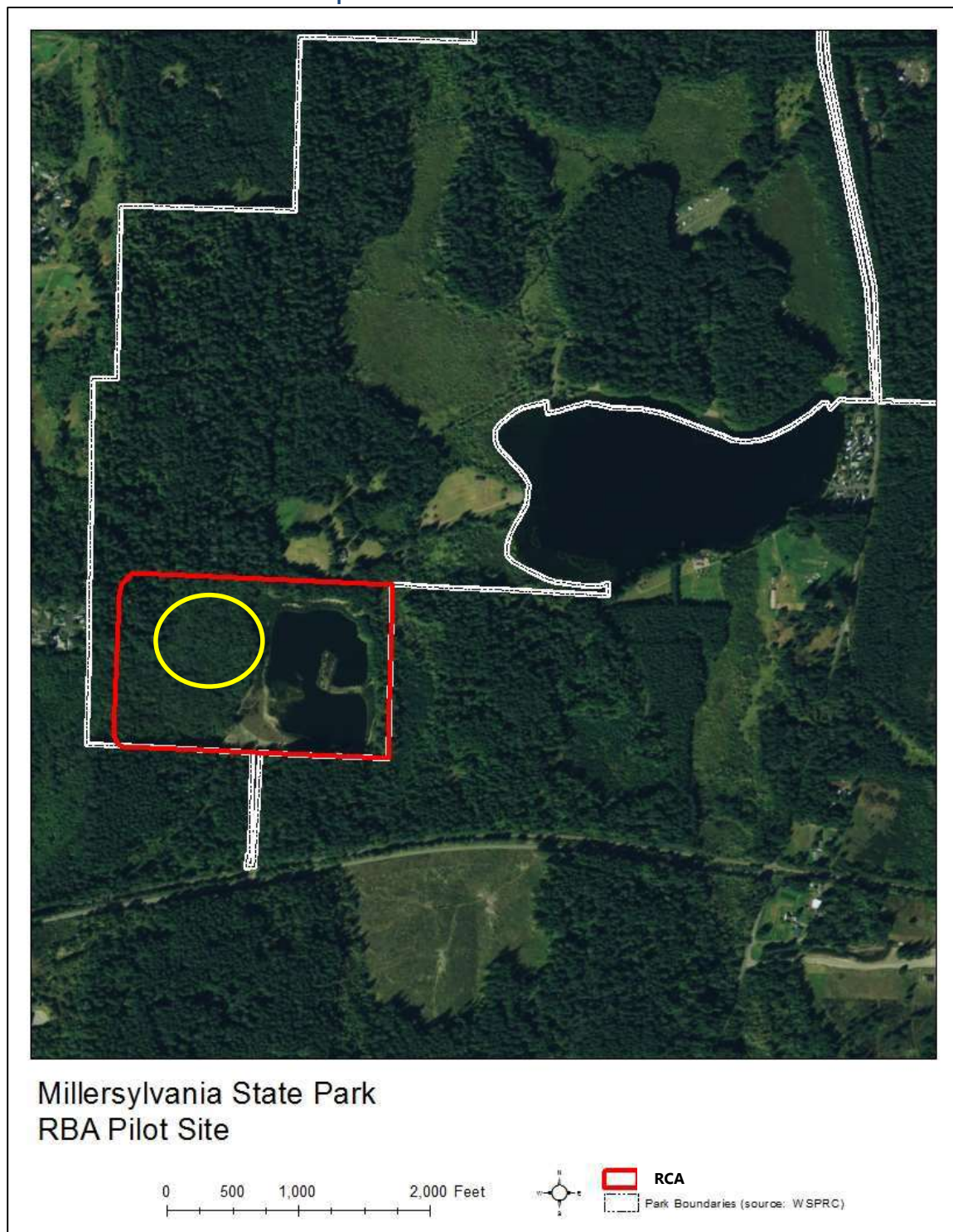
- A. Location Map and List of Proposed Conversion Sites
- B. Boundary Map – Millersylvania Recreation Concession Area, Proposed Conversion Site
- C. Boundary Map – Westport Light Recreation Concession Area, Proposed Conversion Site
- D. Boundary Map – Bridle Trails State Park, Proposed Conversion Site
- E. Location Map – Proposed Replacement, McDonald Property
- F. Regional Location Map – Proposed Replacement, McDonald Property
- G. Boundary Map – Proposed Replacement, McDonald Property

Location Map and List of Proposed Conversion Sites

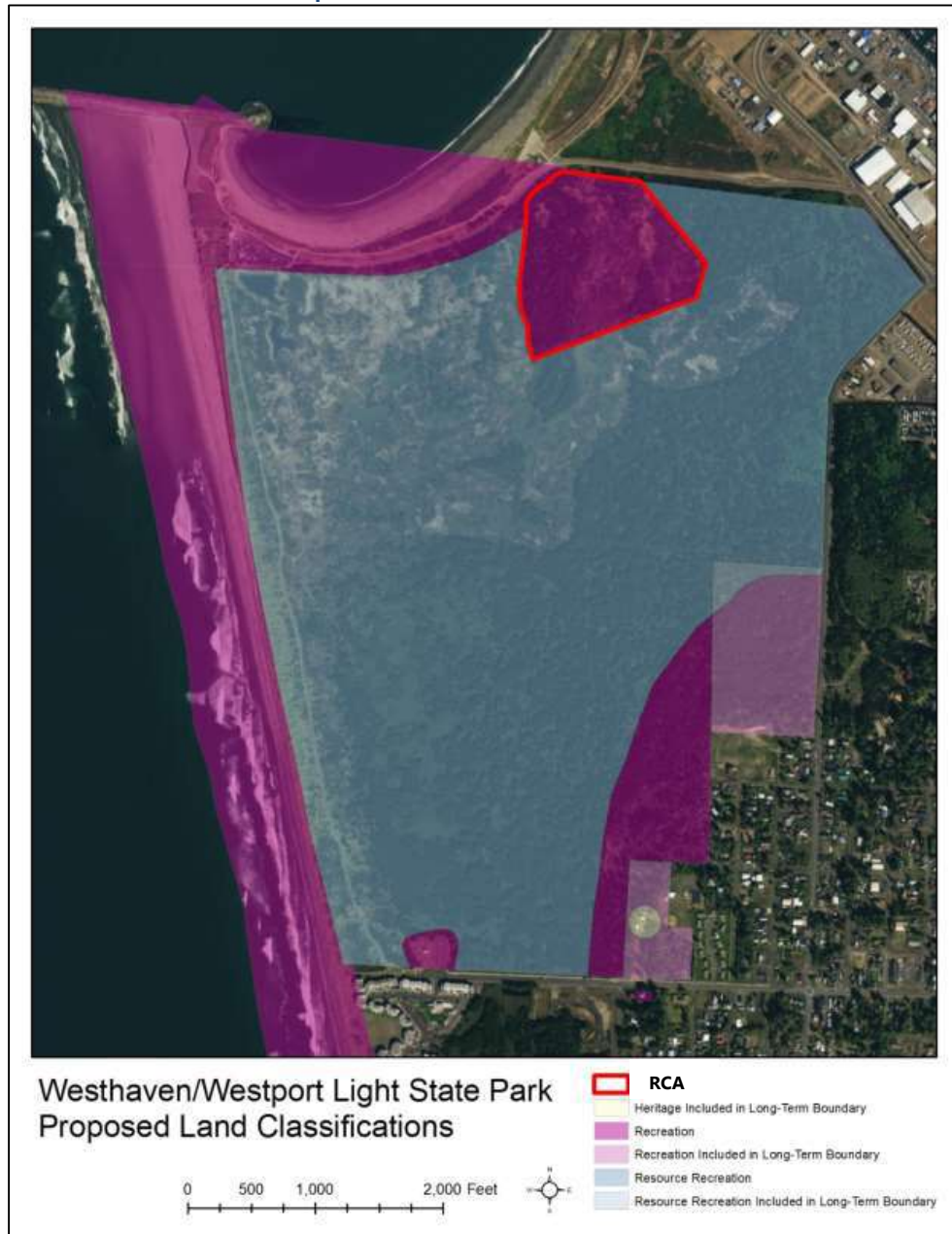


State Park	Acres	County	Estimated Conversion Value	Funding Source Affected
1. Millersylvania	20	Thurston	\$500,000	WWRP-State Parks (RCO #06-1654A)
2. Westport Light	17	Grays Harbor	\$110,500	WWRP-State Parks (RCO #14-1486A)
3. Bridle Trails	<1	King	\$75,000+/-	Land and Water Conservation Fund (RCO #05-1135D)
Total	38+/-		\$685,500	

Boundary Map – Millersylvania Recreation Concession Area Proposed Conversion Site



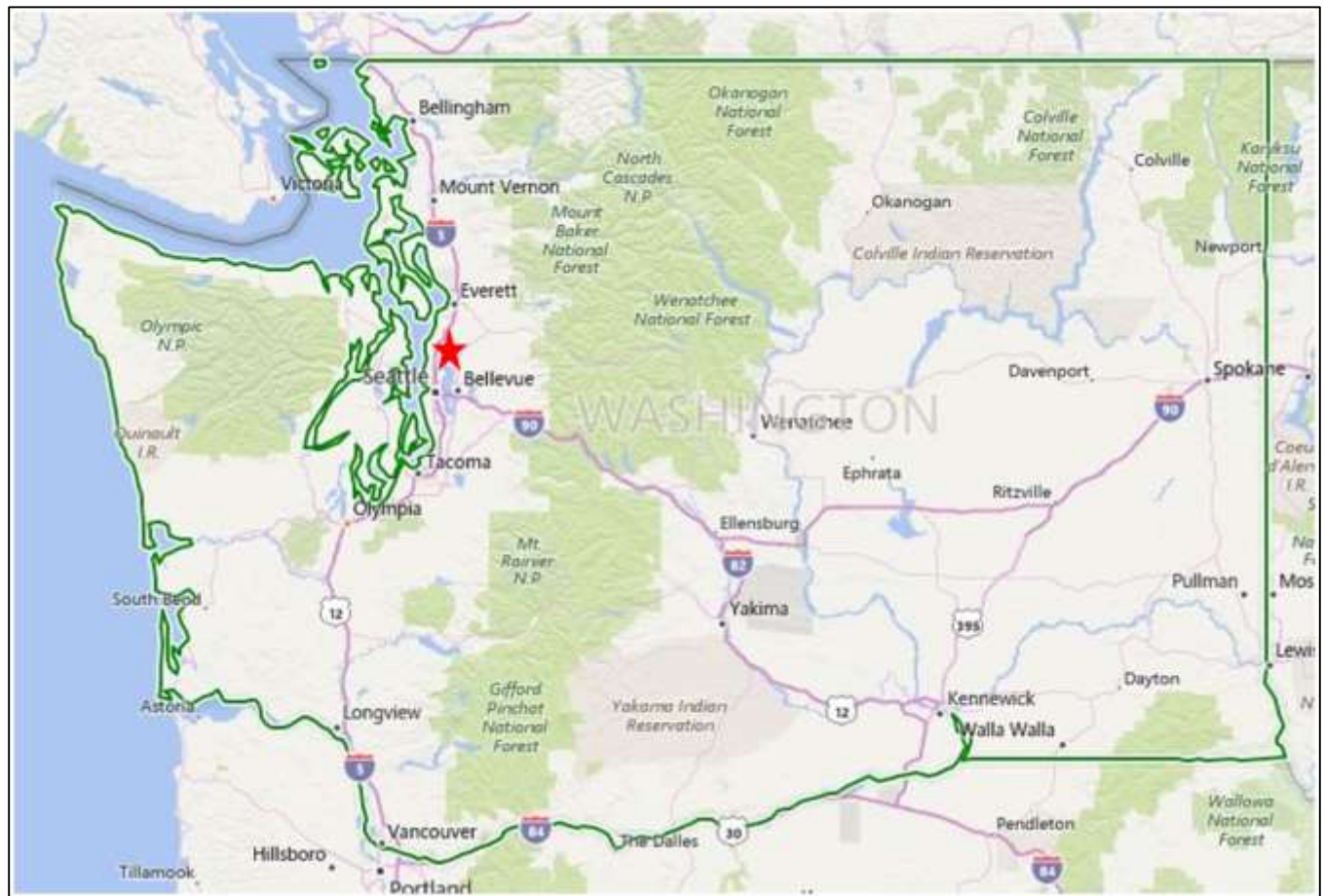
Boundary Map – Westport Light Recreation Concession Area Proposed Conversion Site



Boundary Map – Bridle Trails State Park Proposed Conversion Site



Location Map - Proposed Replacement, McDonald Property



Regional Location Map - Proposed Replacement, McDonald Property



Boundary Map - Proposed Replacement, McDonald Property





September 15, 2016

RECEIVED

SEP 23 2016

Recreation and Conservation Funding Board (RCFB)
Recreation and Conservation Office (RCO)
P.O. Box 40917
Olympia WA 98504-0917

WA STATE
RECREATION AND CONSERVATION OFFICE

Re: Issaquah Sportsmen's Club (ISC) Sound Abatement, RCO #14-2101D
Appendix C and Appendix D

Board of Directors,

To benefit members, guests, and neighbors of our surrounding community, ISC applied for a FARR grant from RCO during the application year of 2014. ISC was informed in October of 2014 that we were on the list to receive a grant.

We proceeded in meeting with sound engineers, design engineers, and obtaining quotes and permits until the agreement was received from RCO to proceed with material purchases and construction.

ISC received the project agreement in July 2016. Two original copies were signed and returned to RCO. ISC received back a signed copy in August 2016 from RCO. On August 23, 2016, RCO informed ISC that our project is active and can proceed to purchase materials and begin construction.

Subsequently, ISC was informed on June 27, 2016 about an additional requirement to meet before reimbursement will occur by RCO. This requirement is Appendix C and D. The organizations listed in Appendix C and D, Range and Course Safety Policy will not certify our project based on the verbiage in Appendix C and D, Guidance for Certification regarding, "...containment means that projectiles do not leave property..." In spite of all safety measures incorporated at ranges, human error could cause a projectile to leave a range. As it is currently written, individuals could be held liable if they certify a range based on RCO's verbiage in the above.

ISC is requesting the following:

- Exemption from completing Appendix C and D, or
- Allow an ISC Board Member to self-certify, or
- Revise Appendix C and D to ensure no individuals will be held liable.

Once more, nothing in our Sound Abatement project's design and construction removes, alters or affects the existing safety infrastructure of the range. All hardware preventing projectiles from exiting the range will remain in place and unmodified.

Respectfully,

Michelle Gipson
Manager of Operations
Issaquah Sportsmen's Club

Appendix C:

Project Design Self-Certification

The sponsor is solely responsible for range and facility safety. RCO requires this certification and evaluation only for its internal purpose to provide another indicator of the appropriate use of state grants. RCO does not in any way review or pass on the adequacy of any certification or evaluation and does not assume any obligation to any person or entity to ensure that such a certification or evaluation is complete or received before or after providing reimbursement.

This statement must be filled out and signed by an employee or officer of the organization receiving funding from the FARR program. The "Range and Course Safety Policy" is limited to this FARR-funded project and the associated ranges. This is not a certification that a range is safe.

RCO project number and name: _____

Name of your organization: _____

Range and Course Safety Policy³⁷

RCO does not certify ranges or courses as being safe. However, RCO does require range and course facilities funded by the 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, National Field Archery Association, and the Archery Trade Association.

Projects using guidance from the Archery Trade Association must be acquired, planned, designed, operated, and maintained to ensure projectiles do not leave the range property that the sponsor has demonstrated control and tenure over and must have all safety buffer zones on property that the sponsor has demonstrated its control and tenure over.

³⁷Recreation and Conservation Funding Board Resolution 2016-21

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, 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.

Guidance for Certification

In the above policy, "containment" means that projectiles do not leave property under the control of sponsor because 1) the range is being used per its rules that prevent escapement and 2) all human and engineered controls to prevent escapement meet the facility design and are operating at their optimal levels.

Meeting a guidance named in the policy (see above), means the project design and associated range(s) (and/or acquisition) meets the intent of that guidance.

Sponsor Certification

Sponsor: Name and title of the person filling out this certification

Check all that apply:

- 1) Our organization has contracted with a qualified professional (an "*evaluator*") to evaluate our project design (and/or planned acquisition) and the associated range(s) for compliance with RCO's "Range and Course Safety Policy," and produce a project design evaluation report. I attest that the evaluator has determined that the design and associated range(s) (and/or planned acquisition):
 - ☐ Conforms to the RCO "Range and Course Safety Policy."
 - ☐ Evaluator meets the qualifications in the policy.
- 2) As required, I have attached the evaluator's project design evaluation report which, at a minimum, contains the following sections and information:
 - ☐ **Evaluator Scope of Work:** Describes the evaluator's contracted scope of work and relationship to your organization.
 - ☐ **Project Design:** This section must contain a copy of the schematic design and layout of the FARR-funded project and associated

range(s), a summary of the range's safety plan, and a description of the project's purpose and its relation to the design and safety plan.

- [] **Containment and Noise:** Description of how the design and associated range(s) will or will not achieve containment and minimize noise, and how the project conforms to the policy. Other guidelines used also should be noted.
- [] **Conclusions:** Must include a statement indicating the project design, associated range(s), and safety plan conforms (or not) to the RCO's "Range and Course Safety Policy."
- [] **Evaluator's Qualifications and Experience:** List all relevant education, employment, licenses and accreditations, recent projects, etc.

Print name and title

Signature

Date

Appendix D: Completed Project Self-Certification

The sponsor is solely responsible for range and facility safety. RCO requires the above certification and evaluation only for its internal purpose to provide another indicator of the appropriate use of state grant. RCO does not in any way review or pass on the adequacy of any certification or evaluation and does not assume any obligation to any person or entity to ensure that such a certification or evaluation is complete or received before or after providing reimbursement.

This statement must be filled out and signed by an employee or officer of the organization receiving funding from FARR program. The "Range and Course Safety Policy" is limited to this FARR-funded project and the associated ranges. This is not a certification that the range is safe.

RCO project number and name: _____

Name of your organization: _____

Range and Course Safety Policy³⁸

RCO does not certify ranges or courses as being safe. However, RCO does require range and course facilities funded by the 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, National Field Archery Association, and the Archery Trade Association.

Projects using guidance from the Archery Trade Association must be acquired, planned, designed, operated, and maintained to ensure projectiles do not leave the range property that the sponsor has demonstrated its control and tenure over, and must have safety buffer zones on property that the sponsor has demonstrated its control and tenure over.

³⁸Recreation and Conservation Funding Board Resolution 2016-21

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, 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.

Guidance for Certification

In the above policy, "containment" means that projectiles do not leave property under the control of sponsor because 1) the range is being used per its rules that prevent escapement and 2) all human and engineered controls to prevent escapement meet the facility design and are operating at their optimal level.

Meeting a guidance named in the policy above, means the project design and associated range(s) (and/or acquisition) meets the intent of that guidance.

Sponsor Certification

Sponsor: Name and title of the person filling out this certification

- 1) Our organization has contracted with a qualified professional (an evaluator) to
 - 1) inspect and evaluate our completed project for compliance with RCO's "Range and Course Safety Policy," and 2) produce a completed project evaluation report. I attest that the evaluator has determined that the FARR-funded project and its associated range(s):
 - ☐ Conforms to the RCO's "Range and Course Safety Policy."
 - ☐ Evaluator meets the qualifications in the policy.
- 2) As required, I have attached the evaluator's completed project evaluation report which, at a minimum, contains the following sections and information:
 - ☐ **Evaluator Scope of Work:** Describes the evaluator's contracted scope of work and relationship to your organization.
 - ☐ **As-Built Design:** This section must contain a copy of the project's schematic as-built plans (or acquisition map), schematic of the entire associated range, and summary of its safety plan. State that the completed project was based on the previously evaluated design or planned acquisition contained in the sponsor's Appendix C and its attached project design evaluation report (note any variances).

- [] **Containment and Noise:** Discuss how the completed project and associated range (and/or acquisition) will (or not) achieve containment and minimize noise, and how the completed project and associated range(s) (and/or acquisition) conform to the "Range and Course Safety Policy." Other guidance used also should be noted.

- [] **Conclusions:** Must include a statement indicating the completed project, the safety plan, and associated range(s) conform (or not) to RCO's "Range and Course Safety Policy."

- [] **Evaluator's Qualifications and Experience:** List all relevant education, employment, licenses, accreditations, recent projects, etc.

Print name: _____ Title _____

Signature: _____ Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Firearms Safety Policy Implementation Follow-up Discussion

Prepared By: Adam Cole, Natural Resource Policy Specialist

Summary

At the October 2016 meeting, the Recreation and Conservation Funding Board (board) received testimony from the Issaquah Sportsman's Club regarding their efforts to comply with the board's new Range and Course Safety Policy. This memo summarizes their testimony and provides a status update on their Sound Abatement project (RCO #14-2101).

Board Action Requested

This item will be a:

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

Background

In August 2016, the Issaquah Sportsman's Club received a [Firearms and Archery Range Recreation \(FARR\)](#) grant in the amount of \$54,964 to add acoustic insulation in and around the covered firing line at its rifle and pistol range (RCO Project #[14-2101](#)).

At the October 2016 meeting, the Recreation and Conservation Funding Board (board) received testimony from the Issaquah Sportsman's Club regarding their attempts to comply with the board's Range and Course Safety Policy¹ (see Attachment A).

The board's safety policy requires that firearms and archery range projects that directly relate to a range activity be designed and built to ensure containment of projectiles to the range property. As part of the policy's implementation, the Recreation and Conservation Office (RCO) created self-certification forms that sponsors must complete in order to document their actions towards compliance with the policy. The forms contain a statement from the sponsor that the project conforms to the safety policy, and evaluation reports from a qualified professional have been commissioned that inform and support the claims of the sponsor.

In a letter to the board (see Attachment B) and in-person testimony provided at the October 2016 meeting, the Issaquah Sportsman's Club stated the following:

1. RCO staff informed the Issaquah Sportsman's Club that the safety policy applies to their project and therefore they needed to complete and sign the required RCO self-certification forms and attach a range evaluation report from a qualified evaluator before they could begin receiving reimbursement of project costs; and

¹ Board Resolution [2014-05](#) (January 2014, Item 6) and Board Resolution [2016-21](#) (February 2016, Item 17)

2. The National Rifle Association, one of the organizations referenced in the policy, declined a contract to evaluate the range and provide the required range evaluation report because the "containment" language in the safety policy and on the certification forms may create a liability for them; and
3. Any individual signing a certification form could be held liable if a projectile leaves the range; and
4. The sound abatement project will not affect the existing range safety features that prevent projectiles from exiting the range.

To address these issues, the Issaquah Sportsman's Club requested the following from RCO:

1. An exemption from completing the "certification forms";
2. Allowing an Issaquah Sportsman's Club Board Member to self-certify the project (not contract out for service); or
3. Revise Appendix C and D of the safety policy to ensure no individuals will be held liable.

Analysis

After the October meeting, RCO staff met with Issaquah Sportsman's Club representatives to discuss the process for sponsor documentation required by the safety policy. Staff explained that, although the noise insulation is not a "safety structure" as the club had stated, the policy still states:

"RCO does require range and course facilities funded by the 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... 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, a professional engineer, or other qualified professional consultant with experience and expertise in the evaluation and design of ranges and courses."

Staff clarified that any qualified person may provide a design or completed range evaluation report, even though the National Rifle Association is specifically named in the policy.

Project Status

Since the October meeting and at the time of this memo's publication, the Issaquah Sportsman's Club has:

1. Hired a consultant firm to design the improvements;
2. Obtained bid-ready plans and specifications;
3. Received a construction permit from King County;
4. Submitted to RCO a range evaluation report and a signed Appendix C: Project Design Self-Certification; and
5. Hired a contractor.

At this time, it appears that the Issaquah Sportsman's Club has been able to work through the earlier difficulties with complying with the board's policy. If additional project details develop after the publication of this memo, staff will provide an update at the February board meeting.

Next Steps – Range and Course Safety Policy

The board adopted the safety policy in 2014. Since then, the board has funded six firearms projects. Of these six projects, three have documented compliance with the safety policy and are now completed. The other three projects are active and in the process of documenting compliance with the safety policy, including the Issaquah Sportsman's Club project.

Staff continues to monitor the implementation of this new policy. The following list includes potential improvements for the 2018 grant round:

- Update the safety policy language, and certification forms, to reduce confusion.
- Identify specific types of projects that may be categorically excluded from the policy (e.g. HVAC replacement, environmental stewardship, cleanup/abatement, storm water, lighting, noise).
- Confer with the National Rifle Association to see if potential policy updates would allow their [Range Technical Team Advisors](#) to contract with our sponsors for range design and completed project reports.
- Specify in more detail what constitutes a qualified professional.
- In the safety policy, remove reference to guidance documents and organizations. Instead, allow a qualified professional to use his/her proprietary method of range evaluation.
- Consider hiring a range consultant to evaluate our policies and procedures as they relate to firearms and archery range projects.

Additional Information

For more background on the Firearms and Archery Recreation Program, the regulatory context of firearms ranges, and professional range resources, go to the following resources:

1. Previous information provided to the board regarding the Firearms Range and Course Safety Guidance as documented in the [July 2016 Board Materials, Item 9B](#)
2. [Firearms and Archery Range Recreation Fact Sheet](#)
3. [RCO's Firearms and Archery Range Recreation \(FARR\) Program Webpage](#)
4. [Grant Manual 11: Firearms and Archery Range Recreation Program](#)

Attachments

- A. Range and Course Safety Policy: Board-Adopted Policy Statement
- B. Letter from Issaquah Sportsmen's Club
- C. Grant Manual 11, Appendix C: Project Design Self-Certification
- D. Grant Manual 11, Appendix D: Completed Project Self-Certification

Range and Course Safety Policy

Board-Adopted Policy Statement

The RCO does not certify ranges or courses as being safe. However, RCO does require range and course facilities funded by the 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.

Board Resolution [2014-05](#) (January 2014, Item 6) and Board Resolution [2016-21](#) (February 2016, Item 17)

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017
Title: Briefing on Control and Tenure Policy Changes
Prepared By: Adam Cole, Policy Specialist

Summary

To obtain a grant to develop recreation infrastructure on state-owned aquatic lands managed by the Washington State Department of Natural Resources (DNR), sponsors must provide a lease (or other form of control) to the Recreation and Conservation Office. This form of control must demonstrate that the sponsor can construct on the property, as well as maintain and allow long-term public access, per policy adopted by the Recreation and Conservation Funding Board (board). Recently, however, sponsors are having difficulty obtaining lease terms from DNR that meet the minimum control and tenure terms adopted by the board. Staff requests direction from the board regarding control and tenure policy changes to address these issues.

Board Action Requested

This item will be a:

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

Background

Control and Tenure Policy

According to policy set by the Recreation and Conservation Funding Board (board), any organization receiving a grant must demonstrate that it owns or otherwise controls the land where the project will be implemented (see Attachment A). This is referred to as having "control and tenure" of a project site, which takes the form of outright ownership by the sponsor, a lease, an easement, use agreement, or similar means. Sponsors must demonstrate that the project meets the board's control and tenure requirements before the Recreation and Conservation Office (RCO) will issue a project agreement.

The purpose of the policy is three-fold. First, the policy ensures that RCO enters into an agreement with a sponsor that has the authority to implement a project on the subject lands. Second, it ensures that control and tenure is secured at the time a project agreement may be issued so as not to delay project implementation. Third, the tenure sets the compliance period for the long-term obligations of the project and ensures use of the facility by the public for a reasonable length of time. This policy ensures that the investment of public funds results in public use and access for a reasonable length of time.

Sponsors who want to conduct grant-funded development projects on state-owned aquatic lands are increasingly unable to meet the board-adopted minimum term of control and tenure for development

projects.¹ Although the board issues grants for development as well as restoration work on state-owned aquatic lands, addressing development projects (construction or reconstruction or recreation infrastructure) constitutes the highest need for board consideration at this time. Examples of projects where a sponsor would develop on state-owned aquatic lands includes docks, piers, marinas, boat launches, and trails. Examples of projects where a sponsor would do restoration work on state-owned aquatic land includes placement of log jams, removal of dikes and levees, placing bridge abutments to replace culverts, removing bulkheads, etc.

State-Owned Aquatic Lands

In the last few years, the Department of Natural Resources (DNR) has updated its leasing practices for properties with improvements, turning towards shorter term leases which are typically twelve years. With a shorter lease term, DNR can more readily update a tenant's requirements and implement best practices that aim to achieve a healthier environment and a better functioning facility. DNR is also able to minimize state liability by keeping lease language up-to-date and ensuring security and insurance clauses are appropriate for the given use. In addition to the leasing preferences of DNR, there are also constitutional and statutory limitations on the length of time it can issue a lease or easement depending on the type of state-owned aquatic lands (see Attachment B).

Current Policy and Issues

Current Policy

The board policy for control and tenure from 1996 calls for a twenty-five year term. However, additional terms now exist by program due to additional board policies adopted since 1996 and via pre-emption of board policy by the Revised Code of Washington or the US Code of Federal Regulations.

The following is the current board policy as expressed in [RCO Manual #4, Development Projects](#):

"Before executing a project agreement, the applicant must provide RCO with documentation as described below:

- **Applicant owns property.** *Current title information for property owned by the applicant. This information must include:*
 - *Legal description*
 - *Documentation of deed restrictions and encumbrances*
 - *Documentation of current owner*
 - *Documentation of easements*
 - *Explanation of the immediate or potential impacts of any restriction, encumbrance, or easement*

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

¹ Because of statutes unique to Port Districts which allow long-term Port Management Agreements with DNR, these organizations typically meet the board's control and tenure requirements without issue.

- **Applicant does not own property.** Copies of applicable leases, easements, or use agreements on the property to be developed including state aquatic lands managed by the Washington Department of Natural Resources. Under this option the lease or easement or use agreement:
 - Must extend for the “minimum interest length” shown in the table below from the date RCO releases the final reimbursement and accepts the project as complete.
 - Must not be revocable at will.
 - Must ensure the right of continuous public access.
 - Allow RCO or designee the right of entry to inspect without notice.
 - Incorporate RCO’s sign requirements.

Evidence must be provided by the sponsor that the proposed development and its intended uses are consistent with and legally permissible under the conditions of the lease, easement, or agreement. Completed project elements may not be transferred to the landowner upon completion of the RCO project.”

Minimum Control and Tenure Length for Property Not Owned by the Applicant	
Grant Program	Interest Length
Aquatic Lands Enhancement Account	25 years
Boating Facilities Program	25 years
Boating Infrastructure Grant	Useful Life
Firearms and Archery Range Recreation	10 years
Land and Water Conservation Fund (Easements only, leases are not eligible.)	Perpetuity
Nonhighway and Off-road Vehicle Activities	25 years
Recreational Trails Program	25 years
Washington Wildlife and Recreation Program	25 years
Youth Athletic Facilities	20 years

Sponsors’ Request for a Waiver to Policy

When a sponsor cannot meet the board-adopted minimum tenure for a development project, typically twenty-five years, RCO evaluates the sponsor’s request for a waiver of the board’s policy. If a waiver is approved, this can sometimes be addressed with a special condition to the project agreement. In nearly all cases where a waiver is made, the sponsor must commit to a long-term obligation timeline that extends beyond the term of its lease. Failure to abide by that commitment would then be a compliance issue, including even a conversion.

However, for the sake of efficiency, consistency, and transparency, staff recommends that the board consider a policy approach to resolving this issue.

Recent Attempt at Policy Updates

At the September 2015 meeting, the board directed staff to proceed with gathering public comments on staff’s recommended policy changes to resolve issues related to state-owned aquatic lands managed by DNR. [Item 6](#) of the September 2015 meeting materials contain the recommended policy statements and verbatim public comments received.

Based on the nature and breadth of the public comments received at that time, RCO staff did not proceed with any policy recommendations for the board. Staff requested additional time to examine concerns expressed in the public comments received, and to investigate DNR’s lease and easement requirements before making further recommendations to the board.

Staff Recommendations on New Policy Approaches and Request for Direction

Focused Approach to Revising Current Policy

Staff recommends maintaining the existing control and tenure policies, focusing on the development of new policy statements that address (when needed) control and tenure issues as they relate to development projects on state-owned aquatic lands managed by DNR.

Continued discussions with other state agencies (including DNR) demonstrated the pros and cons of potential new policy recommendations. The following table lists some viable options for board discussion.

Table 1. Potential Policies for Board Consideration

Control and Tenure Policy Approaches For Development Projects On DNR Aquatic Lands	Pros and Cons
1) Case by Case When sponsor has less than the minimum control and tenure term, evaluate sponsor requests for an exception to board policy.	<u>PRO</u> Allows for the uniqueness of each case to drive a negotiated remedy (or not) by weighing the merits of the request, and the public benefits (amount of investment, useful life of the project, public access, etc.). <u>CONS</u> <ul style="list-style-type: none">• Sponsors find out late in the grant process if their requests are granted.• Difficult to provide guidance to project applicants (no published rule or criteria for exceptions to policy).• Potential to treat sponsors unequally.• Lack of transparency. <u>Additional Policy Work</u> <ul style="list-style-type: none">• Create a process and criteria for granting exceptions.• Assuming a long-term obligation period would still be written into the project agreement, need to review rules and project agreement language to ensure a remedy is available if land is converted to other uses in the short-term.

2) Set No Minimum Term (Public Agencies Only)

If the sponsor and landowner are both public agencies, require control and tenure of the project site but prescribe no minimum term.

Rational

Low Risk? It is uncommon that areas developed by public agencies and used by the public for boating, fishing, swimming, etc., are converted to other purposes in the short term. In fact, RCO primarily funds renovation or expansion projects at existing aquatic facilities. Without RCO investment, existing facilities may be closed.

Holdover: Tenancy common law applies to DNR leases. At expiration of term, lease may continue on an annual (or other) bases. A specific holdover clause is often written into a lease. Therefore, in the absence of a minimum term, holdover may mitigate risk.

PRO

- Administratively efficient
- Not cumbersome to the sponsor or DNR

CONS

- Potential for short-term loss of public investment.

Additional Policy Work

- Vet "Rational" that public areas are uncommonly converted to other uses.
- Assuming a 25 year long-term obligation period would still be written into the project agreement, need to review rules and project agreement language to ensure a remedy is available if land is converted to other uses in the short-term.
- Vet holdover rational and develop policies as needed.
- Vet the utility of relying on landlord-tenant common law.

3) 12 Year Minimum Term

Adapt policy to DNR's preferred term.

PRO

- Not cumbersome to Sponsor and DNR
- Allows for better management of state-owned aquatic lands by DNR.

CONS

- Would not address those cases where sponsor has a current lease with less than 12 years remaining (generally, DNR begins working on renewals one year before term expires)
- A relatively short term (12 years) could lead to loss of public investment if the period for sponsor long-term obligations mirrors the lease term.

4) Require Renewal of Lease Within RCO's Project Agreement Period

If a sponsor has a lease with a term of less than 12 years, the term of the project agreement shall extend beyond the time the sponsor lease will expire. A condition of the project agreement shall state when a sponsor shall apply for and obtain a new lease.

PRO

Ensures, in theory, long-term tenure of the project.

CONS

Potentially high risk for some sponsors. Sponsor may be unable or unwilling to apply for another lease in the future.

5) Sliding Scale

Base control and tenure term, and long-term obligations on a sliding scale depending on investment and expected useful life of the facility.

Example:

Grant Amount	Tenure Term in Years (no less than)
< \$10,000	5
\$10,001 - \$25,000	8
\$25,001 - \$50,000	11
\$50,001 - \$100,000	14
\$100,001 - \$200,000	17
\$200,001 - \$300,000	20
\$300,001 - \$700,000	25
\$700,001 - \$1,000,000	30
\$1,000,001 - \$2,000,000	40
> \$2,000,000	50

PRO

- Bases public value on public investment.

CONS

- Small investment may extend the useful life of a facility far beyond the investment value.
- Statutes limit DNR's ability to issue some long term leases.

Additional Policy Work

- Work with DNR to evaluate the feasibility of this approach.
- Need to find and vet a schedule for valuating capital facilities and estimating useful life.

6) Require a Combination Project.

If insufficient or no control and tenure exists, require a form of acquisition* into the project so the sponsor can acquire its control and tenure within the grant period (first two years or a four year grant period for example).

**Actual cost of acquiring a property right may be zero. As an Acquisition project, costs related to obtaining property rights are eligible.*

PRO

- This option is feasible.

CONS

- Still may result in a short term (12 years).
- The potential unavailability of future (and timely) funding.

Additional Policy Work

- Consequences of unavailable future funding.
- Evaluate issues related to timing of acquisition, issuance of permits, and construction.
- Evaluate possible changes to combination project policies.

Control and Tenure Policy Approaches For Development Projects On DNR Aquatic Lands

Pros and Cons

7) Direct Conferral between RCO and DNR

Managers at RCO and DNR could confer to identify possible changes to one another's policies within the limits of existing constitutional and statutory authorities. Conferral may identify policy and procedural opportunities that benefit all stakeholders.

For example, the RCFB could adopt policies that set standards for investments that require preferred materials and sustainable features. In turn, DNR may be able to commit to longer terms in leases for these projects. An MOU between RCO and DNR (for example) could provide stability and an adaptive management approach.

PRO

- Collaborative approach that may benefit all organizations and stakeholders.
- Approach strategic and holistic, rather than iterative and incremental.

CONS

- May not resolve all issues.

Additional Policy Work

Evaluate statutory and common law environment to see the extent of possible collaboration.

Next Steps

Based on board feedback, staff shall continue to meet with DNR and others to identify policy and operational opportunities that may align board and DNR policies. Staff's goal is to have policies and procedures in place in preparation for the 2018 grant round.

Attachments

- A. Control and Tenure Policy Adopted Per Board Resolution #1996-10
- B. DNR Lease and Easement Terms for State-Owned Aquatic Lands

Control and Tenure Policy Adopted in 1996 per RCFB Resolution #1996-10

"To protect the RCFB assisted capital investment, sponsors must have adequate control and tenure of development project areas. This may be documented in several ways, including by showing land ownership, lease, use agreement, or easement.

Before executing a project agreement, the applicant must provide RCO with:

1. Current title information for project property owned by the applicant, but not acquired with RCFB assistance. This information must include:
 - Legal description,
 - Deed description,
 - Encumbrances,
 - Documentation of current owner, and
 - Easements. Explain the immediate or potential impact of any restriction, easement, or encumbrance.
2. Copies of applicable leases, easements, or use agreements on the area or property to be developed, if not owned by the sponsor. Under this option:
 - The lease, easement, or use agreement must extend for 25 years from the date of RCFB approval.
 - The lease, easement, or use agreement may not be revocable at will.
 - Evidence must be provided by the sponsor that the proposed development and its intended uses are consistent with and legally permissible under the conditions of the lease, easement, or agreement."

DNR's Lease and Easement Terms for State-Owned Aquatic Lands

Agreement type	Location	DNR Preferred Term	Maximum Term allowed by Statute	Authority
Easements	Bedlands – in front of second-class tide/shorelands	Depends 12 years	NA	RCW 79.36.355
	Bedlands – in front of unplatted first-class tide/shorelands	10 years	NA	
	First and second-class platted tidelands and shorelands	12 years	NA	
	First class unplatted tide/shorelands	10 years	NA	
	Harbor Areas	12 years	NA	
	Waterways	5 years	NA	
Lease	Bedlands – in front of second-class tide/shorelands	12 years	30 years	RCW 79.130.020
Lease	Bedlands – in front of unplatted first-class tide/shorelands	10 years	10 years	RCW 79.130.020
Lease	First and second-class platted tidelands/shorelands	12 years	55 years	RCW 79.125.200
Lease	First class unplatted tide/shorelands	10 years	10 years	RCW 79.125.410
Lease	Harbor Areas	12 years	30 years	State Constitution, Article XV, §2, RCW 79.115.110 & RCW 79.115.120
Waterway permit – Salmon Bay and East and West Duwamish River	Tidelands and shorelands	5 years	30 years	RCW 79.120.040
Waterway Permit – elsewhere		Up to 1 year	1 year	WAC 332-30-117 (3)
Waterway Permit – certain uses		Up to 5 years	5 years	WAC 332-30-117 (4)



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Recreation and Conservation Office on behalf of the Recreation and Conservation Funding Board

Subject of possible rule making:

The Recreation and Conservation Funding Board will consider amendments to Title 286 to clarify grant program requirements and consolidate sections.

Statutes authorizing the agency to adopt rules on this subject:

RCW 34.05.220; 42.56.040; 46.09.530; 79A.15.030; 79A.15.060; 79A.15.070; 79A.15.120; 79A.15.130; 79A.25.210

Reasons why rules on this subject may be needed and what they might accomplish:

The reason for this proposal is to clarify grant program requirements. The amendments will add definitions and requirements for "project area." The amendments will also consolidate grant program related chapters into one new section that applies to any grant program.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other federal or state agencies regulate grant funding programs administered by the board and office.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

The Recreation and Conservation Funding Board will follow the standard process for the adoption of rules under the Administrative Procedure Act, chapter 34.05 RCW.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Leslie Connelly, Rules Coordinator, Recreation and Conservation Office
1111 Washington Street SE
PO Box 40917
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DATE

January 3, 2017

NAME (TYPE OR PRINT)

Leslie Connelly

SIGNATURE

TITLE

Rules Coordinator, Natural Resource Policy Specialist

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WSR 17-02-075

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Draft Amendments to the Washington Administrative Code

Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo summarizes progress on preparation of the next set of amendments to [Title 286 of the Washington Administrative Code](#) that will clarify grant program requirements. The amendments will 1) add a definition for “project area”, 2) incorporate guidelines for identifying a project area, 3) consolidate grant program requirements into one new section that applies to any grant program, and 4) address an exemption for the new Forestland Preservation category in the Washington Wildlife and Recreation Program.

Board Action Requested

This item will be a:

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

Background

The Recreation and Conservation Funding Board’s (board) administrative rules are in [Title 286 of the Washington Administrative Code](#) (WAC). The most recent amendments to the WAC occurred in July 2016 when the board amended [Chapter 286-04 WAC General](#) and [Chapter 286-13 WAC General Grant Assistance Rules](#), effective August 20, 2016.

Administrative rules are regulations of executive branch agencies issued by authority of state statutes. The rules cover a number of subjects including general authorities of the board and Recreation and Conservation Office (RCO) director, general grant assistance rules, and specific program rules. The rules are organized into the following chapters:

Chapter	Title
286-04	General
286-06	Public Records
286-13	General Grant Assistance Rules
286-26	Nonhighway and Off-road Vehicle Funds
286-27	Washington Wildlife and Recreation Program
286-30	Firearms Range
286-35	Boating Facilities Program
286-40	Land and Water Conservation Fund
286-42	Aquatic Lands Enhancement Account Program

Chapters 286-04, 286-06, and 286-13 WAC are broad in scope and apply to the agency’s operations and the board’s grant programs. The remaining chapters are specific to certain grant programs. Note there are

no specific administrative rules for the following board programs: Boating Infrastructure Grants, the Recreational Trails Program, and Youth Athletic Facilities.

Project Area Special Committee

At the April 2016 meeting, the board created a special committee charged with developing a recommendation on the definition of “project area.” Project area is a term used in state law¹, administrative rule², and board policy³. See [Item 7](#) from the April 2015 board meeting for more background information on the term “project area” and [Item 10](#) from the April 2016 board meeting materials for background on creation of the special committee.

The special committee recommended a definition for project area with guidelines and procedures at the board’s October 2016 meeting. See [Item 6](#) from that meeting for additional information. The board directed staff to proceed with drafting administrative rule amendments to incorporate the special committee’s recommendation. In addition, the amendments would complete other proposed administrative rule changes as discussed at the board’s April 2015 meeting to consolidate grant program requirements in Chapters 286-26 to 286-42 WAC into one new section that applies to any grant program.

WWRP Forestland Category

The board adopted policies for the new Forestland Preservation category of the Washington Wildlife and Recreation Program at its October 2016 meeting. See [Item 5D](#) from the October 2016 meeting for more information. The policies include an exemption from the planning requirement in WAC 286-27-040. This exemption is proposed to be adopted with the amendments to the rules, similar to those exemptions already in rule for the Farmland Preservation category.

Update

Pre-proposal Filed

Staff filed a Pre-proposal Statement of Inquiry on January 3, 2016 with the Office of the Code Reviser which is the first step in the formal amendment process (see Attachment A). The purpose of the pre-proposal is to alert interested parties that the board has initiated the rulemaking process. The notice is published in the [Washington State Register](#) and an email is sent to RCO’s email distribution list for notices on rule amendments. The pre-proposal is required by [Revised Code of Washington 34.05.310](#).

Next Steps

Staff is working on the draft amendments to address the topics discussed in the previous section. Specifically, the amendments will:

1. Add a definition for “project area”,
2. Incorporate guidelines for identifying a project area,
3. Consolidate grant program requirements into one new section that applies to any grant program, and
4. Address an exemption for the new Forestland category in the Washington Wildlife and Recreation Program.

¹ Revised Code of Washington 79A.15.110

² Washington Administrative Code 286-13-110

³ Conversion Policy, Resolution #2007-14

Staff will provide further explanation of the specific amendments at the February 2017 board meeting.

Public Involvement and Comment

The Administrative Procedures Act, [Chapter 34.05 RCW](#), requires at least one public hearing be conducted by the board at a scheduled meeting prior to adopting revisions to the rules. The schedule below identifies the board's May 2017 board meeting for the formal public hearing. Interested persons may either attend the public hearing or submit formal written comments in advance. In addition to this formal opportunity, RCO staff will notify interested persons about the proposed revisions similar to the outreach it does for public comment opportunities on all board policies. The revisions will also be posted on RCO's website.

Timeline

The timeline for WAC revisions must fit within the deadlines established by the Code Reviser's Office for filings with the Washington State Register. If the board provides direction to move forward with the proposed amendments, the timeline is described in Table 1.

Table 1. Timeline to Amend Administrative Rules

Date (2017)	Action
January 18	Notice of pre-proposal statement of inquiry published in Washington State Register (CR-101)
February 8	Board briefing, open public meeting
March 15	Notice of proposed rule-making published in Washington State Register (CR-102)
March 15 – April 14	Public comment period
May 10 or 11	Board meeting, public hearing, final adoption
May 12	File notice of permanent rule-making (CR-103)
June 12	Effective date

Board Direction

Staff requests board direction on proceeding with the amendments to the administrative rules based on the timeline proposed.

Attachment

A. Pre-proposal Statement of Inquiry (CR-101)

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017
Title: Draft Policy for Partnership Acquisitions
Prepared By: Leslie Connelly, Policy Specialist

Summary

This memo discusses possible clarifications and expansions of policy related to the acquisition of land among partners. Staff requests board feedback and direction on whether to pursue any of the potential ideas. For any policy consideration, the goal is to allow flexibility for sponsors to partner on acquiring land and provide transparency and accountability in the acquisition.

Board Action Requested

This item will be a:

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

Background

At the April 2016 meeting, the Recreation and Conservation Funding Board (board) adopted a number of new policies as early implementation actions related to the revisions in state law for the Washington Wildlife and Recreation Program. See [Item 7B](#) from the April 2016 meeting for more information.

One of the early actions adopted addressed the relationship between eligible applicants when acquiring property. The reason to clarify issues around acquiring property arose because nonprofit nature conservancies (nonprofits) became eligible for grant funding in more categories of the Washington Wildlife and Recreation Program, leading to the need for consistent application of policies across all of the board's programs.

First, the board affirmed that land already owned by an eligible applicant is not eligible for grant funding unless it meets certain exceptions approved by the board.¹ This policy prohibiting the acquisition of land already owned by an eligible applicant has existed since the beginning of the board's grant funding programs and mirrors the policy of the National Park Service for the Land and Water Conservation Fund.

Second, the board adopted a policy to document how applicants can partner on land acquisitions. The most common type of partnership being between a nonprofit nature conservancy and a public agency, but any combination of eligible applicants could partner. This new "Project Partners" policy statement was

¹ The board's policy exceptions are found in "Acquisition of Existing Public Property" or "Buying Land Without a Signed Recreation and Conservation Office Agreement (Waiver of Retroactivity)".

intended to provide clarity to applicants on how to partner to ensure the property would remain eligible for grant funding and ensure compliance with the state law on acquisitions.²

Project Partners Policy

The "Project Partners" policy states:

- 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.

There was no opposition to the above policy statement adopted; however, it was considered a short-term solution. Members from the nonprofit nature conservancy organizations commented that longer-term solutions may be needed to allow for other types of projects that may not fit in the confines of the adopted Project Partners policy. Staff made a commitment to continue to work with applicants on more policy options to address any outstanding concerns.

Nonprofit Nature Conservancies Acting as a Bridge

Continued conversations with nonprofit nature conservancies and public agencies highlighted the need to clarify how applicants can work with a nonprofit as a "bridge" in a property acquisition. In this scenario, the nonprofit may conduct a majority of the negotiations with the property owner but does not ever hold title to the property or may do so for a very short timeframe (e.g., less than a year). These types of projects have been allowed by the Recreation and Conservation Office (RCO) in the past based on language in existing policy³.

Since adoption of the Project Partners policy, the ability for a nonprofit nature conservancy to act as a bridge has come into question. The answer appears to differ depending on whether the nonprofit takes title to the property and is eligible in the specific grant program. Note that simply acting as a bridge on behalf of another applicant without taking title to the property is always eligible. The sponsor awarded grant funds may contract for services with the nonprofit to accomplish the property negotiations and those costs are eligible for grant funding. The sponsor may seek reimbursement from RCO for those eligible costs.

² Real Property Acquisition Policy, Chapter 8.26 Revised Code of Washington.

³ [Manual 3: Acquiring Land](#), Contract and Installment Sales and Third Party Appraisals policies

Acting as a Bridge and Acquiring Property - Not an Eligible Applicant

If the nonprofit acts as a bridge, is not an eligible applicant, and acquires the property, regardless of how long it intends to hold the property, board policy allows for two options: 1) the nonprofit is a bridge and may procure the appraisal and even purchase the property on behalf of the sponsor; or 2) the nonprofit is now the property owner entitled to just compensation and relocation assistance. Either approach is allowed by existing board policy. Staff does not propose any changes to these policies.

Acting as a Bridge and Acquiring Property - Eligible Applicant

If the nonprofit acts as a bridge, is an eligible applicant, and acquires the property, regardless of how long it intends to hold the property, the board's Project Partners policy applies. The seller of the property is entitled to just compensation and relocation assistance. The nonprofit must provide any matching share required by the grant program.

Staff is interested in revisiting the matching share requirement in the Project Partners policy (see the third bullet on the previous page) to enable additional types of partners to emerge. When a nonprofit does not intend to hold title to a property for very long, applying the matching share requirement at the time of the transaction may deter some nonprofits from agreeing to act as a bridge.

Long-term Holdings

Staff is also discussing with nonprofits other property acquisition scenarios that are for a longer-term holding. In these potential situations, a nonprofit may acquire a property, work with the local community to determine the future uses of it, and then identify which pieces of the property it wants to hold or divest for the long-term. These types of scenarios are more complicated and outside the board's existing policies.

Staff will continue to work with interested parties on potential policy solutions that would support the board's mission and that are within the purposes of specific grant programs.

Next Steps

Staff seeks direction from the board on the following questions:

1. Should nonprofits be required to provide a matching share when acquiring property as a bridge for another applicant that does not have to provide match?
2. Should there be more clarity in board policy regarding nonprofits acting as a bridge? For example, when it's allowed and what costs are eligible.
3. Should there be exceptions that allow an applicant to acquire property from a nonprofit? For example, when the property is not in a conservation tax status or if no public funds were used to acquire it.
4. Should the board allow for projects that may take more than four years to apply for grant funds?

Based on board direction, staff will continue to discuss potential policy ideas with nonprofits and public agencies and bring those to the board at a future date.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Follow-up on Grant Application Questions on Climate Change

Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo presents a summary and analysis of the responses from grant applicants to a new question asked about climate change. Staff provides a recommendation to incorporate climate change as a consideration under existing criteria for project with long-term obligations of over twenty years.

Board Action Requested

This item will be a:

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

Background

Last year, the Recreation and Conservation Funding Board (board) discussed ways to address the impacts of climate change within the grant programs' evaluation criteria. The board discussed two "need" statements related to climate change: 1) the board acknowledges that effects may occur to projects funded by the board due to a changing climate and 2) the board wishes to address these effects when reviewing applications. See [Item 9](#) from the February 2016 meeting for more information.

The board directed staff to add a non-scored application question that focuses on the big picture of climate change. Based on applicants' responses to the question, the board would then consider whether to develop scored criteria or other policies related to climate change.

Question and Responses

Staff added the following question to all applications as a non-scored question that was not reviewed by evaluators. Applicants discussed climate change in their application evaluation at their discretion.

Does your project address or accommodate the anticipated effects of climate change? If yes or maybe, please describe how.

In 2016, the board had 393 grant applications. Table 1 shows the percentages of yes, maybe and no responses to the climate change question. For those applicants who responded "yes" or "maybe", their descriptions can be summarized in two ways: 1) adapting to the effects of climate change on their project or 2) mitigating the overall effects of climate change.

Table 1. Responses to the Climate Change Question

Response	Percent of Respondents
Yes	55%
Maybe	18%
No	27%

Adapting to the Effects of Climate Change

Common adaptation techniques described were:

- Building for increased recreational use in higher elevations due to warmer winter seasons,
- Providing more shade and water features for resident to stay cool during high temperatures,
- Relocating a project away from areas that are flooding more often,
- Including a higher capacity for drainage infrastructure due to increased rain events,
- Constructing higher bulkheads or in-water structures due to sea level rise,
- Conducting forest health activities to reduce the risk of fire and disease, and
- Implementing sustainability measures and reducing environmental impacts of projects in general.

Mitigating the Effects of Climate Change

Applicants also described how their project would address or mitigate the overall effects of climate change. Examples included:

- Recreation opportunities closer to home reduces the need to drive,
- Native plant landscaping improves water efficiency and drought tolerance,
- Restoring natural process allows for an increase in flooding and bluff erosion which will become more frequent,
- Protecting green spaces, farms, and habitat sequesters carbon and prevents an increase in impervious surfaces that would otherwise be constructed for the built environment,
- Providing a larger landscape for plants and animals to migrate as habitat changes over time, and
- Reducing site maintenance impacts such as reducing carbon emissions, water use, and electricity.

Analysis

For those applicants that responded, they have a general awareness of climate change effects such as more extreme weather events, less snow, more water to manage, higher air and water temperatures, sea level rise, more flooding and erosion, changing plant communities, and an increase in invasive species. Climate impacts, however, vary by location and few applicants provided specific knowledge of how climate change might affect their location. A handful of applicants cited specific local planning efforts or modeling to support their ideas. The majority provided more general descriptions in their responses.

Applicants also seem to have interpreted the question differently. Not all responses provided fit within the board's original interest to understand how climate change may affect projects funded by the board. This may be a factor of the way the question was asked or the type of project proposed. For example, applications to build a new park or trail responded with specific design considerations. Forest health restoration projects provided specific ideas of how the project would implement measures to address climate change. Other types of projects such as land acquisition of any kind and restoration projects were

responded as to how their project will mitigate for climate change in general, but not necessarily reference the effects of climate change on the project itself. In this regard, climate change provided another reason to protect or restore the property.

Concepts to Consider

The board may wish to consider the following ideas if it decides to proceed with addressing climate change with grant funded projects.

1. Climate change impacts vary by location and are site specific. How can applicants get the information they need for their area?
2. What types of projects are most vulnerable to the effects of climate change? Are short-term projects such as trail maintenance or minor park developments vulnerable or long-term projects such as land acquisitions or large scale developments?
3. How does adaptation techniques to address the effects of climate change overlap with the evaluation criteria about implementing sustainability measures?

As the board considers how to proceed, it should also consider whether applicants have the resources they need, such as the right information, appropriate staff, and other resources, to respond to any new policy or criteria. In general, the Recreation and Conservation Office is mindful about the complexity of the application process and the additional burden of any new requirements. The board may want to hear results from the 2016 applicant survey before making any decisions.

Staff Recommendation

The board implemented the climate change question as a way to discover whether climate change was something applicants were aware of and were considering in their project. The majority of applicants are aware of climate change effects in general and are considering them in their project. The question for the board is whether adding climate change to the scored evaluation criteria is important enough to insert when compared to feedback about the application process forthcoming in the 2016 survey, especially to the applicants who might lack the staff resources to respond to new application requirements.

If the board wants to proceed, staff recommends the board consider adding the effects of climate change into one of the existing criteria such as the sustainability criteria. In addition, staff recommends it be added only to those grant programs that have a long-term obligation over twenty years. Shorter term projects such as trail maintenance, firearm ranges, and athletic facilities have a lower risk of being effected by climate change than projects which have a longer-term commitment.

Next Steps

Staff will work with the board to implement the board's direction on the effects of climate change on sponsor projects.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: February 8, 2017

Title: Development of a Match Waiver or Reduction Policy for the Washington Wildlife and Recreation Program's Local Parks, Trails, and Water Access Categories

Prepared By: Adam Cole, Policy Specialist

Summary

RCO is developing a proposed policy that would be applicable in the Washington Wildlife and Recreation Program (WWRP) Local Parks, Water Access, and Trails categories to waive or reduce match requirements if projects benefit underserved populations or communities in need.

Board Action Requested

This item will be a:

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

Background

After the Recreation and Conservation Office (RCO) conducted a review¹ of the Washington Wildlife and Recreation Program (WWRP), Governor Inslee signed Substitute Senate Bill 6227 (SSB 6227)². The bill added the following underlined language to the existing WWRP statute³:

"(4) The board may not approve a project of a local agency where the share contributed by the local agency is less than the amount to be awarded from the outdoor recreation account. The local agency's share may be reduced or waived if the project meets the needs of an underserved population or a community in need, as defined by the board."

The terms "underserved population" and "community in need" are statutorily undefined. The WWRP statute defines local agencies as "a city, county, town, federally recognized Indian tribe, special purpose district, port district, or other political subdivision of the state providing services to less than the entire state."⁴ Therefore, the match waiver or reduction shall apply only to the WWRP grant categories in the Outdoor Recreation Account for which local agencies may apply⁵: Local Parks, Trails, and Water Access.

¹ Washington Wildlife and Recreation Program Review: Report to the Washington State Legislature ([December 2015](#))

² [Substitute Senate Bill 6227](#), Sec 7(4), Rows 15-20, p12

³ [RCW 79A.15](#)

⁴ RCW 79A.15.010(7)

⁵ RCW 79A.15.050

Match Waiver/ Reduction Policy Work Plan

Work Plan

Implementation of the new statute includes the following:

- Contract with Washington State University (WSU) to provide a report on available metrics that measure underserved populations and communities in need;
- Form a stakeholder work group to inform policy recommendations;
- Consult with the WWRP Local Parks, Trails, and Water Access Advisory Committees, and the RCO Planning Advisory Committee;
- Solicit feedback from and provide outreach to individual communities around the state, as well as various stakeholder organizations; and
- Solicit public comment on a match waiver/reduction policy recommendation prior to a board decision

Stakeholder Work Group

RCO staff is working with a stakeholder work group to develop a match waiver/reduction policy (see Attachment A for a list of members). As a secondary priority, the work group will also propose recommendations for policy and procedural changes that may expand participation in the WWRP, particularly for agencies with limited resources.

The work group is advisory in nature. It will evaluate the WSU report and request additional information as needed, assist staff with identifying measures for an “underserved population” and “community in need,” assist in the development of policy recommendations, and review public comments.

Consultant Contract

RCO contracted with the Social & Economic Sciences Research Center at WSU to provide a report on available measures and metrics to identify an “underserved population” and “community in need.” The contract also retains the author of the report throughout the life of the project to provide additional insights into the report’s findings and data.

Project Timeline

RCO staff began working on the approach to implementing the provisions of the new statute in fall 2016, including initial meetings with WSU contractors and work group members. In preparation for the 2018 grant cycle, staff will bring a recommendation for a match waiver or reduction policy to the board at the October 2017 meeting. The following table details the project timeline.

Table 1. Detailed Project Timeline

Item	Date	Notes
Recruit Work Group	August 2016	Complete
Contract with WSU	September 2016	Complete
First Work Group Meeting (Kent, WA)	October 2016	Brainstormed definitions for “underserved population” and “community in need”

Item	Date	Notes
WSU Report to RCO	December 1, 2016	Complete
Work Group Meeting	December 14, 2016	Discussed WSU report. Identified potential measures for “underserved” and “communities in need”
Work Group Meeting	January 30, 2017	Review staff’s preliminary policy concepts.
RCFB	February 8, 2017	Project Briefing
Work Group Meeting	March 22, 2017	Review RCFB feedback. Draft policy recommendations.
RCFB	May 10, 2017	Review <u>draft</u> policy recommendations.
Work Group Meeting (Ellensburg)	May 24, 2017	Review RCFB feedback. <u>Final draft</u> policy proposals.
RCFB	July 12, 2017	Review <u>final policy proposals</u> . Solicit public comment.
Public Comment Period	July/August 2017	
Work Group Meeting	August 25, 2017	Review public comments.
RCFB	October 2017	Present Public Comments. <u>Policy Recommendation</u> . Policy Adoption.
Implement Policy	2018 Grant Round	
Consult with Work Group	2019	Evaluate utility of policy, and value of match waiver/reduction outcomes.

WSU Report Summary

The following summarizes key information and conclusions from the WSU report⁶:

Research Terms

Underserved Populations:

“This term generally refers to groups of individuals who have not been adequately served in some regard, compared to the population at large, whether due to characteristics of the group, or circumstances that lead to unequal treatment or access to (and availability of) certain resources or services where the focus is on specific groups, the underserved are typically described in relation to certain economic and demographic characteristics, including measures related to: Income (typically low-income), Poverty Status (high), Race/Ethnicity (minorities), Age (young/old), Gender (women and single parents), Homelessness (status), Disability (physical and mental), and Educational Attainment (level). Research shows that the greatest disparities in distribution and park access exist across urban, suburban and rural communities for low-income populations and some racial/ethnic minority populations.”

⁶Hardcastle, A. (2016). [Measures and Metrics for a WWRP Program Match Reduction or Waiver Policy for Underserved Populations and Communities in Need](#). Washington State University, Social and Economic Sciences Research Center.

Communities in Need:

The report summarized that same rationale/description of underserved populations “can apply to the definition of groups of individuals (communities) that collectively have not been adequately served. The demographic measures... can also be applied to entire communities... (T)he primary difference is that geography is the lead or distinguishing factor, intended to identify the economic or demographic characteristics of a defined geographic area or sub-area. In this sense, ‘need’ might be defined through specific measures (income, poverty, race/ethnicity, etc.) as they relate to identified geographical units, such as states, counties, urban/rural areas, cities or neighborhoods, census tracts or block groups, for instance, in relation to some comparative benchmark (i.e., the average or median value for that geographic unit).”

Primary versus Secondary Data

Primary data, or data supplied by the applicant, can be more precise by program and purpose. Secondary data, such as the US Census, is a reliable source widely used by government agencies, has the strengths of systematic collection, and can be compared to other data in the set over time. Secondary data has the potential for better data-driven decision-making. Where secondary data is not available, many agencies rely on primary data).

Analysis

Park Need (Deficiency):

The need for parks in a given area should be considered in identifying an underserved population or community in need. Need encompasses inventory and issues of access, and can be based on a geographic unit to include service area. Examples reviewed in the report include:

- National Recreation and Parks Association’s guidance of 6.25 to 10.5 acres of developed parks per 1000 residents.
- The State of California’s “critical lack of parks space” which begins at 3 acres of park space or less per 1000 residents.
- Los Angeles County developed categories of park need based on a number of metrics to include inventory (at least 3.3 acres of parks per 1000 residents), access (living within a half mile of a park), specific amenities, and park condition. The county also applied a “community profile” to its metrics to include poverty level, population without vehicle access, linguistic isolation, the prevalence of ozone and particulate matter in the air; and diabetes, obesity, and asthma rates.
- The Trust for Public “Parks Score...goal of a park within a half mile of home (a ten minute walk).
- The City of San Francisco established “Equity Zones” (areas in need of investment and increased government services) in the city which have a matrix type measure. Considerations include population age (20% incidence of youth and seniors), asthma and low birth weight rates, education, poverty, unemployment, and language.

Conclusions

- A measure of income should be foundational in measuring underserved populations and communities in need because “(t)here are many demographic and conditional (environmental) variables that are related to populations that are underserved or communities in need, and the majority of those can be tied directly to measures of income or poverty.” These may include race and ethnicity, age, gender, disability, education, family structure, work status, and health.
- In all of the agencies reviewed in the study, the US Census’s American Community Survey (ACS) data related to income was used to identify underserved populations and communities in need.

- An ACS measure of household income may be the best foundational measure. Supplemental measures such as those related to health and race are increasingly being used to measure equity in relation to parks and recreation services and are appropriate for board consideration given the programmatic nature of the WWRP.
- Match policy should (at least initially) focus on a small number of key measures to preserve the intent of the match waiver/reduction policy. A more expansive model could be developed but could be technically challenging and potentially diverge from the specific intent of the match waiver/reduction. If many, rather than a few measures are used, they should be incremental added over time, and the utility of the measures routinely evaluated.

Work Group Meeting Outcomes

In meeting with the work group, the following general themes emerged:

- The recommendations and conclusions of the WSU report were strongly supported.
- Measures should be developed for both underserved populations and communities in need. "Underserved population" is most likely a specific population within or across a jurisdictional boundary (for example), while a community in need relates primarily to an organization such as a county, town, parks district; or a local agency's service area.
- A measure of income and park inventory (to include access and type of facility) should be foundational, but other measures such as ethnicity, language, health indicators, immigration status, free or reduced school lunch, federal disaster areas, and previous participating in WWRP may be useful as well.
- A match policy should use objective measures, and be transparent and easy to use.
- The definitions/measures for underserved populations and community in need should be kept as simple as possible, and tools such as a dynamic map on RCO's website should identify eligible areas of the state so applicants know their eligibility prospects at the time they consider applying for a grant.
- How the proposed project (park type and amenities) relates to the needs of the identified underserved population or community in need should be part of the match waiver/reduction consideration.
- Consider the "regionality" of a rural community project, meaning that the service area may be larger than is typically considered "local." Similarly, consider recreational "draw" from urbanized to rural areas as part of a "need" consideration of a rural community.
- The nearby presence of a large amount of open space, such as communities near US Forest Service property, may be unrelated to actual local park need in a given area. Similarly, a large percentage of non-taxable land within a jurisdiction may be a measure of a community in need.
- Both waivers and reductions should be considered. Waivers should be reserved for the most "in need" areas of the state, while reductions could be made more available on a "sliding scale"...the more criteria apply to a project the greater percent of match reduction.
- A website such as "[Parks For All Californians](#)" would be useful for grant applicants to assess their eligibility for a match waiver/reduction. This site, for example, shows parks and open space properties within California, highlighting areas more than half a mile from a park or open space, areas where fewer than three acres of park and open space exist, and location of "disadvantaged communities" (where median household income is less than the state mean).

Next Steps

Staff will develop draft policy concepts for the work group to review at its January 30, 2017 meeting. As the work group and others provide feedback and comment on these concepts, staff shall include the comments and feedback in subsequent board briefings.

Attachments

A. Match Waiver Work Group Members

Match Waiver Work Group

Chris Brong
Commissioner
Skamania County

Soo Ing-Moody
Mayor
Twisp

Brett Freshwaters
Chief Financial Officer
Metropolitan Park District of Tacoma

Suzette Cooke
Mayor
Kent

Patricia ("Trish") Combs
Director
State Arts and Sports Association

Christopher Williams,
Deputy Superintendent
Seattle Parks and Recreation

Dave Erickson
City Council Member
City of Cashmere

Sue Jetter
Principal
Sue Jetter Consulting

Ashley Knapp
Public Sector Grant Writer
Trust for Public Land

Kurt Grinnell
Tribal Council Member
Jamestown S'Klallam Tribe

Brad Case
Parks & Recreation Director
City of Ellensburg

Andrea McNamara Doyle
Executive Director
Washington Wildlife and Recreation
Coalition

RECREATION AND CONSERVATION FUNDING BOARD SUMMARIZED AGENDA & ACTIONS
February 8, 2017

Item	Formal Action	Board Request for Follow-up
1. Consent Calendar <ul style="list-style-type: none"> A. Approve Board Meeting Minutes <ul style="list-style-type: none"> • October 26-27, 2016 • November 7, 2016 B. Time Extension Requests <ul style="list-style-type: none"> • Washington State Parks and Recreation Commission, James Island Moorage Replacement (RCO # 12-1343) • Jefferson County, Discovery Bay Shoreline Restoration and Trail Construction (RCO # 12-1250D) • Whidbey Camano Land Trust, Crockett Lake Riparian 2012 (RCO # 12-1535A) • Department of Natural Resources, Camas Meadows Natural Areas Preserve 2012 (RCO # 12-1173A) 	Resolution 2017-01 Decision: Approved	Staff will follow up with the time extension requests to carry out the necessary amendments.
2. Recognition of Pete Mayer	Resolution 2017-02 Decision: Approved	No follow-up action requested.
3. Director's Report <ul style="list-style-type: none"> • Director's Report • Legislative, Budget, and Policy Update <ul style="list-style-type: none"> ○ Governor's Budget Proposal ○ Bills of Interest to RCO Programs ○ Policy Work Plan Update • Grant Management Report <ul style="list-style-type: none"> ○ Project of Note: Port of Camas-Washougal, Washougal Waterfront, RCO # 14-1347D ○ Project of Note: Town of Winthrop, Winthrop Ice Rink, RCO # 12-1123D • Fiscal Report – Briefing and Introduction • Performance Report – Briefing and Introduction 	Briefings	No follow-up action requested.

4. State Agency Partner Reports <ul style="list-style-type: none"> • Governor's Outdoor Recreation Policy Advisor • Department of Natural Resources • State Parks and Recreation Commission • Department of Fish and Wildlife 	Briefings	No follow-up action requested.
5. Introduction of New Commissioner of Public Lands, Hilary Franz	Briefing	No follow-up action requested.
6. Compliance Briefings <p>A. Compliance Overview and Update</p> <p>B. Upcoming Conversion Requests from Washington State Parks and Recreation Commission, Multiple Projects</p>	<p>Briefing</p> <p>Briefing</p>	<p>No follow-up action requested.</p> <p>Staff will continue to work with sponsors on these issues and bring the requests to the board for decision at a future meeting.</p>
7. Firearms Safety Policy Implementation Follow-up Discussion	Briefing	Staff will continue to monitor the implementation of the new policy. Staff may bring potential improvements to the policy for board decision at a future meeting to prepare for the 2018 grant round.
8. Briefing on Control and Tenure Policy Changes	Request for Direction	The board directed staff to refine the available options and continue discussions with DNR to inform the best possible scenario to resolve these issues. Staff will bring a focused set of options for board decision at a future meeting.
9. Draft Amendments to the Washington Administrative Code <ul style="list-style-type: none"> • Project Area Definition • Compliance Updates • Forestland Preservation Program 	Request for Direction	The board directed staff to continue with the proposed timeline. The board also directed staff to share information about the public comment period and public hearing with interested parties and relevant advisory committee members.
10. Draft Policy for Partnership Acquisitions	Request for Direction	The board directed staff to continue working with nonprofit representatives to further develop the policy. The board emphasized the need for flexibility, transparency, and the need to develop the policy in accordance with diverse needs.

11. Conservation Easement Template for Farm, Forest, and Habitat Conservation	Request for Direction Board Motion Decision: Approved	<p>Member Deller moved to proceed with the conservation easement template as presented by staff for the farm, forest, and habitat conservation categories, to follow implementation timeline as presented, and to delegate authority of approval to the RCO Director. Member Gardow seconded. Motion carried.</p> <p>Staff will update the board in early 2018 on the template development and implementation.</p>
12. Follow-up on Grant Application Questions on Climate Change	Request for Direction	<p>The majority of the board agreed with maintaining an unscored question within the application. Staff will continue to gather feedback regarding next steps and will bring more information to a future board meeting.</p>
13. Development of a Match Waiver or Reduction Policy for the Washington Wildlife and Recreation Program's Local Parks, Trails, and Water Access Categories	Request for Direction	<p>Staff will continue to support the work group tasked with providing feedback on staff-developed recommendations on a match waiver or reduction policy. Policy proposals will be brought to the board for further consideration and decision at the May, July, and October 2017 meetings.</p>
14. Update on the State Comprehensive Outdoor Recreation Plan (SCORP)	Request for Direction	<p>Staff will continue to facilitate the updates to SCORP; the board will take part in the process by discussing the SCORP plan and strategy in May 2017, reviewing the draft plan in July 2017, and making a decision in October 2017.</p>
15. Planning for the July Board Retreat	Request for Direction	<p>The board formed a sub-committee to plan and prepare for the July retreat; Chair Willhite and Member Stohr volunteered. The board directed staff to hire a facilitator. Deputy Robinson will follow up with board members on desired agenda topics and support the sub-committee in incorporating these goals into the retreat agenda.</p> <p>Ms. Loosle will incorporate feedback from the board survey and make improvements accordingly.</p>

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: February 8, 2016

Place: Natural Resources Building, Room 175A & 175B, 1111 Washington St SE, Olympia, WA 98501

Recreation and Conservation Funding Board Members:

Ted Willhite, Chair	Seattle	Kathryn Gardow	Seattle
Mike Deller	Mukilteo	Brock Milliern	Designee, Department of Natural Resources
Michael Shiosaki	Seattle	Peter Herzog	Designee, Washington State Parks
Danica Ready	Winthrop	Joe Stohr	Designee, Department of Fish and Wildlife

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.

Opening and Call to Order

Chair Willhite called the meeting to order at 9:07 a.m. Staff called roll and a quorum was determined. Chair Willhite welcomed two new board members: Danica Ready and Kathryn Gardow. Board members and RCO staff introduced themselves.

Management Reports

Item 1: Consent Calendar

The board reviewed Resolution 2017-01, Consent Agenda, which included approval of the October 26-27, 2017 and November 7, 2017 meeting minutes and four time extension requests for RCO Projects #12-1343, #12-1250D, #12-1535A, and #12-1173A.

Resolution 2017-01

Moved by: Member Mike Deller

Seconded by: Member Michael Shiosaki

Decision: Approved

Item 2: Recognition of Pete Mayer

Chair Willhite summarized Resolution 2017-02, recognizing the service of Member Pete Mayer from January 2011 through December 2016. The board expressed gratitude to Mr. Mayer and thanked him for his service.

Resolution 2017-02

Moved by: Member Peter Herzog

Seconded by: Member Joe Stohr

Decision: Approved

Item 3: Director's Report

Director's Report: Director Kaleen Cottingham acknowledged the efforts and preparation of staff for the meeting, including several important policy discussions scheduled for board discussion. She welcomed new staff member, Nikki Gaddis, who will serve as administrative assistant to the board and section staff for recreation and conservation grants.

Legislative Update: Wendy Brown, Policy Director, shared information about the current legislative session, including RCO's capital budget request. She summarized the requested amounts for each grant program and a one-time ask for updates to the Public Lands Inventory. She compared the Governor's budget amounts to RCO's request, highlighting a proviso for the new Forestland Preservation category of the Washington Wildlife and Recreation Program. Ms. Brown and Director Cottingham continue to engage legislators, informing them of RCO's budget requests and goals; due to competing budget priorities in education, Washington legislators may approve budget amounts lower than RCO's request. Ms. Brown will keep the board informed of the budget as more information arises.

During this session, RCO weighed in on a bill regarding leasing aquatic lands that may limit Aquatic Lands Enhancement Account (ALEA) funds, responded to questions regarding match requirements and re-appropriations, and participated in the confirmation hearings of several board members. RCO supported approval of a bill that would rename the Blanchard State Forest in honor of previous board chair, Harriet Spanel, to the "Harriet A. Spanel-Blanchard State Forest." Regarding the Youth Athletic Facilities program, the ranked list (based off of letters of intent) provided a basis for RCO's budget request and the Governor's budget; RCO will keep the board informed should funding be approved for the program.

Ms. Brown summarized the progress of the policy team, noting that the majority of the work plan tasks have been completed and others are in progress.

Grant Management Report: Marguerite Austin provided an update on the Nonhighway and Off-road Vehicle Activities (NOVA) program. Upon receiving about 140 applications, staff prepared for an intensive evaluation and review process, not only for NOVA, but for the Recreational Trails Program (RTP), boating, farms, and Firearms and Archery Range Recreation (FARR) program applications. The board will make decisions on the ranked lists for these programs at the May 10-11, 2017 meeting. Ms. Austin welcomed Nikki Gaddis, the new administrative assistant, who will begin February 16, 2017.

Projects of Note: Alison Greene presented RCO Project #[14-1347D](#), Washougal Waterfront Water Access Area, from the Port of Camas-Washougal. In addition to receiving certification as being safe for salmon, the project wrapped up almost a year ahead of schedule and RCO bestowed a "Bravo" award on the sponsor.

Karen Edwards presented RCO Project #[12-1123D](#), Winthrop Ice Rink Phase 2, from the Town of Winthrop. The local Winthrop community donated resources in addition to the \$1.8 million in funding, recognizing the significant volunteer hours put in to complete the rink.

Fiscal Report: Mark Jarasitis, RCO Chief Financial Officer, introduced himself to board members and provided an overview of the financial report, which is included as a written section of the Director's Report for each meeting. He highlighted key points and educated members on how to view the information, which is sectioned into three main parts: 1) a summary of each agency grant program; 2) the revenue for all three RCO-managed funds; and 3) a longitudinal view of expenditures in the Washington Wildlife and Recreation Program by organization. Mr. Jarasitis concluded by providing an update on the e-billing process, noting the improved transparency and timeliness in paying bills since the initial launch in March 2015.

Performance Report: Brent Hedden, RCO Performance Specialist, introduced himself to board members and provided an overview of the performance report, which is included as a written section of the Director's Report for each meeting. He highlighted key points and educated members on how to view the information, which is itemized by various steps in the grant management process. These metrics represent target outcomes and include progress indicators to assess the performance of fiscal and grant management staff at RCO. The board briefly discussed the performance metrics before determining that a more in-depth look would be better supported at the July retreat, including what metrics are captured, potential additions to the metrics, and whether any metrics should be changed.

Item 4: State Agency Partner Reports

Governor's Outdoor Recreation Advisor: Jon Snyder provided an update on his recent activities, commenting on anticipated strong support for outdoor recreation in the Governor's budget. Mr. Snyder recently visited a *No Child Left Inside* grant recipient in Lewis County. He shared that the recipient, a juvenile detention center, is using funds to facilitate youth recreation and education activities, commending the board on approval of grant funding for this sponsor. Mr. Snyder promoted the upcoming Big Tent event, a collaboration of outdoor recreation organizations and agencies, to be held on February 15, 2017 and featuring a speech by Governor Inslee. He thanked RCO staff providing supporting information that helped him advocate for federal funding for infrastructure projects, several of which are "shovel-ready" should funding become available. He described a new initiative to form a data summit that identifies challenges and gaps in outdoor recreation; he requested representatives to support this effort. Director Cottingham volunteered Scott Robinson, Deputy Director, and Scott Chapman, PRISM Manager to assist him.

Washington Department of Natural Resources (DNR): Member Milliarn provided an update on behalf of DNR, who recently welcomed a new Commissioner of Public Lands, Hilary Franz. Following her election, DNR is undergoing the transition of new staff and bringing everyone up to date on current priorities and legislative session activities. Member Milliarn summarized DNR's agency operating and capital budget request, noting the potential effects of up to \$1.4 million in anticipated budget cuts. After the Governor's budget proposal left the agency with only one third of their original request, currently awaiting the House and Senate proposals, he shared that DNR will likely see the impacts through several natural resource divisions. He updated the board on Blanchard Mountain Forest, a 1600-acre conservation deal hinged on continuing funding which has expired in recent years; DNR is seeking alternative ways to continue the project, maintaining the forested acres without harvesting timber.

Washington State Parks & Recreation Commission (State Parks): Member Herzog provided an update on behalf of State Parks, summarizing the agency's budget request which focused on preventative maintenance and included a section on youth engagement and inclusivity, as well as State Parks' continued investment in trails, building deficiencies, and development of existing properties. Member Herzog briefly summarized bills sponsored by State Parks this session, highlighting the 62-year lease approval for Saint Edwards Seminary and the William D. Ruckleshaus Center's study regarding access fees. State Parks is currently seeking a contractor for a new centralized reservation system.

Washington Department of Fish and Wildlife (WDFW): Member Stohr provided an update on behalf of WDFW, summarizing the agency's budget request and noting that they are well-reflected in the Governor's budget proposal. Their capital budget may be the largest they have seen in the past decade. Although, WDFW, as with many other agencies, continues to seek funds to cover budget deficiencies; they are currently reviewing ways to generate revenue through licensing fees. Member Stohr briefly described the agency bills submitted and monitored by WDFW, commenting on fee increases and policy changes regarding aquatic invasive species, fish hatcheries, and licensing for fishing and hunting.

Item 5: Introduction of New Commissioner of Public Lands, Hilary Franz

Chair Willhite introduced Hilary Franz, the recently elected Commissioner of Public Lands. Ms. Franz summarized her goals for recreation in Washington State, engaging citizens to connect them with opportunities available for exploring and recreating in nature. She identified public access and recreation as a top priority, especially focusing on equity for and inclusivity of minority and low-income groups. She summarized key legislative initiatives and plans to engage the community in Washington.

General Public Comment

No general public comment was received.

Break: 11:22 a.m. – 11:37 a.m.

Board Business: Briefings & Discussions

Item 6: Compliance Briefings

Item 6A: Compliance Overview and Update

Myra Barker, RCO Compliance Specialist, provided an overview of the Recreation and Conservation Funding Board's compliance policies and an update regarding ongoing compliance efforts. She covered current compliance policies, project types subject to compliance monitoring, compliance periods, inspections, and conversions. She discussed the work ahead for compliance needs, including updates to the Washington Administrative Code (WAC), exploring future policy for "exceptions", and ongoing technological improvement and support; other compliance work includes project-specific actions.

Ms. Barker responded to board questions regarding what happens with unresolved conversions, what it means to have a "high-risk" sponsor designation, long-term maintenance monitoring and costs, and options for sponsors to self-identify potential compliance issues.

Item 6B: Upcoming Conversion Requests from State Parks and Recreation Commission, Multiple Projects

Karl Jacobs, RCO senior grant manager, briefed the board on three upcoming conversion requests from the Washington State Parks and Recreation Commission. The conversions are due to future use of two of these state parks as Recreation Concession Areas (RCO #14-1486A, Westport Light State Park on the coast, and RCO #06-1651A, Millersylvania State Park just south of Olympia), and one for a cell tower lease (RCO #05-1135D, Bridle Trails State Park in Bellevue). Depending upon the appraised value, the conversion at Bridle Trails may not require board approval. Mr. Jacobs described the proposed replacement properties and next steps for a decision by the board at a future meeting. Note that the Millersylvania project has the wrong project number (06-1654) in the memo.

Lunch Break: 12:30 p.m. – 1:15 p.m.

Item 7: Firearms Safety Policy Implementation Follow-Up Discussion

Adam Cole, Natural Resource Policy Specialist, summarized public testimony received at the October 2016 meeting from the Issaquah Sportsman's Club regarding their efforts to comply with the board's new Range and Course Safety Policy. Mr. Cole summarized RCO's safety policy and provided examples of how sponsors would comply with the policy; he then provided a status update on the Issaquah Sportsman's Club's Sound Abatement project (RCO #14-2101). Mr. Cole shared that staff will continue to monitor the implementation of the new policy. He concluded by sharing potential improvements for the 2018 grant round that would clarify processes and information for both sponsors and RCO staff.

Board Business: Requests for Direction

Item 8: Briefing on Control and Tenure Policy Changes

Adam Cole, Natural Resource Policy Specialist, provided background information regarding issues from sponsors who are having difficulty obtaining lease terms from the Department of Natural Resources (DNR) that meet the minimum control and tenure terms adopted by the board. Mr. Cole summarized the control and tenure policy, which applies to all grant programs, and provided several examples of the unique problems and common challenges that sponsors face. He then requested direction from the board regarding potential approaches to control and tenure policy changes that will address these issues, as outlined in the board memo.

The board discussed additional options for using memorandums of understanding, combined acquisition and development projects with “less than fee” options, and concerns regarding required lease terms. Member Shiosaki expressed opposition to an option where no term is required.

Michael Rechner, DNR, described some situations in which DNR will negotiate lease terms and offered himself as a resource for continued board discussions.

Chair Willhite requested staff to refine the available options and continue discussions with DNR to inform the best possible scenario to resolve these issues.

Item 9: Draft Amendments to the Washington Administrative Code

Leslie Connelly, Natural Resource Policy Specialist, summarized progress made in preparation of the next set of amendments to Title 286 of the Washington Administrative Code that will clarify grant program requirements. These amendments constitute the fifth phase of changes since April 2014, and will 1) add a definition for “project area”, 2) incorporate guidelines for identifying a project area, 3) consolidate grant program requirements into one new section that applies to any grant program, and 4) address an exemption for the new Forestland Preservation category in the Washington Wildlife and Recreation Program.

Ms. Connelly summarized the steps for public involvement, where today is an informal comment day and the formal comment period will be held March 15 – April 14, 2017. The public hearing will be held during the May 10-11 board meeting. Ms. Connelly described options for the board to proceed following the public hearing to adopt or further revise the amendments.

Member Deller requested that information about the public hearing be shared with interested parties and relevant advisory committee members.

Public Comment

Cyndi Comfort, DNR Environmental Planner, addressed the board regarding the “project area” definition. She shared DNR’s involvement and concerns, expressing that the agency appreciates the efforts that have gone into formulating the definition; however, they request additional time to understand and explore the potential implications of this definition on control and tenure requirements for current and future projects. She shared that the agency does not disagree with the language, but before it is adopted into statute the agency requests more time.

Item 10: Draft Policy for Partnership Acquisitions

Leslie Connelly, Natural Resource Policy Specialist, discussed possible clarifications and expansions of policy related to the acquisition of land among partners. For any policy consideration, the goal is to allow flexibility for sponsors to partner on acquiring land and provide transparency and accountability in the acquisition. Ms. Connelly summarized eligible property requirements and the policy on partnering in

acquisitions, leading into a gap analysis of property owned by nonprofit entities. Ms. Connelly requested board feedback and direction on whether to pursue any of the presented potential ideas to expand the policy on acquisitions for nonprofits.

Public Comment

Hannah Clark, Washington Association of Land Trusts (WALT), expressed that WALT is supportive of the policies and is interested in moving forward to solve these acquisition challenges. She thanked RCO staff for their support and continued engagement. WALT concerns center on the next grant round, particularly due to land trusts' frequent partnership roles, sponsor eligibility incentives, and budget limitations. There are no specific projects from WALT members that require an urgent decision, but their partnerships continue to bring these challenges to the forefront.

Bill Clarke, Trust for Public Land's State Lobbyist, shared that the policies outlined in the supporting board memo need refinement, but the outlook is positive. He expressed challenges with sponsor eligibility, specific project partnerships, and adopting a policy that fits multiple transaction models. He advocated for an option that provides flexibility in light of these concerns.

The board responded to public comment; state agency members in particular expressed agreement with the need for flexibility due to long-term and complicated acquisitions and projects. The board discussed transparency practices, diverse ways to partner with state agencies, and the need to continue developing policies that keep these diverse needs in mind.

Break: 3:05 p.m. – 3:20 p.m.

Item 11: Conservation Easement Template for Farm, Forest and Habitat Conservation

Leslie Connelly, Natural Resource Policy Specialist, updated the board on the development of a conservation easement template for certain Washington Wildlife and Recreation Program (WWRP) categories and salmon recovery programs that will facilitate consistency and ease of use for grant sponsors and staff. She summarized the need for a template, a planned approach and timeline for implementing the template, and requested board feedback.

Member Deller moved to proceed with the conservation easement template as presented by staff for the farm, forest, and habitat conservation categories, to follow implementation timeline as presented, and to delegate authority of approval to the RCO Director. Member Gardow seconded. Motion carried.

Director Cottingham suggested that staff update the board in early 2018 on the template development and implementation.

Item 12: Follow-up on Grant Application Questions on Climate Change

Leslie Connelly, Natural Resource Policy Specialist, presented a summary and analysis of the responses from grant applicants to a new question asked about climate change in the most recent grant round. Applicants were asked, *"Does your project address or accommodate the anticipated effects of climate change? If yes or maybe, please describe how."* After reviewing the responses, Ms. Connelly was able to categorize them according to two main themes: 1) adapting to the effects of climate change on their project or 2) mitigating the overall effects of climate change. Applicants seemed to have a general awareness of climate change effects; however, responses varied by location.

Ms. Connelly discussed potential next steps, issues to consider, and requested feedback how to proceed with addressing the effects of climate change on funded projects, specifically whether adding climate

change to the scored evaluation criteria is important enough to insert when compared to feedback about the application process forthcoming in the 2016 survey, especially to the applicants who might lack the staff resources to respond to new application requirements.

The board discussed potential options, expressed concerns about placing additional burden on grant applicants, and cited examples. The majority of the board agreed with maintaining an unscored question within the application. Chair Willhite suggested keeping an unscored question to help sponsors think about sustainability and the potential impacts that climate change could have on future projects. Ms. Connelly stated that staff remains open to feedback regarding next steps and will bring more information to a future board meeting.

Item 13: Development of a Match Waiver or Reduction Policy for the Washington Wildlife and Recreation Program's Local Parks, Trails, and Water Access Categories

Adam Cole, Natural Resource Policy Specialist, briefed the board on the development of proposed policy that would be applicable in the Washington Wildlife and Recreation Program (WWRP) Local Parks, Water Access, and Trails categories to waive or reduce match requirements if projects benefit underserved populations or communities in need. Mr. Cole explained that the need for a policy results in part from the recent review of the WWRP conducted in 2015, citing statutory changes made in 2016.

Mr. Cole provided information about an analysis conducted by Washington State University and the data challenges encountered in their study. He presented an ArcGIS map that examines the data by community and locations of the residents that would be eligible for the waiver program. Recommendations made by the WSU study to define "community in need" and "underserved population" provided the topics for discussion for a stakeholder work group, which was established to make recommendations on a waiver or policy that will be brought to the board at a later meeting in 2017.

Item 14: Update on the State Comprehensive Outdoor Recreation Plan (SCORP)

Leslie Connelly, Natural Resource Policy Specialist, briefed the board on progress made to update the State Comprehensive Outdoor Recreation Plan (SCORP). RCO contracted with Eastern Washington University to develop a new, fully online survey that was sent to the general public in February; the data collected will feed directly into the statewide plan. Ms. Connelly shared highlights from the survey about trends, needs identified, user preferences and demand, and recreation activity types. She summarized updates to the 2017 survey, project budget, a timeline for implementation and report development, and process improvements. The board will take part in the process by discussing the SCORP plan and strategy in May 2017, reviewing the draft plan in July 2017, and making a decision in October 2017.

Item 15: Planning for the July Board Retreat

Scott Robinson, RCO Deputy Director, and Wendy Loosle, RCO Board Liaison, discussed the results from the annual board survey, sent to board members in late January. Deputy Robinson requested board feedback and direction on shaping the retreat agenda and format, reflecting on the responses received from the board survey.

Ms. Loosle summarized the board survey responses. For regular meeting agendas, members requested additional discussion time, more background in policy memos, clearer links or reminders about strategic plan goals and board actions between meetings (e.g. at a retreat), and to add citizen member updates to the state agency partner updates shared at regular meetings.

The board agreed to form a sub-committee to plan and prepare for the July retreat and to hire a facilitator. Chair Willhite and Member Stohr volunteered for the sub-committee. Members requested a briefing on the role of the board at the retreat, as well as unstructured discussion time. Deputy Robinson

will follow up with board members on desired agenda topics and support the sub-committee in incorporating these goals into the retreat agenda.

Closing:

The meeting was adjourned at 5:45 p.m. by Chair Willhite. The next meeting is scheduled for May 10-11, 2017 in Olympia.

Approved by:

A handwritten signature in black ink, appearing to read "T. Willhite", is written over a horizontal line.

Theodore Willhite, Chair

May 10, 2017

Date

Recreation and Conservation Funding Board
Resolution #2017-01
February 8, 2017 Consent Agenda

BE IT RESOLVED, that the following February 8, 2017 Consent Agenda items are approved:

A. Board Meeting Minutes

- October 26-27, 2016
- November 7, 2016

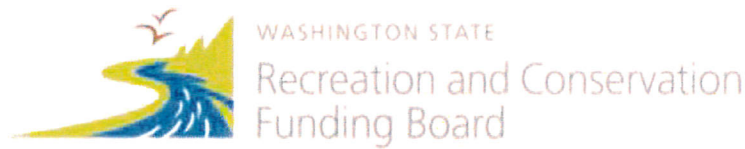
B. Time Extension Requests

- Washington State Parks and Recreation Commission, James Island Moorage Replacement (RCO # [12-1343](#))
- Jefferson County, Discovery Bay Shoreline Restoration and Trail Construction (RCO # [12-1250D](#))
- Whidbey Camano Land Trust, Crockett Lake Riparian 2012 (RCO # [12-1535A](#))

Resolution moved by: _____

Resolution seconded by: _____

Adopted Date: _____



A Resolution to Recognize the Service of

Pete Mayer

To the Residents of Washington State and the Recreation and Conservation Office

WHEREAS, from January 2011 to December 2016, Pete Mayer provided outstanding service to the Recreation and Conservation Funding Board and the people of Washington; and

WHEREAS, Mr. Mayer's service assisted the State of Washington in protecting some of its most important wildlife habitat, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, Mr. Mayer's wise counsel made him a valuable board member, providing the board with unique insight and advice that assisted in the development of exemplary policies and decisions for funding projects that promoted sound investments of public funds; and

WHEREAS, Mr. Mayer's help with the legislatively-mandated review of the Washington Wildlife and Recreation Program was invaluable as the board embraced a new category and reconsidered the proportion of funding allocated in all other categories, with thoughtfulness, intelligence, patience, and creativity; and

WHEREAS, Mr. Mayer is appreciated for his persistence and passion, for being curious and encouraging the board to reinvigorate their goals, and striving to move the needle in recreation and conservation efforts across the state; and


WHEREAS, Mr. Mayer always displayed creative problem solving skills, dedication to providing service to the public, and an enthusiasm for outdoor recreation that would let no trail go undiscovered; and

WHEREAS, Mr. Mayer inspired Recreation and Conservation Office staff to always ask themselves the question "What will Pete think?" while preparing memos and presentations; and


WHEREAS, the members of the board wish to recognize his leadership and service;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Mayer's dedication and excellence in performing his responsibilities and duties as a member of the Recreation and Conservation Funding Board, his peers and staff from the Recreation and Conservation Office extend their sincere appreciation and compliments on a job well done.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on February 8, 2017



Ted Willhite, Chair
Citizen Member



Mike Deller
Citizen Member



Michael Shiosaki
Citizen Member


Danica Ready
Citizen Member


Kathryn Gardow
Citizen Member


Peter Herzog
Washington State Parks
and Recreation Commission


Brock Milliarn
Department of Natural Resources


Joe Stohr
Department of Fish and Wildlife