

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

Order of Presentation:

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

Public Comment:

If you wish to comment at a 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. You also may submit written comments to the Board by mailing them to the RCO, attn: Rebecca Connolly, Board Liaison or at rebecca.connolly@rcow.wa.gov.

Special Accommodations:

If you need special accommodations, please notify us by March 24, 2011 at 360/902-3013 or TDD 360/902-1996.

THURSDAY, MARCH 31

OPENING AND MANAGEMENT REPORTS

- 9:00 a.m. CALL TO ORDER** *Board Chair*
- Roll Call and Determination of Quorum
 - Introduction of New Members
 - Betsy Bloomfield
 - Pete Mayer
 - Review and Approval of Agenda – March 31, 2011
- 9:10 a.m. 1. Consent Calendar (*Decision*)** *Board Chair*
- a. Approval of Board Meeting Minutes – October 28-29, 2010
 - b. Time Extension Request: Auburn Environmental Park, City of Auburn, Project #06-1834
 - c. Recognition of Volunteer Evaluators
- Resolution #2011-01
- 9:15 a.m. 2. Management Reports (*Briefing*)**
- a. Director's Report *Kaleen Cottingham*
 - b. Fiscal Report
 - c. Legislative and Budget Update *Steve McLellan*
 - d. Policy Report *Steve McLellan*
 - e. Grant Management Report *Scott Robinson and Marguerite Austin*
 - Overview of Grant Evaluations for 2011
 - Overview of State Auditor Finding regarding Whistleblower Complaint
 - Presentation of Closed Projects of Note
 - f. Performance Report *Rebecca Connolly*
- 10:15 a.m. State Agency Partner Reports**

10:25 a.m. 3. **Perspectives on Recreational Trails Program Funding and Project Categorization** *Greg Lovelady
Gary Johnson
(Washington Off-Highway Vehicle Alliance)*

10:35 a.m. **GENERAL PUBLIC COMMENT:** *Chair*
For issues not identified as agenda items. Please limit comments to 3 minutes.

10:40 a.m. **BREAK**

BOARD BUSINESS: DECISIONS

10:55 a.m. 4. **Proposed Change in Land and Water Conservation Fund Evaluation Criteria** *Jim Eychaner*
Resolution 2011-02

11:10 a.m. 5. **Proposed Change to Increase Maximum Grant Amount in Firearms and Archery Range Recreation (FARR) Program** *Jim Eychaner*
Resolution 2011-03

11:25 a.m. 6. **Proposed Change to Biennial Grant Cycle for All Grant Programs** *Jim Eychaner
Marguerite Austin*
Resolution 2011-04

Noon 7. **Delegation of Authority to Director to Resolve 6(f) Boundary Issues at Kah Tai Lagoon Park, Port Townsend** *Kaleen Cottingham
Jim Anest
Scott Robinson*
Resolution 2011-05

12:30 p.m. **LUNCH**

BOARD BUSINESS: BRIEFINGS

1:15 p.m. 8. **Policy Development Updates** *Jim Eychaner
Lucienne Guyot
Jim Eychaner
Dominga Soliz*
a. Sustainability Practices and Policy Development
b. Level of Service Recommendations
c. Allowable Uses Policy

2:30 p.m. **BREAK**

2:45 p.m. 9. **Project Overview and Preview of Upcoming Time Extension** *Elizabeth Butler*
a. Qwuloolt Estuary Restoration and Interpretive Trail Project, Tulalip Tribe, Project #06-1604D

3:00 p.m. 10. **Overview of Upcoming Conversion: Sullivan Park, City of Everett, Project #79-011** *Jim Anest*

3:30 p.m. 11. **Americans with Disabilities Act (ADA): New Requirements for Grant-Funded Projects** *Rory Calhoun*

4:00 p.m. **ADJOURN**

RECREATION AND CONSERVATION FUNDING BOARD SUMMARIZED MEETING AGENDA AND ACTIONS, OCTOBER 28-29, 2010

Agenda Items without Formal Action

Item	Board Request for Follow-up
Item 15: Conversion Policy Framework	Staff review of policies should include: <ul style="list-style-type: none"> • Latitude regarding conversions that are discovered and proceed without permissions • Ways to create incentives and disincentives • Staff workload

Agenda Items with Formal Action

Item	Formal Action	Board Request for Follow-up
Item 1: Consent Calendar	APPROVED <ul style="list-style-type: none"> • Approval of Board Meeting Minutes – August 20, 2010 • Time Extension Request: Project #06-1778 • Time Extension Request: Project #06-1679 • Major Scope Change Request: Project #06-1816 • Major Scope Change Request: Project #08-1505 	
Item 3: 2011 Schedule	APPROVED as Amended <ul style="list-style-type: none"> • Amended to place the travel meeting in either June or September, with a preference for September. 	
Item 5: WWRP Habitat and Conservation Grants	APPROVED <ul style="list-style-type: none"> • Approved ranked lists for Critical Habitat Category, Natural Areas Category, State Lands Restoration Category, and Urban Wildlife Category for submission to Governor 	
Item 6: WWRP Riparian Protection Account Grants	APPROVED <ul style="list-style-type: none"> • Approved Riparian Protection ranked list for submission to Governor 	
Item 7: WWRP Farmland Preservation Account Grants	APPROVED <ul style="list-style-type: none"> • Approved Farmland Preservation ranked list for submission to Governor 	
Item 8: WWRP Outdoor Recreation Account Grants	APPROVED <ul style="list-style-type: none"> • Approved ranked lists for Local Parks , State Lands Development, State Parks ,Trails , and Water Access categories for submission to Governor 	
Item 9: Aquatic Lands Enhancement Account Grants	APPROVED <ul style="list-style-type: none"> • Approved ALEA ranked list for submission to Governor 	
Item 10: Land and Water Conservation Fund Grants	APPROVED <ul style="list-style-type: none"> • Approved LWCF ranked list and project funding 	
Item 11: Recreational Trails Program Grants	APPROVED as amended to remove sixth whereas statement <ul style="list-style-type: none"> • Approved RTP ranked list and project funding 	
Item 12: Recognition of Board Member Service	APPROVED <ul style="list-style-type: none"> • Resolutions to recognize the service of Rex Derr, Karen Daubert, Jeff Parsons, and Bill Chapman 	
Item 13: Approve Acquisition Policy Updates and Changes for Manual 3	APPROVED <ul style="list-style-type: none"> • Sections 2 and 4 (Third Party Appraisals, and Statement of Value Less Than \$10,000) of Proposal 1 were approved without amendment. The remainder was deferred for future consideration. • Proposals 2 through 7 and Proposal 9 were approved without amendment. • Proposal 8 was approved as amended to offer an option of an affidavit certifying that the landowner had been contacted. 	Appraisal standards and appraisal “shelf life” to be further evaluated, including their link to conversion policy
Item 14: Approve Changes to Evaluation Questions for Boating Facilities Program	APPROVED <ul style="list-style-type: none"> • Changed to the scoring criteria used to review and evaluate grant proposals for the Boating Facilities Program. 	

** DRAFT **

Item 16: Conversion Request: WDFW, Project #68-603	APPROVED · Approves the proposed conversion and directs staff to forward the recommendation on to the National Park Service for consideration	
Item 17: Conversion Request: City of Newcastle, #91-211	APPROVED as Amended · Amended to encourage the city to authorize and fund rerouting of the surface road north trail to the south side and tie into the Coal Creek Road Crossing	·

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: October 28-29, 2010

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

Recreation and Conservation Funding Board Members Present:

Bill Chapman, Chair	Mercer Island	Stephen Saunders	Designee, Department of Natural Resources
Jeff Parsons	Leavenworth	Rex Derr	Director, State Parks
Harriet Spanel	Bellingham	Jennifer Quan	Designee, Department of Fish and Wildlife
Karen Daubert	Seattle		
Steven Drew	Olympia		

Mr. Parsons and Mr. Drew arrived shortly after roll was called.

Mr. Derr left at the lunch break, following item #5. During his absence, Steve Hahn represented State Parks. Mr. Derr returned to the board at 3:30 p.m., as item #10 began.

It is intended that this summary be used with the notebook provided in advance of the meeting. A recording is retained by RCO as the formal record of meeting.

Thursday, October 28, 2010

Opening and Management Report

Chair Bill Chapman called the meeting to order at 1:10 p.m. Staff called roll, and a quorum was determined.

The Recreation and Conservation Funding Board (board) reviewed Resolution #2010-14, Consent Calendar. The consent calendar included the following:

- Approval of Board Meeting Minutes – August 20, 2010
- Time Extension Request: L.T. Murray Wenas Wildlife Area Rehabilitation, Washington Department of Fish and Wildlife, Project #06-1778
- Time Extension Request: Wind River Boat Ramp Improvements, Skamania County, Project #06-1679
- Major Scope Change Request: Skagit River Forks, Washington Department of Fish and Wildlife, Project #06-1816
- Major Scope Change Request: Methow Watershed Phase Six, Washington Department of Fish and Wildlife, Project #08-1505

Resolution 2010-14 moved by: Parsons
Resolution APPROVED

and seconded by: Daubert

Item 2: Management Report

Kaleen Cottingham introduced new staff and noted that the RCO would be hiring a fiscal staff person to address the audit findings. She also noted items from her director's reporting including the upcoming LWCF program review, the RCO's role in natural resources reform, and the sunset dates for the Biodiversity Council and Monitoring Forum.

Steve McLellan, Policy Director, provided an update on the policies in the memo, with an emphasis on work regarding sustainability. He discussed the budget situation, noting that there likely will be more cuts before the end of the biennium. He also noted likely reductions in the 2011-13 capital budget.

Scott Robinson and Marguerite Austin, Grant Section Managers, highlighted key information from their grant management report, including volunteer activity, inspections, BIG projects, and compliance. Marguerite noted that a new grant cycle will begin on November 15 for NOVA, BFP, and FARR. They have sent out notices and invited potential applicants to attend grant workshops. She also noted that staff will be proposing a policy change in February to allocate all of the money at the beginning of the biennium, rather than the typical annual cycle. Policy staff is seeking input from stakeholders.

Rebecca Connolly, Board Liaison/Accountability Manager, presented the sponsor and applicant survey results. Board members were particularly interested in the application process and PRISM.

State Agency Partner Reports

Rex Derr, State Parks, discussed the hiring process for a new state parks director and the development of a successor plan to the Centennial 2013 plan. He encouraged those in attendance to participate in the planning. They will be celebrating the state parks system in 2013.

Stephen Saunders, Department of Natural Resources (DNR), noted that they sponsored a tour of the Michel property, which they purchased with board funding, and recently restored. He also noted the mixed effect of the economy on the agency's ability to acquire property and reminded the board that the lack of indirect cost reimbursement continues to be a challenge for DNR.

Jennifer Quan, Department of Fish and Wildlife (DFW), noted the budget impacts on DFW and the reductions in employees, fish production, land management, and other activities. She also discussed the agency's request legislation for increased fees.

General Public Comment

Mayor Bud Norris, Mount Vernon, thanked the board for their time, and offered support to the lists they will provide to the legislature. The city appreciates both the staff and the process. He thanked the board for funding the Kiwanis Park Project, and described how the project is enjoyed by the community and connected to other projects.

Board Briefings

Item 4: WWRP Framework

Steve McLellan gave an overview of the Washington Wildlife and Recreation (WWRP) program, as described in the notebook. He handed out a revised list of projects that would be funded at various levels.

Board Decisions

Item 3: 2011 Meeting Schedule

Rebecca Connolly presented the schedule as discussed in the memo. Director Cottingham discussed the guidelines for travel, and recommended a tour of Okanogan County. Board members discussed the merits of travel and whether it should be during this fiscal year or next fiscal year.

**Resolution 2010-15, amended to place the travel meeting in either June or September
moved by: Spanel and seconded by: Derr**

Stephen Saunders offered a friendly amendment to prioritize September over June, pending availability of the facility. Daubert seconded.

Amendment APPROVED; Resolution APPROVED

Item 5: Habitat Conservation Account

Scott Robinson, Section Manager, introduced the Habitat Conservation Account policies and statistics.

5A: Critical Habitat Category

Scott Robinson presented the Critical Habitat category, as described in the memo. He concluded with a discussion of the top two ranked projects in the category. The board discussed the effect of changing from private to public ownership with regard to hunting for project #10-1613A, Mountain View Property Phase 1. Member Derr also noted a concern with the ability of the state to manage the land as well as this very dedicated landowner, stating that that he does not oppose the acquisition, but wants to register a concern with future management.

Member Drew asked if projects ten and eleven (#10-1304A, Lewis River/Mud Lake and #10-1065C, Saltese Flats Wetland Restoration, respectively) could have competed better in another category, and suggested that staff look at the criteria to ensure that local governments are not at a disadvantage. Scott noted that staff works with all sponsors to ensure that the projects are put in the category that best matches the proposal. Director Cottingham and Chair Chapman noted that the board's decision to have no maximum grant amount created a situation in which fewer projects are funded, but that the intent was to fund the best.

**Resolution 2010-16 moved by: Parsons and seconded by: Daubert
Resolution APPROVED**

5B: Natural Areas Category

Scott Robinson discussed the Natural Areas category, as presented in the memo. His presentation concluded with a discussion of the top two ranked projects in the category.

Member Daubert asked if the property owners affected by the top two projects (#10-1472A, Klickitat Canyon Natural Resource Conservation Area and #10-1458A, Dabob Bay Natural Area) were aware of the desire to purchase the property. Member Saunders noted that they have already started outreach to find willing sellers, including ensuring that the community is aware of what is proposed.

Member Parsons asked how DNR decided which projects went to Urban Wildlife versus this category, expressing a concern that local communities are at a disadvantage. Scott noted that it was likely based on population proximity. Kaleen Cottingham reminded the board that the Urban Wildlife category specifically sets aside 40 percent of funds for non-state agencies.

Resolution 2010-17 moved by: Drew and seconded by: Parsons
Resolution APPROVED

5C: State Lands Restoration Category

Kim Sellers, Grant Manager, discussed the State Lands Restoration category, as presented in the memo. Her presentation concluded with a discussion of the top two ranked projects in the category. The board offered no comments or questions.

Resolution 2010-18 moved by: Derr and seconded by: Saunders
Resolution APPROVED

5D: Urban Wildlife Category

Elizabeth Butler, Grant Manager, discussed the Urban Wildlife category, as presented in the memo. She also noted the effect of the projects over time. Her presentation concluded with a discussion of the top two ranked projects in the category.

Member Daubert noted that the board needs to be careful regarding population proximity in the category, because the intent is to have wildlife near urban areas. She suggested greater priority for this criterion. The board discussed the background of the policy and legislative distribution of funds, and the need to balance the urban/rural makeup of the evaluation team.

Resolution 2010-19 moved by: Drew and seconded by: Spanel
Resolution APPROVED

Item 6: Riparian Protection Account

Kim Sellers, Grant Manager, discussed the Riparian Protection Account, as presented in the memo. Her presentation concluded with a discussion of the top two ranked projects in the category. The board offered no comments or questions.

Resolution 2010-20 moved by: Parsons and seconded by: Drew
Resolution APPROVED

Item 7: Farmland Preservation Protection Account

Kammie Bunes, Grant Manager, discussed the Farmland Preservation Protection Account, as presented in the memo. She discussed previous grant cycles, noting that all previously-funded projects involved easements, and then explained the statutory definition of "farmland," including the recent changes. She also noted that nonprofits are now eligible in the category. She concluded with a discussion of the top two ranked projects.

Member Drew asked if this category was submitted to the Puget Sound Partnership for review. Director Cottingham responded that it had not. Member Drew suggested that the board should discuss that at a future meeting. Member Quan asked if property could be purchased in fee. Director Cottingham responded that it cannot because of IRS rules.

Public Comment:

Ken VanBuskirk, Citizen, commented on project 10-1213, the Petersen Farm project, and asked the board to review the project evaluations and defer their decision. Chair Chapman noted that the project's score on agricultural values was lower. Mr. VanBuskirk responded that the farm has fallen into disrepair due to the death of the farm's owner, but that the new owner has plans to return it to good condition. Member Drew asked if there had been any changes at the farm since the evaluation. Kammie Bunes responded that it is a farm in transition; that is, the degree of farming had fallen in the past few years, but that lessees hope to farm it more aggressively. Member Parsons asked what it grown on the farm. Mr. VanBuskirk responded that it currently was row crops, and that it could grow a tremendous amount of produce for the local community because it is near the urban growth boundary.

Resolution 2010-20 moved by: Daubert and seconded by: Saunders
Resolution APPROVED

Item 8: Outdoor Recreation Account

Marguerite Austin, Section Manager, began the presentation with an overview of the account, its categories, history, and general policies regarding project type and sponsor eligibility. She noted key evaluation criteria in the categories. She compared this year's Outdoor Recreation Account applications to those in 2008, noting drops in the number of applications and requested funds. She also addressed the metrics that the sponsors now need to address.

8A: Local Parks Category

Laura Moxham, Grant Manager, discussed the Local Parks category, as presented in the memo. Her presentation concluded with a discussion of the top two ranked projects in the category.

Public Comment:

John Keats, Director Mason County Parks and Legislative Co-Chair WRPA, described their project – #10-1064D, Mason County Recreation Area Park Infield Renovation, which ranked eighth on the list – and thanked the board. Renovating the fields will improve the complex, which was built in the 1970s. WRPA is developing their legislative platform, and they will support the \$100 million funding level for WWRP.

**Resolution 2010-22 moved by: Parsons and seconded by: Drew
Resolution APPROVED**

8B: State Lands Development Category

Dan Haws, Grant Manager, discussed the State Lands Development category, as presented in the memo. He concluded by presenting the top two ranked projects in the category. Chair Chapman noted the positive impacts of bridges on ensuring stream quality. Member Saunders noted that they are trying to increase the compatibility of their recreation opportunities with environmental considerations.

**Resolution 2010-23 moved by: Drew and seconded by: Daubert
Resolution APPROVED**

8C: State Parks Category

Myra Barker, Grant Manager, discussed the State Parks category, as presented in the memo. She concluded with a presentation of the top two ranked projects in the category.

Member Hahn explained that the State Parks Commission flipped the third and sixth projects (#10-1384D, Lake Sammamish Boardwalk Washington Wildlife & Recreation Program and #10-1308D, Cape Disappointment Multiple-Use Trail Extension, respectively) because the sixth project had already completed Phase I, but in its current state, the public was forced to walk along a state highway without a shoulder. The public safety risk resulted in the flip.

Member Parsons asked if there was any development in Eastern Washington. Member Hahn responded in the affirmative, so Parsons recused himself from the vote, citing conflict of interest given his wife's position with State Parks.

**Resolution 2010-24 moved by: Drew and seconded by: Spanel
Resolution APPROVED, with Member Parsons abstaining.**

8D: Trails Category

Darrell Jennings, Grant Manager, presented the Trails category, as described in the memo. He concluded by presenting the top two ranked projects in the category. In response to board questions, he noted that there are no limits regarding acquisition or development. Chair Chapman asked about the balance between paved and unpaved trails. Darrell responded that he believes it is predominantly paved trails.

Public Comment:

Larry Otis, Director of Mount Vernon Parks and Recreation, noted that the board policies have changed over time but he has always felt that the process was fair, regardless of where they ranked. He stated that it doesn't have political ties and it is a national model. The problem is that there isn't enough money. He also noted that 31,000 people in his community use the parks, and that they couldn't do it without RCFB funding. Mr. Otis also noted that grant managers are knowledgeable, professional, and good at walking them through the process.

Resolution 2010-25 moved by: Drew and seconded by: Daubert
Resolution APPROVED

8E: Water Access Category

Karl Jacobs, Grant Manager, presented the Water Access category, as described in the memo. He concluded by presenting the top two ranked projects in the category. The board offered no comment or questions.

Public Comment:

Bonnie Knight, Exec. Director Port of Allyn, stated that the port has been able to acquire 500 feet of shoreline and that it is a tremendous asset. Next year, they expect over 20,000 visitors to the park. They are very excited to be able to expand it.

Resolution 2010-26 moved by: Parsons and seconded by: Quan
Resolution APPROVED

Item 9: Aquatic Lands Enhancement Account

Leslie Ryan-Connelly, Grant Manager, began the presentation with an overview of the program, its goals, evaluation criteria, and general policies regarding project type and sponsor eligibility. She noted that this program is subject to the Puget Sound requirements in RCW 79.105.150. One project withdrew from consideration due to a potential conflict with the Action Agenda. She noted the distribution of projects statewide and in saltwater versus freshwater.

Member Drew asked how much of the funding comes from geoduck versus other revenues. Scott Robinson estimated that it was a 60/40 split.

Public Comment:

John Botelli, Spokane County Parks and Recreation, and Pamela McKenzie, City of Spokane Parks Department, testified regarding project #10-1497A, Spokane River Falls YMCA Site Acquisition, which ranked second on the list. Due to the way the acquisition is financed, the grant funds would allow them to take \$1 million off the purchase price, and leverage to a savings of \$1.8 million in principal and interest payments. Removing the building will be a major undertaking, and they hope to have bids in December. Board members commented that the park is a good feature of the city.

Resolution 2010-27 moved by: Spanel and seconded by: Parsons
Resolution APPROVED

Member Derr returned to the board at 3:30 p.m., as item #10 began.

Item 10: Land and Water Conservation Fund

Sarah Thirtyacre, Grant Manager, began the presentation with an overview of the program, its history, and general policies regarding project type and sponsor eligibility. She explained the relationship to SCORP, source of funding, and National Park Service requirements. She concluded her presentation with a discussion of the top two ranked projects.

Director Cottingham noted that there is considerable discussion in Congress about the program, and that there is potential for greater revenues in the future. There are a number of sponsors who would be ineligible due to outstanding compliance issues, so some are motivated to resolve the issues.

Public Comment:

John Keats, Director Mason County Parks, discussed some features of project #10-1061A, Sunset Bluff Natural Area Park Acquisition, which is the number two project. The county discussed whether this was the best time for an acquisition, but ultimately decided that the benefit to the community was too great to pass on the opportunity.

Resolution 2010-28 moved by: Derr and seconded by: Parsons
Resolution APPROVED

Item 11: Recreational Trails Program

Greg Lovelady, Grant Services Program Manager, began the presentation with an overview of the program, its categories, goals, history, the process for 2010, and general policies regarding project type and sponsor eligibility. He noted that there is some skepticism about whether there will be additional program funding for federal fiscal year 2011 (Table 1). He noted that the lines in Attachment C are hypothetical, and that so far, there is funding for only one of the 86 projects. Greg then explained the federally-mandated funding formula. He concluded his presentation with a discussion of the top projects by category. Greg also noted that the sixth "Whereas" statement in the resolution is no longer accurate because Congress has appropriated about \$100,000.

Resolution 2010-29 as amended to remove the sixth paragraph
moved by: Daubert and seconded by: Quan
Resolution APPROVED

Item 12: Recognition of Board Members' Service

Chair Chapman commented on Member Derr's service to the board, especially his insistence that we link actions to the strategic plan. He noted Derr's courage, statesmanship, and leadership, noting that everyone has tremendous respect for him.

Chair Chapman commented on Member Daubert's service to the board, in particular her work on the WWRP Urban Wildlife category policies. He noted she is known for working toward the right answers and establishing the right tone on the board.

Chair Chapman commented on Member Parson's service to the board, noting his thoughtfulness, ideas, and preparedness. He was known for representing the conservation community. He has the respect of all his colleagues.

Kaleen Cottingham commented on Chair Chapman's service to the board. She noted that his enthusiasm, leadership, and intellect benefit the board and are appreciated by staff. Other board members also acknowledged the contributions of the four members.

**Resolution 2010-30 moved by: Daubert and seconded by: Spanel
Resolution APPROVED**

**Resolution 2010-31 moved by: Daubert and seconded by: Spanel
Resolution APPROVED**

**Resolution 2010-32 moved by: Daubert and seconded by: Spanel
Resolution APPROVED**

**Resolution 2010-33 moved by: Daubert and seconded by: Spanel
Resolution APPROVED**

Meeting adjourned for the day at 4:30 p.m.

Friday, October 29, 2010

Call to Order

Chair Bill Chapman called the meeting to order at 9:06 a.m. Staff called roll, and a quorum was determined. Member Derr arrived shortly after roll was called. All members were present at that time.

Board Briefings

Item 15: Conversion Policy Framework

Director Cottingham noted that conversions are staff intensive efforts, in part because we must rely on old documents. The policy is permissive, with the goal to replace lost property.

Scott Robinson, Section Manager, reminded the board that they asked staff in June to review the conversion policy and the board's authority. He then defined conversions, reviewed the board's authority and role, current policy, and how the policy is applied. He noted that equivalence often needs to be evaluated on a case-by-case basis and cautioned against a policy that is overly punitive.

Board Decisions

Item 13: Manual 3, Acquisition Policy Changes

Leslie Ryan-Connelly, Grant Manager, presented information about the policy changes, as discussed in the notebook. Leslie noted that the board was considering the policy language, not the procedures. She directed the board and audience to Attachment A of the memo, noting that the language proposed is policy intent, and that the actual text for the manuals would be revised for plain language. Director Cottingham noted that Attachment C gave the background of current policy and the proposal sent out for public comment. Leslie then discussed the individual proposals and the public response.

Proposal #1: Appraisal and Review Appraisal Requirements

Member Drew asked if the third-party appraisal policy would apply to conversions. Leslie responded that the appraisal standards also would apply to the acquisition of property for conversions.

Proposal #2 - Environmental Audits and Contaminated Property

Member Parsons asked if environmental audits were required. Leslie responded that current board policy already requires an audit for each property, and defines the two ways that it could be done.

Proposal #5 - Interim Land Uses

Members Parsons and Derr asked for clarification of the word "review" in the third bullet, which read *"The second party's use will be phased out within three years of the date of acquisition. If the use will continue for more than three years, it must be reviewed under the compatible use policy."* Leslie said that the policy intent is to allow for the activities to continue for up to three years. Dominga Soliz, Policy Specialist, explained the progress and outreach regarding the compatible use policy.

Member Drew suggested that the acquisition policy was incomplete without a separate policy for conversions and compatible uses. The chair and staff acknowledged that they are related issues, and that staff is continuing to work on the issue separately.

Member Parsons asked if the expression "totally limit" under the life estate section could be changed to "preclude." Member Quan then asked about the implementation of the addition of "purpose of the Project Agreement or funding program." Director Cottingham noted that she would look for consistency and compatibility between the intent of the program and the interim land use. The board concluded that the first bullet in the life estate section should read: *The estate does not unreasonably limit public use or the achievement of the purpose of the project agreement or funding program.* Similar language was revised in the second bullet of the secondary party use policy as follows: *The use does not unreasonably limit public use or the achievement of the purpose of the project agreement or funding program.*

Member Quan asked about the intent of the limitation of life estates to the property owner only. She suggested the addition of "spouse and immediate family." The board discussed alternatives to fee less the life estate, property transfers, and the effect on property negotiations. Chair Chapman suggested that the language as proposed protected state funds more effectively.

Proposal #6 - Conservation Easement Compliance

Members Saunders and Quan expressed concern that their agencies do not have the funding to fulfill the proposed requirement to monitor the easements every five years. Member Parsons said it was illogical to put in place a requirement that would not be implemented, and suggested that the policy require the sponsor to develop a plan to monitor the easements and then comply with the plan they submit. The fourth bullet was removed and the third bullet of the proposed policy was revised as follows: *Require the project sponsor to develop and implement a plan to monitor RCO funded conservation easements.*

Proposal #8 - Landowner Acknowledgement

Leslie explained the proposal, and she handed out an alternate proposal that had been suggested after the notebook was distributed. Member Quan suggested that the proposal be amended to allow agencies to omit landowner names from the landowner willingness form. The board discussed whether it was possible to omit the names without conflict with public records.

Proposal # 9 - Acquisition of Future Use

Leslie explained that the proposal originally said three years, but was changed to five years based on stakeholder feedback. The project sponsor may propose a longer timeframe for large scale, multi-phased projects during the grant application process, and the director may issue extensions. Member Derr stated that it can take decades to develop properties; he cited examples, and noted that the property remains open for public enjoyment, regardless of development. Member Spanel noted that there can be extensions to reflect how much time it can take; she prefers that to no timeline at all.

Public Comment:

Robert Meyer, Rainier, provided a handout and commented on the value of property for endangered species such as spotted owls. He suggested that the board use the valuation methodologies already approved by the Legislature for habitat (i.e., Riparian Open Space Program). He asked the board to establish a policy for just compensation based on riparian open space formula for permanent easements in the future. His written comments suggested proposed policy language.

Vicky Adams, real estate appraiser in Edmonds Washington, discussed problems with the use of federal yellow-book standards in reaching a fair market value in a willing buyer/seller environment. She noted problems: how to deal with larger parcels, exclusion of other sales, and exclusion of different approaches. She suggested that if the policy is implemented, the RCO will need to facilitate communication between appraisers and reviewers to avoid different interpretations.

Chris Hilton, Whidbey-Camano Land Trust, also commented on the proposed use of federal yellow book standards for all appraisals. She stated that they heavily favor comparable sales approach, which is difficult for riparian, conservation easements, and wetlands. As a result, appraisers have to go too far outside of the market, and must take too many adjustments. She believes that USPAP allows greater flexibility. She noted appreciation for exemptions in the proposed policy.

Glen Kost, City of Bellevue, spoke regarding Item #9, which requires sponsors to develop within five years. The city doesn't believe it allows for long-range planning and seems to penalize agencies that are purchasing to address future needs. He stated that the policy puts RCO staff in the position of determining what is development or phased development on a case-by-case basis and creates a need for ongoing discussions. He and the board engaged in discussion about the policy with regard to land banking, conversions, project evaluation, and specific activities in the city.

Doug Chase, Spokane County Parks, made some general comments about the policies. He noted that a combination of specific intent and flexible implementation is the right approach. He supported the landowner acknowledgement form and approach; they work only with willing sellers. The alternative option – sending a notification – concerns him because it doesn't involve the property owner.

The chair suggested that the board look for areas where they could agree, and then discuss and vote on the other issues later in the meeting.

Resolution 2010-34, with Attachment A with amendments to Proposals #5 and #6 based upon comments from Member Parsons.

moved by: Daubert **and seconded by: Spanel**

Member Derr moved to amend the resolution by removing Proposal #9 from Attachment A, pending additional discussion. Member Drew seconded. Motion APPROVED, with Daubert and Spanel opposing.

Member Quan moved to amend the resolution by removing Proposal #8 from Attachment A, pending additional discussion. Member Saunders seconded. Motion APPROVED, with Daubert and Spanel opposing.

Member Spanel moved to amend the resolution by removing Proposal #1 from Attachment A, pending additional discussion. Member Daubert seconded. Motion APPROVED

Resolution APPROVED as Amended

The board then continued discussion of the items removed from earlier consideration.

Proposal #8 - Landowner Acknowledgement

Director Cottingham offered a fourth option, allowing for an affidavit from an executive of the sponsor agency that the landowner had been contacted, but wished to remain anonymous.

Member Parsons moved to approve the revised proposal #8. Member Saunders seconded. Motion APPROVED.

Proposal # 9 - Acquisition of Future Use

The chair noted that it is a balance between the need for longer timelines and accountability. He noted that the policy allows for the longer timeline during the application phase. Mr. Saunders noted that the ability to develop may be dependent on the ability to get additional funding, but otherwise agreed that the policy allows room for such situations. Member Derr reminded the board that the ability to develop properties can be stymied by the public process; there may be situations where they cannot predict a timeline for development.

Members Spanel and Daubert suggested that the policy could allow all sponsors to ask for more time, and that the policy is actually quite flexible. The board also discussed the effect of the policy on potential conversions. Member Parsons suggested that projects should be judged based on what is proposed, and that they be held accountable to the intent; he noted that the policy supports that.

Member Daubert moved to approved proposal #9. Member Saunders seconded. Motion Approved, 6-2, with Members Derr and Chapman opposing.

Proposal #1: Appraisal and Review Appraisal Requirements

Director Cottingham suggested that staff should review the public comment that there are differences for valuation of conservation easements, and bring it back at a later date. Member Drew asked that the review also include what the effect would be on conversions. Leslie Ryan-Connelly suggested that the board might want to consider subtopics #2 and #4 under the proposal at this meeting. Member Saunders expressed concern regarding third party appraisals. Subtopic #2 was revised as follows: *Allow for a third party (e.g., land trust or other agency assisting with negotiating the transaction or co-holding rights) to conduct the appraisal as long as the appraisal is conducted on behalf of the project sponsor, the project sponsor is listed as an intended user of the appraisal, and the project sponsor approves the third party to act on their behalf.*

Member Drew moved to approved proposal #1, subtopic 2 as amended and subtopic 4. Member Quan seconded.
Motion APPROVED.

Item 14: Boating

Member Daubert noted that the board could approve the policy without additional presentation.

Resolution 2010-35 moved by: Daubert and seconded by: Parsons
Resolution APPROVED

Item 16: Conversion Request: Washington Department of Fish and Wildlife, Project #68-603

Jim Anest, Compliance Specialist, explained the proposed conversion as described in the memo, noting that the National Park Service (NPS) has final authority to approve the conversion. The conversion has not yet happened. The presentation also provided additional photos, maps, and property descriptions not in the board memo. NPS has reviewed the proposal and its initial response is favorable.

Resolution 2010-36 moved by: Parsons and seconded by: Derr
Resolution APPROVED

Item 17: Conversion Request: City of Newcastle

Director Cottingham noted that this is a conversion after the fact, that staff has done due diligence following the June meeting, and that staff believes that the conversion meets current board policy.

Laura Moxham, Grant Manager, explained the proposed conversion as described in the memo, noting that the board had rejected the conversion in June 2010, pending further review of board policy. The presentation provided additional photos, maps, and property descriptions not in the board memo. Further, she addressed the board's earlier concern regarding the decline in property values following the initial appraisals; an appraiser determined that the value of the replacement property likely declined by 10 percent, but was still higher than the value of the converted property.

Dawn Reitan, Newcastle City Attorney, and Michael Holly, Newcastle Park Director, testified that the city and staff have been working together for five years to resolve the mistake, which was made

before most of them were part of the city. Michael Holly stated that the existing trail is informal, and that the trails group wants to make it more formal.

Member Drew asked if the acquisitions would make a trail possible where it was not already feasible. He suggested that the trail could be put in place below the replacement property on existing open space so that it would be aligned with the original intent and the "experience" sought by users. Member Spanel and Chair Chapman asked for clarification of where the official trail met the proposed replacement property. Michael Holly noted that existing trail ended at an informal trail that crossed the proposed replacement property at the same grade, and that rerouting the trail below the replacement would be more technical and cross more difficult topography.

Member Drew stated that he thinks that the replacement property is good property, but that it does not support the original intent of the grant. He suggested that the city should move the connector trail to the south of the converted property as a condition of the board accepting the replacement property so that the trail corridor is more consistent with the original intent. Ms. Reitan reminded the board that their trail plan is part of their adopted Comprehensive Plan. They can bring the suggestions back to the city, but a decision would need to be made through a public process by the council, not staff.

Member Saunders noted that the replacement property still protects and preserves a wooded trail system, which was the original intent of the project. He suggested that the resolution include a recommendation that the city consider the proposal to move the connector trail.

Member Daubert noted that she is troubled by the conversion, but believes that the conversion meets the policy criteria that they are asked to evaluate. Chair Chapman noted that by purchasing the replacement property, they had kept the trail wooded.

Resolution 2010-38 with a strong recommendation that the city evaluate a trail south of the converted property

moved by: Daubert

and seconded by: Saunders

Member Saunders made a friendly amendment to add "Be it further resolved, the board strongly encourages the city to authorize and fund rerouting of the surface road north trail to the south side and tie into the Coal Creek Road Crossing." Member Daubert accepted the amendment.

Chair Chapman asked staff to define site in the sixth paragraph.

Resolution APPROVED as Amended.

The board asked for staff and legal analysis regarding:

- Latitude regarding conversions that are discovered and proceed without permissions
- Ways to create disincentives; what legislation is needed
- How do we address the workload on staff for later-discovered conversions
- Ways to incentivize bringing the issues to the board before the conversion takes place

** DRAFT **

Director Cottingham noted that compliance and conversions are already on the work plan, and that these concerns will be wrapped into that work.

Meeting adjourned at 2:45 p.m.

Approved by:

Bill Chapman, Chair

Date

Recreation and Conservation Funding Board
Resolution #2010-14
October 2010 Consent Agenda

BE IT RESOLVED, that the following October 2010 Consent Agenda items are approved:

- a. Recreation and Conservation Funding Board Meeting Minutes – August 20, 2010
- b. Time Extension Requests:
 - i. L.T. Murray Wenas Wildlife Area Rehabilitation, Washington Department of Fish and Wildlife, Project #06-1778
 - ii. Wind River Boat Ramp Improvements, Skamania County, Project #06-1679
- c. Major Scope Change Request: Skagit River Forks, Washington Department of Fish and Wildlife, Project #06-1816
- d. Major Scope Change Request: Methow Watershed Phase Six, Washington Department of Fish and Wildlife, Project #08-1505

Resolution moved by: Parsons

Resolution seconded by: Daubert

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution # 2010-15
2011 Recreation and Conservation Funding Board Meeting Schedule

WHEREAS, the Recreation and Conservation Funding Board (board) is established by statute and conducts regular meetings, pursuant to RCW 42.30.075, according to a schedule it adopts in an open public meeting; and

WHEREAS, RCW 42.30.075 directs state agencies to file with the code reviser a schedule of the time and place of such meetings on or before January of each year for publication in the Washington state register; and

WHEREAS, having open public meetings is essential to achieving the board's goals to use broad public participation and feedback and to achieve a high level of accountability by using a process that is open to the public; and

WHEREAS, having open public meetings also is essential to the Board's ability to conduct its business so that it achieves its mission and goals as documented in statute and/or its strategic plan;

NOW, THEREFORE BE IT RESOLVED, the following schedule for 2011 regular meetings of the Recreation and Conservation Funding Board is hereby adopted; and,

Dates	Location
February 1, 2011	Conference Call
March 31 – April 1, 2011	Olympia
June 22 – 23, 2011	Olympia
September 21 – 22, 2011	Olympia or Okanogan
November 14 – 15, 2011	Olympia

BE IT FURTHER RESOLVED, the board directs staff to publish notice in the State Register accordingly.

Resolution moved by: Spanel

Resolution seconded by: Derr

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-17
Washington Wildlife and Recreation Program
Natural Areas Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, nine Natural Areas category projects are eligible for funding from the Habitat Conservation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these Natural Areas category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (Board) members; and

WHEREAS, these evaluations occurred through a written evaluation process approved by the board, supporting the board's strategy to deliver successful projects by using broad public participation; and

WHEREAS, all nine Natural Areas category projects meet program requirements as stipulated in Manual #10b, *Washington Wildlife and Recreation Program- Habitat Conservation Account and Riparian Protection Account*, including criteria regarding public benefit and relationship to established plans; and

WHEREAS, the projects address a variety of critical habitat needs and their evaluation included information about the quality and function of the habitat and the demonstrated need to protect it for fish and/or wildlife, thereby supporting the board's strategy to provide partners with funding for projects that help sustain Washington's biodiversity, protect "listed" species; and maintain fully functioning ecosystems,

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in Table 1 – *WWRP, Natural Areas Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Natural Areas category projects for further consideration.

Resolution moved by: Drew

Resolution seconded by: Parsons

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-18
Washington Wildlife and Recreation Program
State Lands Restoration and Enhancement Category, Fiscal Year 2012,
Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, sixteen State Lands Restoration and Enhancement category projects are eligible for funding from the Habitat Conservation Category of the Washington Wildlife and Recreation Program; and

WHEREAS, these State Lands Restoration category projects were evaluated using criteria approved by the Recreation and Conservation Funding Board (board); and

WHEREAS, these evaluations occurred through a written evaluation process approved by the board, supporting the board's strategy to deliver successful projects by using broad public participation; and

WHEREAS, all sixteen State Lands Restoration category projects meet program requirements as stipulated in Manual #10b, Washington Wildlife and Recreation Program- Habitat Conservation Account and Riparian Protection Account: Policies and Project Selection, including public benefit and relationship to other plans; and

WHEREAS, the projects restore existing state lands to self-sustaining functionality, and their evaluation included the quality and function of the habitat, longer-term viability, and demonstrated need, thereby supporting the board's objectives to help sponsors maximize the useful life of board-funded projects and to fund projects that maintain fully functioning ecosystems;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in Table 1 – WWRP, State Lands Restoration and Enhancement Ranked List of Projects, FY 2012; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of State Lands Restoration and Enhancement category projects for further consideration.

Resolution moved by:	Derr
Resolution seconded by:	Saunders
<u>Adopted/Defeated/Deferred</u> (underline one)	
Date:	October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-19
Washington Wildlife and Recreation Program
Urban Wildlife Habitat Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, seventeen Urban Wildlife Habitat category projects are eligible for funding from the Habitat Conservation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these Urban Wildlife Habitat category projects were evaluated using criteria approved by the Recreation and Conservation Funding Board (board); and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all seventeen Urban Wildlife Habitat category projects meet program requirements as stipulated in Manual #10b, *Washington Wildlife and Recreation Program- Habitat Conservation and Riparian Protection Accounts*, including criteria regarding public benefit and relationship to established plans; and

WHEREAS, the projects address a variety of Urban Wildlife habitat needs, and the evaluation included information about the quality and function of the habitat and the demonstrated need to protect it for fish and/or wildlife, thereby supporting the board's strategy to provide partners with funding for projects that help sustain Washington's biodiversity, protect "listed" species, and maintain fully functioning ecosystems;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in Table 1 – *WWRP, Urban Wildlife Habitat Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the Board hereby recommends to the Governor the ranked list of Urban Wildlife Habitat category projects for further consideration.

Resolution moved by: Drew

Resolution seconded by: Spanel

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-20
Washington Wildlife and Recreation Program
Riparian Protection Account, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, twenty Riparian Protection account projects are eligible for funding from the Riparian Protection Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these Riparian Protection account projects were evaluated using criteria approved by the Recreation and Conservation Funding Board (board); and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all twenty Riparian Protection Account projects meet program requirements as stipulated in Manual #10b, *Washington Wildlife and Recreation Program- Habitat Conservation and Riparian Protection Account: Policies and Project Selection*; and

WHEREAS, those program requirements include criteria regarding riparian habitat benefits, public access and education, relationship to existing planning documents, and ongoing stewardship, such that providing funds to these projects would further the board's goals to fund the best projects as determined by the evaluation process and make strategic investments; and

WHEREAS, the projects provide habitat benefits for a variety of species, thereby supporting the board's strategy to provide partners with funding to for projects that help sustain Washington's biodiversity; protect "listed" species, and maintain fully functioning ecosystems; and

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 1 – WWRP, Riparian Protection Account Ranked List of Projects, FY 2012*, and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Riparian Protection Account projects for further consideration.

Resolution moved by: Parsons

Resolution seconded by: Drew

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-21
Washington Wildlife and Recreation Program
Farmland Preservation Program, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, twenty-four Farmland Preservation Program projects are eligible for funding from the Farmland Preservation Account of the Washington Wildlife and Recreation Program, and

WHEREAS, these Farmland Preservation Program projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members, and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner, and

WHEREAS, all twenty-four Farmland Preservation Program projects meet program requirements as stipulated in Manual #10f, *Washington Wildlife and Recreation Program-Farmland Preservation Program*, including criteria regarding agricultural, environmental and community values, and

WHEREAS, all of the projects meet criteria that demonstrate preference for perpetual easements, thus supporting the board's strategic goal to maximize the useful life of board-funded projects; and

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in Table 1 – *WWRP, Farmland Preservation Ranked List of Projects, FY 2012*, and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Farmland Preservation Program projects for further consideration.

Resolution moved by: Daubert

Resolution seconded by: Saunders

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-22
Washington Wildlife and Recreation Program
Local Parks Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, sixty-three Local Parks category projects are eligible for funding from the Outdoor Recreation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these Local Parks category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members; and

WHEREAS, these evaluations occurred in open public meetings, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all sixty-three Local Parks category projects meet program requirements as stipulated in Manual 10a: *Washington Wildlife and Recreation Program – Outdoor Recreation Account*, thus supporting the board's strategy to fund the best projects as determined by the evaluation process; and

WHEREAS, the projects involve acquisition, development, and/or renovation of properties for recreation, thereby supporting the board's strategy to provide partners with funding to enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in Table 1 – *WWRP, Local Parks Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Local Parks category projects for further consideration.

Resolution moved by: Parsons

Resolution seconded by: Drew

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-23
Washington Wildlife and Recreation Program
State Lands Development and Renovation Category, Fiscal Year 2012,
Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, fourteen State Lands Development and Renovation category projects are eligible for funding from the Outdoor Recreation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these State Lands Development and Renovation category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members; and

WHEREAS, these evaluations occurred through a written evaluation process approved by the board, supporting the board's strategy to deliver successful projects by using broad public participation; and

WHEREAS, all fourteen State Lands Development and Renovation category projects meet program requirements as stipulated in Manual #10a, *Washington Wildlife and Recreation Program- Outdoor Recreation Account: Policies and Project Selection*, thereby supporting the board's strategy to fund the best projects as determined by the evaluation process; and

WHEREAS, the projects involve development and renovation of public access sites on state lands, thereby supporting the board's strategy to provide partners with funding to enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 1 – WWRP, State Lands Development and Renovation Ranked List of Projects, FY 2012*, and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of State Lands Development and Renovation category projects for further consideration.

Resolution moved by: Drew

Resolution seconded by: Daubert

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Resolution #2010-24
Washington Wildlife and Recreation Program
State Parks Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, twelve State Parks category projects are eligible for funding from the Outdoor Recreation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these twelve State Parks category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members; and

WHEREAS, the Washington State Parks and Recreation Commission ranked the projects to place high priority on those that have an element of urgency; and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all twelve State Parks category projects meet program requirements as stipulated in Manual #10, *Washington Wildlife and Recreation Program – Outdoor Recreation Account: Policies and Project Selection*, thus supporting the board's strategy to fund the best projects as determined by the evaluation process; and

WHEREAS, the projects involve acquisition and development of properties for recreation, thereby supporting the board's strategy to provide partners with funding to enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 2 – WWRP, State Parks Commission Ranked List of Projects, FY 2012*, and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor this ranked list of State Parks category projects for further consideration.

Resolution moved by: Drew

Resolution seconded by: Spanel

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-25
Washington Wildlife and Recreation Program
Trails Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, twenty-five Trails category projects are eligible for funding from the Outdoor Recreation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these Trails category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members; and

WHEREAS, these evaluations occurred in open public meetings, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all twenty-five Trails category projects meet program requirements as stipulated in Manual #10, *Washington Wildlife and Recreation Program - Outdoor Recreation Account*, thereby supporting the board's goal to fund the best projects as determined by the evaluation process; and

WHEREAS, all of the projects acquire, develop or renovate pedestrian, bicycle, equestrian, or cross-country ski trails, thereby furthering the board's goal to provide funding for recreation opportunities statewide, including bicycling and walking facilities and facilities most conducive to improved health;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 1 – WWRP, Trails Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Trails category projects for further consideration.

Resolution moved by: Drew

Resolution seconded by: Daubert

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-26
Washington Wildlife and Recreation Program
Water Access Category, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, thirteen Water Access category projects are eligible for funding from the Outdoor Recreation Account of the Washington Wildlife and Recreation Program; and

WHEREAS, these thirteen Water Access category projects were evaluated using criteria approved by Recreation and Conservation Funding Board (board) members; and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all thirteen Water Access category projects meet program requirements as stipulated in Manual 10a: *Washington Wildlife and Recreation Program – Outdoor Recreation Account*, thus supporting the board's strategy to fund the best projects as determined by the evaluation process; and

WHEREAS, the projects involve acquisition, development, and/or renovation of properties for recreational access to water, thereby supporting the board's strategy to provide partners with funding to enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 1 – WWRP, Water Access Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of Water Access category projects for further consideration.

Resolution moved by: Parsons _____

Resolution seconded by: Quan _____

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010 _____

Recreation and Conservation Funding Board
Resolution #2010-27

Aquatic Lands Enhancement Account, Fiscal Year 2012, Ranked List of Projects

WHEREAS, for fiscal year 2012 of the 2011-2013 biennium, twenty-seven Aquatic Lands Enhancement Account (ALEA) program projects are eligible for funding; and

WHEREAS, these ALEA projects were evaluated using criteria approved by the Recreation and Conservation Funding Board (board); and

WHEREAS, these evaluations occurred in an open public meeting, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all twenty-seven ALEA program projects meet program requirements as stipulated in Manual 21: *Aquatic Lands Enhancement Account Grant Program: Policies And Project Selection*; and

WHEREAS, the projects enhance, improve, or protect aquatic lands and provide public access to such lands and associated waters, thereby supporting the board's strategies to provide partners with funding for both conservation and recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board hereby approves the ranked list of projects depicted in *Table 1 – ALEA Ranked List of Projects, FY 2012*; and

BE IT FURTHER RESOLVED that the board hereby recommends to the Governor the ranked list of ALEA projects for further consideration.

Resolution moved by: Spanel

Resolution seconded by: Parsons

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-29
Federal Fiscal Year 2010 Recreational Trails Program Project Funding

WHEREAS, the Recreation and Conservation Office (RCO) staff provided publications, website updates, public workshops, and other outreach opportunities to notify interested parties about Recreational Trails Program (RTP) funding; and

WHEREAS, for federal fiscal year 2011, 86 projects were submitted for RTP funding; and

WHEREAS, these project applications were evaluated by the RTP advisory committee using the Recreation and Conservation Funding Board (board) approved and adopted evaluation criteria; and

WHEREAS, the advisory committee and board have discussed and reviewed these evaluations in open public meetings, thereby supporting the board's strategy to ensure that its work is conducted with integrity and in a fair and open manner; and

WHEREAS, all 86 RTP program projects meet federal and state program criteria, thus supporting the board's strategy to fund the best projects as determined by the evaluation process; and

WHEREAS, if funded, the projects will provide for maintaining recreational trails, developing trailside facilities, and operating environmental education and trail safety programs, thereby supporting the board's strategy to provide partners with funding to enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the board approves the ranked list and funding as shown in Table 1, *Evaluation Ranked List and Funding Recommendations, RTP, State Fiscal Year 2011*; and

BE IT FURTHER RESOLVED, that the Director is instructed to seek authorization from the Federal Highway Administration to proceed with execution of applicable agreements and other appropriate steps to implement these projects, and on receipt of this authorization, to proceed with agreement execution.

Resolution moved by: Daubert

Resolution seconded by: Quan

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-31

A Resolution to Recognize the Service of Karen Daubert
to the Residents of Washington State
and the Recreation and Conservation Funding Board

WHEREAS, from January 2004 through December 2010, Karen Daubert served the residents of the state of Washington as a member of the Recreation and Conservation Funding Board; and

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

WHEREAS, Ms. Daubert helped the board embrace four new categories in the Washington Wildlife and Recreation Program, and reconsider the proportion of funding allocated to local governments in other categories, with thoughtfulness, intelligence, patience, and creativity; and

WHEREAS, Ms. Daubert always displayed kindness to staff, creative problem solving skills, dedication to providing service to the public, and an enthusiasm for outdoor recreation that would let no mountain keep her down; and

WHEREAS, Ms. Daubert provided the board with grace, valuable insight, and excellent advice that assisted in the development of exemplary policies and decisions for funding projects that promoted sound investments of public funds; and

WHEREAS, during her term, the board approved 1,110 grants, creating a state investment of \$314 million in Washington's great outdoors; and

WHEREAS, Ms. Daubert's term on the board expires on December 31, 2010; and members of the board wish to recognize her support, leadership, and service, and wish her well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Ms. Daubert's dedication and excellence in performing her responsibilities and duties as a member, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Ms. Daubert.

Resolution moved by: Daubert

Resolution seconded by: Spanel

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board
Resolution #2010-32

A Resolution to Recognize the Service of Jeff Parsons
to the Residents of Washington State
and the Recreation and Conservation Funding Board

WHEREAS, from December 2004 through December 2010, Jeff Parsons served the residents of the state of Washington as a member of the Recreation and Conservation Funding Board; and

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

WHEREAS, Mr. Parsons helped the board embrace four new categories in the Washington Wildlife and Recreation Program, and was always willing to travel across the expanse of Eastern Washington to deliver a big check; and

WHEREAS, Mr. Parsons provided the board with valuable insight, leadership, and excellent advice that assisted in the development of exemplary policies and decisions for funding projects that promoted sound investments of public funds; and

WHEREAS, during his term, the board approved 974 grants, creating a state investment of \$301 million in Washington's great outdoors; and

WHEREAS, Mr. Parsons' term on the board expires on December 31, 2010; and

WHEREAS, members of the board wish to recognize his support, leadership, and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Parsons' dedication and excellence in performing his responsibilities and duties as a member, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Parsons.

Resolution moved by: Daubert _____

Resolution seconded by: Spanel _____

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010 _____

Recreation and Conservation Funding Board
Resolution #2010-32

A Resolution to Recognize the Service of Jeff Parsons
to the Residents of Washington State
and the Recreation and Conservation Funding Board

WHEREAS, from November 2004 through February 2009, William Chapman served the residents of the state of Washington as a member of the Recreation and Conservation Funding Board; and

WHEREAS, from March 2009 through December 2010, William Chapman served the residents of the state of Washington as the chair of the board; and

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

WHEREAS, Mr. Chapman's intellect, statesmanship, creativity, lawyerly debate skills, and general good thinking helped the board work through many challenging assignments, including embracing four new categories in the Washington Wildlife and Recreation Program and a statewide study of acquisitions; and

WHEREAS, Mr. Chapman provided the board with valuable insight, leadership, and excellent advice that assisted in the development of exemplary policies and decisions to fund 980 grants, creating a state investment of \$304 million in Washington's great outdoors; and

WHEREAS, Mr. Chapman's current term as chair expires on December 31, 2010; and

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

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Chapman's dedication and excellence in performing his responsibilities and duties as a member, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Chapman.

Resolution moved by: Daubert

Resolution seconded by: Spanel

Adopted/Defeated/Deferred (underline one)

Date: October 28, 2010

Recreation and Conservation Funding Board

Amended Resolution #2010-34

Adoption of Policy Updates and Changes Regarding Acquisitions (Manual 3)

WHEREAS, all projects funded by the Recreation and Conservation Funding Board (board) or the Salmon Recovery Funding Board that result in the acquisition of land or property rights must comply with policies adopted in *Manual #3: Acquiring Land*; and

WHEREAS, Manual #3 was last updated in March 2007, and Recreation and Conservation Office (RCO) staff identified various clarifications, revisions, and new issues that warrant an update to the policies; and

WHEREAS, RCO staff developed and circulated eleven significant policy proposals and several additional procedural revisions for public review and comment, thereby supporting the board's goals to (1) ensure that its work is conducted in an open manner and (2) deliver successful projects by using broad public participation and feedback; and

WHEREAS, the public responses provided constructive suggestions for modifications to the drafts and were generally supportive of nine of the eleven significant policy changes proposed by RCO staff; and

WHEREAS, based on public comment, RCO staff adjusted the drafts as appropriate and is recommending that the board approve only nine of the eleven significant policy changes; and

WHEREAS, adopting this revision would improve the policies and procedures governing acquisitions, thereby advancing the board's goal to help its partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems; and

WHEREAS, the RCO director currently has authority to implement the procedural changes as recommended by staff, based on public feedback;

NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt the statements of policy intent numbers two through eight shown in Attachment A as amended at the October 29, 2010 board meeting; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to incorporate these policy statements into Manual 3 with language that reflects the policy intent; and

BE IT FURTHER RESOLVED, that unless otherwise agreed to between a project sponsor and the RCO director, these policies shall be effective beginning January 1, 2011.

Resolution moved by: Daubert

Resolution seconded by: Spanel

Adopted/Defeated/Deferred (underline one)

Date: October 29, 2010

Recreation and Conservation Funding Board
Resolution #2010-35
Critical Updates for Boating Facilities Program

WHEREAS, RCW 79A.25.080 authorizes the Recreation and Conservation Office (RCO) to fund marine recreation land projects through the recreation resources account; and

WHEREAS, it is in the best interests of the state that RCO manage this program and funds based on a foundation of good data based on sound research, systematic analysis, and public involvement; and

WHEREAS, the Boating Grant Programs Policy Plan (Plan) was developed according to these principles; and

WHEREAS, in October 2009, the Recreation and Conservation Funding Board (board) approved the *Boating Programs Policy Plan*; and

WHEREAS, the *Boating Programs Policy Plan* states that the "Recreation and Conservation Funding Board shall encourage projects that best meet the needs of the boating public. Grant evaluation will be consistent with boater needs."; and

WHEREAS, RCO staff revised the scoring criteria for the Boating Facilities Program to align with the *Boating Programs Policy Plan*; and

WHEREAS, RCO staff circulated the policy revisions for public comment, thereby supporting the board's goal to ensure the work of the board and staff is conducted with integrity and in a fair and open manner, with broad public participation; and

WHEREAS, adopting this revision would further the boards' goal to develop strategic investment policies and plans so that projects selected for funding meet the state's recreation needs;

NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt the new policy language shown in Attachment A to the October 2010 board memo to add one sentence to question #1, remove question #6, and adjust the point total accordingly; and

BE IT FURTHER RESOLVED, that the board directs RCO staff to implement this policy beginning with the 2011 grant cycle.

Resolution moved by: Daubert

Resolution seconded by: Parsons

Adopted/Defeated/Deferred (underline one)

Date: October 29, 2010

Recreation and Conservation Funding Board
Resolution 2010-36
Approving Conversion for Statewide Water Access (RCO #68-603-A)

WHEREAS, the Washington State Department of Fish and Wildlife (WDFW) used a grant from the three separate funds (Land and Water Conservation Fund, bonds, and Boating Facilities) to acquire property on the Yakima River to provide public water access and fishing opportunities; and

WHEREAS, WDFW faced a claim of adverse possession along its southern boundary and proposes to enter into a land exchange with the adjacent private landowner to avoid the costs and uncertainty of litigation; and

WHEREAS, WDFW proposes to grant the portion of the site on the east side of the Yakima River (9 acres) to the adjacent landowner in exchange for property of equal value and equal or superior recreational utility; and

WHEREAS, due to the relatively high value of the nine acres to be exchanged, the exchange presents the opportunity to purchase property at three sites: 26 acres directly across the Yakima River; more than 1,600 feet of river frontage in a three-acre parcel up-river near Thorp; and, more than 100 acres at Mesa Lake in Franklin County; and

WHEREAS, the Recreation and Conservation Funding Board (board) and staff have determined the proposed exchange meets the following factors: (a) all practical alternatives to the conversion have been evaluated and rejected on a sound basis, (b) the proposed replacement property meets the program eligibility requirements, (c) justification exists to show that the replacement sites have reasonably equivalent utility and location, and (d) the fair market value of the converted property has been established and the proposed replacement land is of at least equal fair market value; and

WHEREAS, meeting these factors supports the board's goal to protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Recreation and Conservation Funding Board approves the partial conversion request and the proposed replacement sites for Project #68-603A Statewide Water Access and the submittal of the request to the National Park Service for final approval, and

BE IT FURTHER RESOLVED, that the Director is authorized to execute the necessary amendments subject to National Park Service action.

Resolution moved by: Parsons

Resolution seconded by: Derr

Adopted/Defeated/Deferred (underline one)

Date: October 29, 2010

Recreation and Conservation Funding Board
Resolution #2011-01
March 2011 Consent Agenda

BE IT RESOLVED, that the following March 2011 Consent Agenda items are approved:

- a. Recreation and Conservation Funding Board Meeting Minutes – October 28-29, 2010
- b. Time Extension Request:
 - i. Auburn Environmental Park, City of Auburn, Project #06-1834
- c. Recognition of Volunteer Evaluators and Committee Members

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Item 1B

Meeting Date: March 2011
Title: Project Time Extension
Prepared By: Leslie Ryan-Connelly, Grant Manager

Approved by the Director:

Proposed Action: Decision

Summary

Recreation and Conservation Office (RCO) staff requests that the Recreation and Conservation Funding Board (board) consider the proposed project time extension shown in Attachment A.

Strategic 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.

Staff Recommendation

Staff recommends approval of the time extension request for project #06-1834 via Resolution #2011-01 (consent calendar).

Background

Manual #7, *Funded Projects: Policies and the Project Agreement*, outlines the board's adopted policy for progress on active funded projects.

The RCO received a time extension request for the project 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 sponsors are requesting extensions to continue the agreements beyond the four-year period authorized in board policy.

Analysis

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;
- 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 reappropriation request levels for RCO.

Next Steps

If approved by the board, staff will execute the appropriate amendments and monitor progress through successful completion of the project.

Attachments

- A. Time Extension Request for Board Approval

Attachment A: Time Extension Request for Board Approval

Project #	Project sponsor	Project name	Grant program	Grant Amount Remaining	Funding date	Extension request	Circumstances or reasons for delay
06-1834	City of Auburn	Auburn Environmental Park	WWRP Urban Wildlife	\$453,551	6/7/2007	12/31/11	<p>This project was originally funded as one of the mitigation bank pilot projects in June 2007. The City of Auburn spent two years working through the mitigation banking permit process and was approved by the Department of Ecology as a mitigation bank. However, Auburn chose to not pursue development of a mitigation bank because of the cost and regulatory hurdles with implementation. In addition, the board discontinued the mitigation bank pilot project in 2009, so mitigation banking projects are no longer eligible for grant funding.</p> <p>Auburn completed development of a bird viewing tower (Phase 1) to look at the existing wetlands in June 2009. In January 2010, Auburn requested a scope change to remove the mitigation banking elements of the project and include land acquisition to expand the park area and develop a trail around the wetlands (Phase 2). The scope change was approved by the director in April 2010. Auburn completed acquisition of the Auburn Land Company property in September 2010, which expanded the park area by 29 acres.</p> <p>Auburn is now completing permitting and design of the trail (Phase 2 of the public access development) and will be ready to construct it this summer. The time extension would allow the construction to occur at the driest part of the year (August) rather than during the wet spring weather.</p>

Item 1C

Meeting Date: March 2011
Title: Service Recognition of Volunteer Evaluators
Prepared By: Lorinda Anderson

Approved by the Director:

Proposed Action: Decision

Summary

The Recreation and Conservation Office relies on volunteers to help administer its grant programs. Volunteers provide a strategic balance and perspective on program issues. Their activities, experience, and knowledge help shape program policies that guide us in selecting projects and administering grants.

The following individuals have completed their terms of service or have otherwise bid farewell after providing valuable analysis and excellent program advice. Outdoor recreationists in Washington will enjoy the results of their hard work and vision for years to come. Staff applauds their exceptional service and recommends approval of the attached resolutions via Resolution 2011-01 (consent).

Firearms and Archery Range Recreation Advisory Committee

Eric Biebesheimer	Citizen, Malott	6 years
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Land and Water Conservation Fund Advisory Committee

Bill Koss	State Parks and Recreation Commission	8 years
Dan Nelson	Citizen, Puyallup	3 years

Recreational Trails Program Advisory Committee

Lunell Haught	Citizen (hiker), Spokane	4 years
Thomas C. Windsor	Citizen (snowmobiler), Winthrop	4 years

Attachments

Individual Service Resolutions



A Resolution to Recognize the Service of

E ric B iebesheimer

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from July 2005 through August 2010, Eric Biebesheimer served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Firearms and Archery Range Recreation (FARR) Advisory Committee; and

WHEREAS, Mr. Biebesheimer's service assisted the State of Washington in providing recreational shooting sports facilities important to a variety of recreational pursuits statewide; and

WHEREAS, Mr. Biebesheimer provided valuable analysis and excellent advice that assisted in the development of exemplary program policies and the evaluation of local agency and nonprofit organization FARR projects for funding; and

WHEREAS, Mr. Biebesheimer always displayed great knowledge, passion for his work, thoughtfulness, a highly technical perspective, and a rare diligence to program improvement – all qualities which RCO staff greatly appreciates; and

WHEREAS, Mr. Biebesheimer assisted in the development of funding decisions to award grants to 22 projects, creating a state investment of more than \$1.8 million in Washington's great outdoors; and

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

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Biebesheimer's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation for his work and condolences to his family on his passing, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to his family.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

B i l l K o s s

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from July 2002 through June 2010, Bill Koss served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Land and Water Conservation Fund (LWCF) Advisory Committee; and

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

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency LWCF projects for funding; and

WHEREAS, Mr. Koss assisted in the development of funding decisions to award grants to 37 projects, creating a state investment of more than \$41 million in Washington's great outdoors; and

WHEREAS, the result of this service also included the evaluation of state agency Washington Wildlife and Recreation Program – State Lands Restoration projects; and

WHEREAS, members of the board wish to recognize his support and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Koss's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Koss.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

D an N elson

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from May 2008 through December 2010, Dan Nelson served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Land and Water Conservation Fund (LWCF) Advisory Committee; and

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

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency LWCF projects for funding; and

WHEREAS, Mr. Nelson assisted in the development of funding decisions to award grants to 10 projects, creating a state investment of more than \$10 million in Washington's great outdoors; and

WHEREAS, members of the board wish to recognize his support, and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Nelson's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Nelson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

L unell H aught

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from February 2007 through December 2010, Lunell Haught served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Recreational Trails Program (RTP) Advisory Committee; and

WHEREAS, Ms. Haught's service assisted the State of Washington in protecting some of its most important recreation lands and trails in the backcountry, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency and nonprofit organization RTP projects for funding; and

WHEREAS, members of the board wish to recognize her support and service, and wish her well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Ms. Haught's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Ms. Haught.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

T h o m a s C. W i n d s o r

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from February 2007 through December 2010, Thomas C. Windsor served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Recreational Trails Program (RTP) Advisory Committee; and

WHEREAS, Mr. Windsor's service assisted the State of Washington in protecting some of its most important recreation lands and trails in the backcountry, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency and nonprofit organization RTP projects for funding; and

WHEREAS, members of the board wish to recognize his support and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Windsor's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Windsor.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

E ric B iebesheimer

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from July 2005 through August 2010, Eric Biebesheimer served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Firearms and Archery Range Recreation (FARR) Advisory Committee; and

WHEREAS, Mr. Biebesheimer's service assisted the State of Washington in providing recreational shooting sports facilities important to a variety of recreational pursuits statewide; and

WHEREAS, Mr. Biebesheimer provided valuable analysis and excellent advice that assisted in the development of exemplary program policies and the evaluation of local agency and nonprofit organization FARR projects for funding; and

WHEREAS, Mr. Biebesheimer always displayed great knowledge, passion for his work, thoughtfulness, a highly technical perspective, and a rare diligence to program improvement – all qualities which RCO staff greatly appreciates; and

WHEREAS, Mr. Biebesheimer assisted in the development of funding decisions to award grants to 22 projects, creating a state investment of more than \$1.8 million in Washington's great outdoors; and

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

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Biebesheimer's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation for his work and condolences to his family on his passing, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to his family.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

Bill Koss

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from July 2002 through June 2010, Bill Koss served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Land and Water Conservation Fund (LWCF) Advisory Committee; and

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

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency LWCF projects for funding; and

WHEREAS, Mr. Koss assisted in the development of funding decisions to award grants to 37 projects, creating a state investment of more than \$41 million in Washington's great outdoors; and

WHEREAS, the result of this service also included the evaluation of state agency Washington Wildlife and Recreation Program – State Lands Restoration projects; and

WHEREAS, members of the board wish to recognize his support and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Koss's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Koss.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

D an N elson

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from May 2008 through December 2010, Dan Nelson served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Land and Water Conservation Fund (LWCF) Advisory Committee; and

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

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency LWCF projects for funding; and

WHEREAS, Mr. Nelson assisted in the development of funding decisions to award grants to 10 projects, creating a state investment of more than \$10 million in Washington's great outdoors; and

WHEREAS, members of the board wish to recognize his support, and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Nelson's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Nelson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

L unell H aught

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from February 2007 through December 2010, Lunell Haught served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Recreational Trails Program (RTP) Advisory Committee; and

WHEREAS, Ms. Haught's service assisted the State of Washington in protecting some of its most important recreation lands and trails in the backcountry, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency and nonprofit organization RTP projects for funding; and

WHEREAS, members of the board wish to recognize her support and service, and wish her well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Ms. Haught's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Ms. Haught.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair



A Resolution to Recognize the Service of

Thomas C. Windsor

To the Residents of Washington State and the Recreation and Conservation Funding Board

WHEREAS, from February 2007 through December 2010, Thomas C. Windsor served the residents of the state of Washington and the Recreation and Conservation Office by participating on the Recreational Trails Program (RTP) Advisory Committee; and

WHEREAS, Mr. Windsor's service assisted the State of Washington in protecting some of its most important recreation lands and trails in the backcountry, and in providing opportunities for a variety of recreational pursuits statewide; and

WHEREAS, the result of this service was the provision of valuable analysis and excellent advice that assisted in the development of exemplary program policies, program planning, and the evaluation of state and local agency and nonprofit organization RTP projects for funding; and

WHEREAS, members of the board wish to recognize his support and service, and wish him well in future endeavors;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Windsor's dedication and excellence in performing these services, the board and its staff extend their sincere appreciation and compliments on a job well done, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent with a letter of appreciation to Mr. Windsor.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on March 31, 2011

Bill Chapman, Chair

Item 2A

Meeting Date: March 2011
Title: Director's Report
Prepared By: Kaleen Cottingham, Director

Proposed Action: Briefing

Summary

To minimize duplication, some items that might normally be included in the director's report have been deleted here and included in other memos throughout the notebook (such as the policy director's report, legislative update, and the grant manager's report).

Audits and Related Reviews

The following list shows the current audits being conducted by the state Auditor's Office, legislative review committees, and federal agencies:

- **A-133 Federal Single Audit by the State Auditor:** RCO was not audited this year. However, because our correction to the cash management finding was not in place for the full 2010 fiscal year, RCO will have a repeat finding in this area. This relates to how we deal with advances for salmon recovery grants.
- **General Accountability Audit by the State Auditor:** The auditor is taking an in-depth look at eight individual state funded grants in the following programs --Youth Athletic Facilities, Firearm and Archery Range Recreation, and Salmon Recovery.
- **National Park Service Program Review:** This review is complete. RCO has asked for clarification on draft recommendation relating to decision-making on cultural resources. We expect a final report and recommendations for changes soon. We expect to see recommendations to address issues in conversions, cultural resources relationships and procedures, and inspections.
- **Joint Legislative Audit and Review Committee – Boating Study:** This study compared revenues with expenditures on recreational boating. Report is final and there are no recommendations impacting RCO.
- **Joint Transportation Committee – Gas Tax Review:** This was a review of gas tax revenues and un-met needs for all off-road recreational programs. This report summarized information and did not offer recommendations.

- **Environmental Protection Agency (EPA) Administrative Review:** EPA will review use of National Estuary Program funds managed by RCO on behalf of the Puget Sound Partnership. This review will be completed in late March.

Requiring Backup for Recreation and Conservation Invoices

As a result of audit findings, RCO is requiring more documentation for grant invoices, adding to the list the grants for recreation and conservation projects. RCO staff has scored sponsors, which determined the level of documentation provided for all invoices. We have shared those scores with sponsors for feedback. Some sponsors will provide expanded documents with each invoice while others will provide expanded documents less frequently. The change, which already is in place for salmon grants, will be effective for all invoices received March 15, 2011 forward.

Employee Survey Summary

On February 2, we discussed with staff the results of the agency self-assessment, which was conducted last fall. This year we had 46 respondents, which was much higher than the 37 we received last year. The overall results indicated that RCO is doing very well in the areas of ethics and communications. Areas we will focus on improving this year include setting priorities, process improvement, innovation through technology, and communication.

News from Our Sister Boards

Salmon Recovery Funding Board (SRFB): The SRFB met on March 2. The day began with service recognition for former board member and chair Steve Tharinger. The standard management and partner reports took up most of the morning, followed by selection of Bud Hover as a new subcommittee member. The afternoon included three presentations from the Governor's Salmon Recovery Office, including the long-term funding strategy and preliminary discussions of lead entity and region funding for 2011-2013.

Washington Biodiversity Council: Biodiversity staff continues to transition projects from the council to other willing recipients. In February, staff met with representatives from the Washington Department of Fish and Wildlife, Department of Natural Resources, and State Parks and Recreation Commission about their interest in the biodiversity scorecard project and the future of the council's Web site.

Washington Invasive Species Council: Council and staff are putting the final touches on two major projects – the baseline assessment of invasive species in the Puget Sound basin and an educational Web site. The assessment is in the final editing stage and is due March 1. Design work on the information clearinghouse web site continues with final designs set to be completed by March 1. Staff also is creating additional fact sheets on the state's top 50 priority

species and will be distributing its newly created invasive animal species field guide to county weed coordinators at their annual meeting in March.

Habitat and Recreation Lands Coordinating Group: The Habitat and Recreation Lands Coordinating Group is developing plans for the first State Land Acquisition Monitoring Report. The report is aimed at monitoring the success of state land acquisitions. It will present maps and data that compare closed projects with their initial proposals. The report will be published on the lands group Web site in September.

Washington Forum on Monitoring Salmon Recovery and Watershed Health: The forum's final meeting before being dissolved will be on March 30. Topics to be discussed include a final Memorandum of Understanding intended to guide any ongoing monitoring coordination needs among signing agencies. The Forum will also finalize a document outlining "lessons learned" that will summarize the accomplishments and knowledge gained through the forum's efforts to coordinate monitoring across state, federal, tribal, local, and watersheds.

Governor's Salmon Recovery Office (GSRO): Staff completed the "2010 State of the Salmon in Watersheds" report (http://www.rco.wa.gov/doc_pages/other_pubs.shtml#gsro). This is the sixth biennial report and the first prepared within RCO. It consolidates the State of Salmon report with the SRFB report, information from the monitoring forum, and a watershed planning update by the Department of Ecology. Key information includes:

- 1) An indication that 9 of 12 listed species are stable or increasing in numbers.
- 2) Water quality and quantity appears to be improving.
- 3) Development is competing with habitat restoration and protection.
- 4) Implementation of recovery plans progressed in six of seven habitat limiting factors.
- 5) Funding was targeted toward the restoration of damaged habitat and protection of pristine areas used by salmon.

It also is clear that more information is needed on fish abundance, habitat status and trends, land use and land cover, and plan implementation progress.

Item 2B

Meeting Date: March 2011
Title: Fiscal Report
Prepared By: Mark Jarasitis, Chief Financial Office

Approved by the Director:

Proposed Action: Briefing

Recreation and Conservation Funding Board Fiscal Report

The attached financial reports reflect Recreation and Conservation Funding Board (board) activities as of January 31, 2011.

- Attachment A reflects the budget status of board activities by program.
- Attachment B reflects the budget status of the entire agency by board.
- Attachment C reflects the revenue collections.
- Attachment D is a Washington Wildlife Recreation Program (WWRP) summary.
 - Since the beginning of the WWRP program, \$615 million (88 percent) of funds appropriated in the WWRP program have been spent or accrued.
 - Effective February 2011, the FY 2011 Supplemental Budget moved \$1,082,295 in WWRP Farmland Account funds into reserve status. They are no longer available to spend.

If you have any questions on the materials, please call Mark Jarasitis at (360) 902-3006 or inquire at the meeting.

Attachments

- A. Recreation and Conservation Funding Board - Activities by Program
- B. Recreation and Conservation Office – Entire Agency Summary by Board
- C. Recreation and Conservation Funding Board – Revenue Report
- D. Recreation and Conservation Funding Board – Washington Wildlife and Recreation Program Summary

Recreation and Conservation Funding Board - Activities by Program

For the Period of July 1, 2009 - June 30, 2011, actuals through 1/31/11 (fm 19)

Percentage of biennium reported: 79.1%

	BUDGET	COMMITTED		TO BE COMMITTED		EXPENDITURES	
	new & reapp. 2009-11	Dollars	% of budget	Dollars	% of budget	Dollars	% of committed
Grant Programs							
WA Wildlife & Rec. Program (WWRP)							
WWRP Reappropriations	\$68,386,791	\$66,666,185	97%	\$1,720,607	2.5%	\$34,120,204	51.2%
WWRP New 09-11 Funds	\$67,344,750	\$67,081,309	100%	\$263,441	39.00%	\$25,485,348	38.0%
Boating Facilities Program (BFP)							
BFP Reappropriations	6,043,203	6,043,203	100%	0	0.0%	4,411,754	73.0%
Nonhighway & Off-Road Vehicle (NOVA)							
NOVA Reappropriations	7,790,780	7,746,404	99%	44,376	1.0%	4,341,928	46.1%
Land & Water Conserv. Fund (LWCF)							
LWCF Reappropriations	1,583,505	1,583,505	100%	0	0%	1,041,114	65.7%
LWCF New 09-11 Funds	2,019,598	2,019,598	100%	0	0%	109,698	5.4%
Aquatic Lands Enhan. Account (ALEA)							
ALEA Reappropriations	3,904,216	3,904,216	100%	0	0.0%	1,538,029	39.4%
ALEA New 09-11 Funds	5,570,009	5,570,009	100%	0	0.0%	2,102,188	37.7%
Recreational Trails Program (RTP)							
RTP Reappropriations	1,172,110	1,172,110	100%	0	0.0%	1,159,163	98.9%
RTP New 09-11 Funds	3,989,301	3,989,301	100%	0	0.0%	1,067,414	26.8%
Youth Athletic Facilities (YAF)							
YAF Reappropriations	1,735,796	1,735,796	100%	0	0.0%	914,904	52.7%
Firearms & Archery Range Rec (FARR)							
FARR Reappropriations	430,199	360,072	84%	70,127	16%	208,831	58.0%
FARR New 09-11 Funds	495,000	262,421	53%	232,579	47%	79,432	30.3%
Boating Infrastructure Grants (BIG)							
BIG Reappropriations	142,478	142,478	100%	0	0%	87,888	61.7%
BIG New 09-11 Funds	750,000	750,000	100%	0	0%	48,923	6.5%
Sub Total Grant Programs	171,357,736	169,026,606	99%	2,331,130	1%	76,716,818	45.4%
Administration							
General Operating Funds	6,578,871	6,578,871	100%	0	0%	4,896,577	74.4%
Grant and Administration Total	\$177,936,607	\$175,605,477	99%	\$2,331,130	1%	\$81,613,395	46.5%

Note: The budget column shows the state appropriations and any received federal awards.

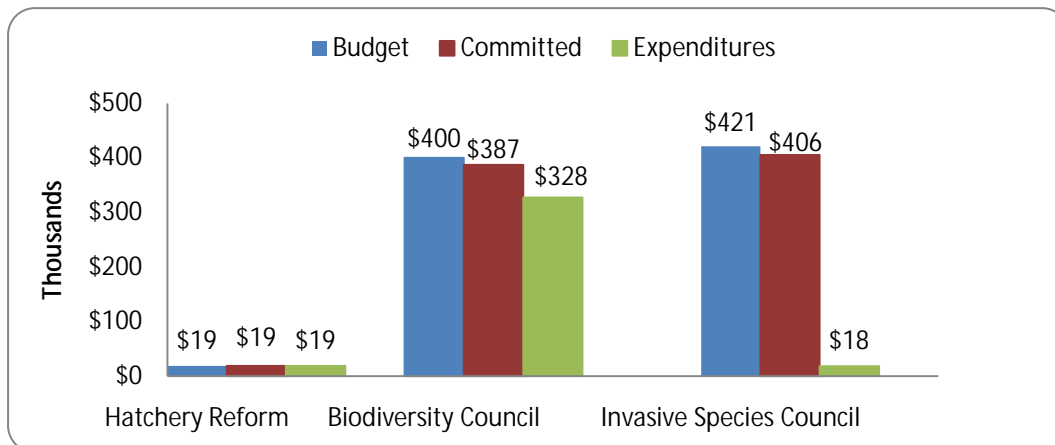
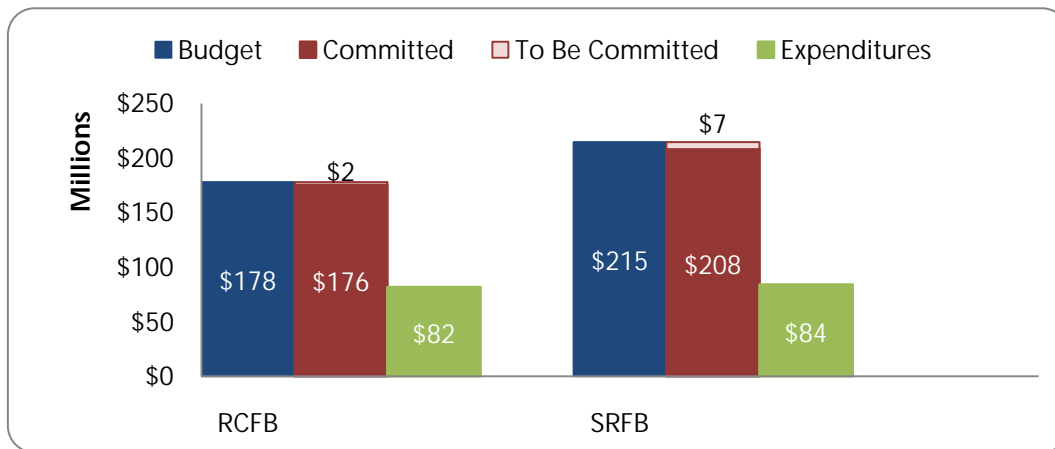
Recreation and Conservation Office – Entire Agency Summary by Board

2009-11 Budget Status Report, Capital + Operating the Agency

For the Period of July 1, 2009 - June 30, 2011, actuals through 1/31/11 (fm 19)

Percentage of biennium reported: 79.1%

	BUDGET			COMMITTED		TO BE COMMITTED		EXPENDITURES	
	New	Reapp.	new and reapp. 2009-2011	Dollars	% of budget	Dollars	% of budget	Dollars	% of committed
Board/Program									
RCFB	\$85,107,799	\$92,828,808	177,936,607	\$175,605,477	99%	\$2,331,130	1.31%	\$81,613,395	46%
SRFB	175,361,887	39,284,975	214,646,862	208,072,020	97%	6,574,842	30.60%	83,894,909	40%
Hatchery Reform	-	18,849	18,849	18,849	100%	0	0.00%	18,849	100%
Biodiversity Council	387,472	-	387,472	387,472	100%	0	0.00%	327,567	85%
invasive Species Council	405,660	-	405,660	405,660	100%	0	0.00%	287,075	71%
Total	\$261,262,817	\$132,132,632	\$393,395,449	\$384,489,478	98%	\$8,905,971	2.26%	\$166,141,795	43%



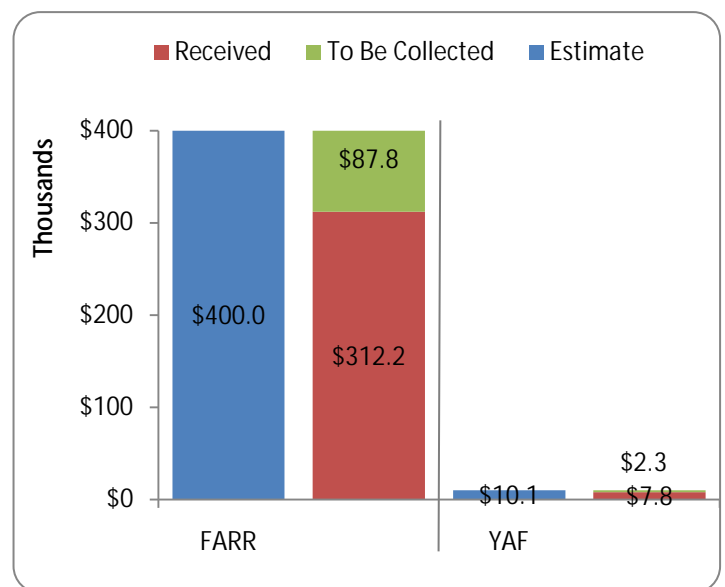
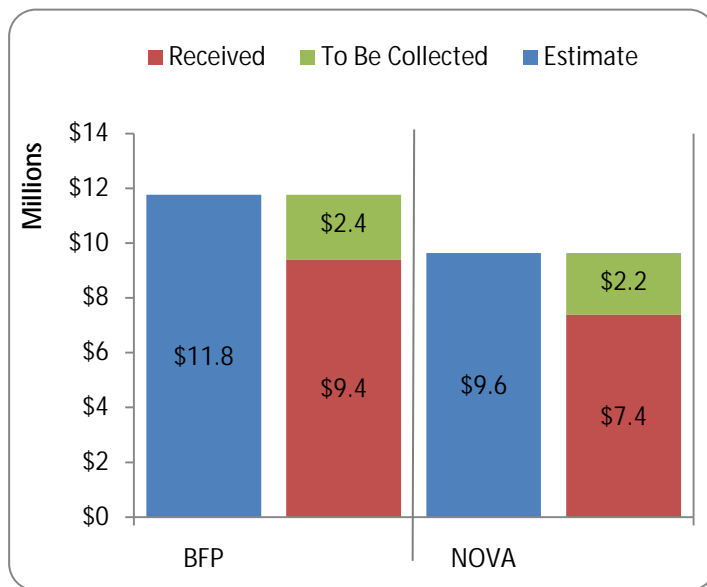
Recreation and Conservation Funding Board – Revenue Report

2009-11 Budget Status Report - Revenues

For the Period of July 1, 2009 - June 30, 2011, actuals through 1/31/11 (fm 19)

Percentage of biennium reported: 79.1%

Revenue	Bienial Forecast	Collections	
	Estimate	Actual	% of Estimate
Boating Facilities Program (BFP)	\$11,766,400	\$9,411,791	80%
Nonhighway, Off-Road Vehicle Program (NOVA)	9,642,868	7,398,003	77%
Firearms and Archery Range Rec Program (FARR)	400,000	312,162	78%
Youth Athletic Facilities (YAF)	10,139	7,821	77%
Total	21,819,407	17,129,777	79%



Revenue Notes:

Boating Facilities Program (BFP) revenue is from the unrefunded marine gasoline taxes.

Nonhighway, Off-Road Vehicle Program (NOVA) revenue is from the motor vehicle gasoline tax paid by users of ORVs and nonhighway roads and from the amount paid for by ORV use permits.

Firearms and Archery Range Rec Program (FARR) revenue is from \$3 each concealed pistol license fee.

Youth Athletic Facilities (YAF) revenue is from an initial \$10 million contribution by the Seattle Seahawks "team affiliate" in 1998. The new revenue is from the interest on the unexpended amount of the fund.

This reflects the most recent revenue forecast of November 2010. The next forecast is due in March 2011.

RCFB – Washington Wildlife and Recreation Program Summary

1990 Through February 23, 2011

History of Biennial Appropriations

Biennium	Appropriation
89-91 Biennium	\$53,000,000
91-93 Biennium	61,150,000
93-95 Biennium	65,000,000
95-97 Biennium*	43,760,000
97-99 Biennium	45,000,000
99-01 Biennium	48,000,000
01-03 Biennium	45,000,000
03-05 Biennium	45,000,000
05-07 Biennium **	48,500,000
07-09 Biennium ***	95,491,955
09-11 Biennium ****	67,344,750
Grand Total	\$617,246,705

Notes to History of Biennial Appropriations:

* Original appropriation was \$45 million.

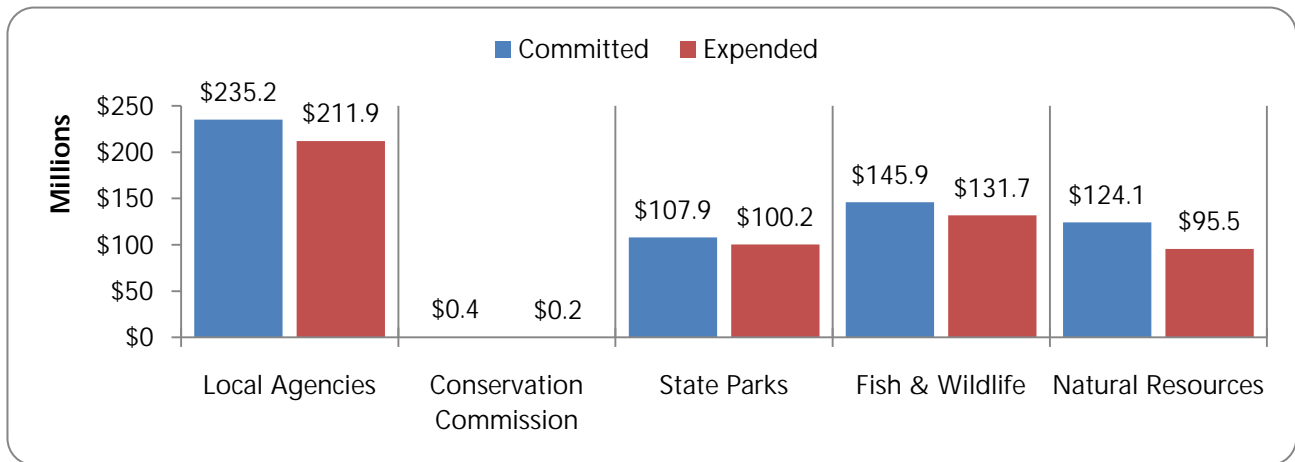
** Entire appropriation was \$50 million.
3% (\$1,500,000) went to admin.

*** Entire appropriation was \$100 million.
3% (\$3,000,000) went to admin. Removed \$981,000 with FY 10 supplemental, removed \$527,045 with FY 2011 supplemental.

**** Entire appropriation was \$70 million.
3% (\$2,100,000) went to admin. Removed \$555,250 with FY 2011 supplemental.

History of Committed and Expenditures

Agency	Committed	Expenditures	% Expended
Local Agencies	\$235,216,127	\$211,901,557	90%
Conservation Commission	\$383,178	\$173,178	45%
State Parks	\$107,869,078	\$100,171,048	93%
Fish & Wildlife	\$145,943,371	\$131,735,304	90%
Natural Resources	\$124,115,892	\$95,456,070	76%
Riparian Habitat Admin	\$185,046	\$185,046	100%
Land Inventory	\$549,965	\$549,965	100%
Sub Total Committed	\$615,262,657	\$540,181,168	88%



Item 2C

Meeting Date: March 2011
Title: Legislative and Budget Update
Prepared By: Steve McLellan, Policy Director

Approved by the Director:

Proposed Action: Briefing

Summary

The 2011 regular legislative session began on January 10 and is scheduled to end on April 24. Staff will provide an update on key activities at the board meeting on March 31, 2011.

Budget Update

Current Biennial Budget

The Legislature approved the most recent version of the supplemental budget on February 18 (covering the current fiscal year). It contained no further reductions for RCO beyond those taken in last December's "early action" budget.

As of this writing, it appears that no further reductions will be needed to balance the state books by June 30. Lawmakers are expected to close the remaining gap by delaying a payment to school districts into the next biennium.

A number of key data points will be updated after the mailing date of this memorandum, so staff will provide the board with a more detailed report at the meeting.

2011-13 Biennial Budget

The next revenue forecast is scheduled for March 17. There are growing concerns that the forecast may show an additional decline, but as of this writing that is not confirmed. The March 17 forecast will set the revenue level to which lawmakers will write the 2011-2013 operating budget, so discussion of most major budget issues (consolidation, fee proposals, employee compensation and benefits, diversion of dedicated funds) will come into sharper focus after that date.

The March 17 revenue forecast will have a significant effect on the capital budget. Because of constitutional (and statutory) debt limits, the amount of new bonds that can be issued is partly driven by the amount of money in the general fund. We expect capital resources to be extremely

tight. Current projections are that new bonding capacity will be below that estimated by the Governor when she issued her proposal last December. OFM and lawmakers are looking at options to increase bonding capacity and are likely to target capital resources first to job-creating projects. As of this date, there appear to be significant differences between the House and Senate in their philosophical approach to the capital budget, as well as in overall funding levels.

RCO Grant Funding

The Governor's proposed budget provided no funding for WWRP. Instead, the budget provided \$20 million for a Puget Sound WWRP that focused exclusively on projects that would advance Puget Sound recovery. It appears that both the House and Senate are unlikely to adopt this approach and, if WWRP funds are provided, they will be spread across the state. It is not clear whether the legislative proposals will use the statutory WWRP formulas, or will suspend the formulas and target grants based on jobs created. ALEA received no funding in the Governor's budget proposal and no funding is likely in the legislature as well.

The Governor's budget specifically prohibited land acquisition by state agencies. Acquisitions by local government or non-profit sponsors would still be allowed. At present it is not clear whether the legislature will agree with this limitation.

The Governor's budget restored the NOVA and Boating program money that was swept last budget cycle to backfill the State Parks budget. The Governor's budget also provided RCO with the critical operating dollars from these funds. As of this writing, it appears likely that those funds will remain with RCO.

Effects on Staffing and Agency Operations

Budget cuts in both the operating and capital budgets will likely lead to reductions in our staffing; at this point, we believe the reduction could be between six and nine positions – about 10-15 percent of the agency (based on the Governor's proposed budget). This may be balanced by retirements or other savings. Any cuts we need to make now or in the future will be based upon business needs. The Director has asked staff to share ideas for savings. We are also watching closely the developments on the federal level. It appears that the Recreational Trails Program money is secure for this funding cycle. Funding for the Land and Water Conservation Fund and for some of the key salmon programs administered by the agency is less certain.

Legislative Updates

The following are some highlights of the legislative session. Staff will provide an updated list of bills at the board's March meeting.

Natural Resources Consolidation

The Governor introduced request legislation to consolidate RCO with the Department of Fish and Wildlife and the State Parks and Recreation Commission, into a new Department beginning July 1,

2012. The bill (SB 5669) has moved to the Senate Ways and Means Committee. Because it is considered part of overall budget decisions, it is exempt from cutoff dates. We expect it will be at least a couple of weeks before further hearings are scheduled. A companion bill (HB 1850) was introduced in the House but was not heard.

Under the proposal as passed by the Senate committee, the name of the new agency was changed to the Department of Fish, Wildlife, and Recreation. The Recreation and Conservation Funding Board would be retained as a strong board with final, independent authority over any issues involving the new agency as a grant applicant or grant recipient. A number of major changes were made in committee restoring policy authority to the Fish and Wildlife Commission and the State Parks and Recreation Commission.

Key interest groups and the Governor's office still have significant concerns with the bill, so more changes are likely, and we also are awaiting final release of the prime sponsor's estimate of how much consolidation will save. The consolidation bill and natural resource fee bills are in Senate Ways and Means and are likely to be approached as a "package" by the Senate later in the session. As of this date, the passage of consolidation legislation is highly uncertain.

Elimination of the Boards and Commissions

HB 1371 and SB 5469 (both requested by the Governor) initially were written to eliminate the Salmon Recovery Funding Board (SRFB), the NOVA Advisory Committee, and the FARR advisory committee. HB 1371 was amended in committee to allow the SRFB to continue in existence. The NOVA advisory committee also was restored, but the statutory FARR advisory committee would still be eliminated. The bill is awaiting action by the full House.

We expect efforts in the Senate to change the bill back to something closer to the Governor's original proposal.

Changes to WWRP

We are also tracking SB 5825, a bill requested by OFM that would make major changes in the way WWRP grants (among others) are structured. We have raised concerns about the workability of the approach (which in the bill splits contracts into "preconstruction" and "construction" phases) and are working with OFM and other stakeholders on an alternative approach that would add a simple four-year time limit for WWRP grants. The bill is designed to reduce the level of reappropriations. It is likely that some form of this bill will proceed.

Invasive Species Council

RCO request legislation (HB 1413) to extend the Invasive Species Council until June 30, 2017 remains alive at this time. HB 1413 was passed by the House on February 28, and sent to the Senate, where it has been heard by the Natural Resources & Marine Waters. This committee passed the Senate version of the bill earlier in the session.

Under the bill, the Council will be required to find operating funding from sources other than the general fund. We are expecting to receive a small appropriation from the vessel response account, and to ask for contributions from member agencies. Based on initial responses we are confident that needed funding can be secured.

Item 2D

Meeting Date: March 2011
Title: Policy Report
Prepared By: Steve McLellan, Policy Director

Approved by the Director:

Proposed Action: Briefing

The Policy Section is working on a number of issues at the request of the Recreation and Conservation Funding Board (RCFB), Salmon Recovery Funding Board (SRFB), the legislature, and the Recreation and Conservation Office (RCO) staff and director. This memo highlights the status of some key efforts.

Recreational Cabin Eligibility Policy

Policy staff is developing a proposal to clarify the eligibility of overnight recreational cabins on grant funded property. The existing policy on the kinds of cabins that are eligible for reimbursement is unclear. Specifically:

- The policy manual on development projects says that typical overnight facilities that are eligible for reimbursement include tent and recreational vehicle camping areas.
- The policy manual on acquisitions says that "overnight rustic cabins" that are compatible with the funding purposes are eligible for reimbursement.

The staff proposal will add language to clarify existing policy to help staff and sponsors identify which types of cabins are eligible. The proposal will be presented to the board in June 2011.

SCORP Update

Staff is beginning to make plans to develop the next required State Comprehensive Outdoor Recreation Plan (SCORP). The SCORP is required as a condition of receiving federal Land and Water Conservation Fund money. Staff is developing alternatives for gathering data about how citizens participate in recreational activities, the extent and state of recreational lands and facilities available, public involvement, and board participation. Some planning money is expected to be available from the National Park Service. Staff will provide the board with additional information on the SCORP process at the next meeting.

Puget Sound Partnership Target Setting

The Puget Sound Partnership is developing ecosystem targets to articulate a vision of a healthy Puget Sound by 2020. The targets are currently scheduled to be incorporated into the next Action Agenda revision at the end of 2011 to help state agencies – including RCO – and others implement the strategy. There will be two types of targets:

- ecosystem component targets (for desired future conditions of human health and well-being, species and food webs, habitats, water quantity, and water quality), and
- ecosystem pressure targets (for desired reduction in the level of each pressure on the ecosystem).

About 25 targets will be set, including the Dashboard Ecosystem Indicators for swimming beaches, quality of life index, birds, land use/land cover, and the programmatic target for funding Puget Sound Action Agenda Engagement. RCO policy staff is tracking the developments. At this point, staff does not expect that RCO policies would need to change as a result of the new targets. In the future, RCO may need to adjust procedures for collecting project data in order to report consistently with the Puget Sound targets.

Item 2E

Meeting Date: March 2011
Title: Recreation and Conservation Grants Management Report
Prepared By: Scott Robinson and Marguerite Austin, Section Managers

Approved by the Director:

Proposed Action: Briefing

Overview of Grant Evaluations for 2011

The Recreation and Conservation Funding Board (board) will award grants for several grant programs during 2011.

Grants for Consideration in June

The Recreation and Conservation Office (RCO) received 140 applications for these programs by the January 10 deadline, as shown in the following table.

Program	Projects	Grant Requests	Applicant Match	Total
Boating Facilities	38	\$13,440,203	\$3,595,059	\$16,318,262
Firearms and Archery Range Recreation	8	\$478,344	\$514,157	\$992,501
Nonhighway and Off-Road Vehicle Activities	94	\$10,051,087	\$5,105,450	\$15,156,537

The standing advisory committees for each program reviewed the proposals and applicants are refining their projects and preparing for evaluations in April. Pending fund availability, the board will be asked to award grants in these three programs at the June 2011 meeting.

Grants for Other Consideration

On February 15, RCO began accepting applications for three federally-funded grant programs:

- Boating Infrastructure Grant (BIG)
- Land and Water Conservation Fund (LWCF)
- Recreational Trails Program (RTP)

As of March 15, the agency had received 44 applications requesting nearly \$4.7 million. The application deadline for all three programs is May 2.

In September, the director will submit BIG Tier 1 applications to the U.S. Fish and Wildlife Service for its consideration. For projects in the BIG Tier 2 program, we will compare the federal due

date (when it is published) against board meeting dates to determine whether we will need to ask the board to delegate submission authority to the director.

In November, the board will approve ranked lists for LWCF and RTP pending receipt of federal funds.

Grant Funds: BIG for Federal Fiscal Year 2011

In September 2010, the RCO director approved submission of five Boating Infrastructure Grant (BIG) Tier 2 projects to the U.S. Fish and Wildlife Service for federal fiscal year 2011 fund consideration.

On March 14, 2011, Secretary of the Interior Ken Salazar announced grant awards of more than \$13.5 million for 16 Tier 2 projects. One recipient is the Port of Anacortes, which will receive a grant of \$1,447,532. Funding for the Port's project represents 11 percent of the entire funding provided for Tier 2 nationally. Although BIG requires only a 25 percent matching share, the Port is providing 50 percent of the cost for this \$2.8 million project.

The project will replace two moorage docks that are more than 40 years old with state-of-the-art floats and upgraded amenities for 54 transient moorage slips. The project is located at Cap Santé Boat Haven, which has 30 moorage slips and receives more than 11,000 requests a year for guest moorage. Cap Santé, on Fildalgo Bay, is a major Pacific Northwest destination that serves as the gateway to the San Juan Islands in the Puget Sound.

Grant Funds: RTP for Federal Fiscal Year 2011

In October 2010, the board approved a ranked list of projects for the Recreational Trails Program (RTP) for federal fiscal year 2011. These projects provide education, renovation, and maintenance of recreational trails and facilities that provide a backcountry experience.

Congress appropriated funds earlier this year, and the Department of Highway Administration allocated \$839,730 for Washington State; sufficient to provide funding for 15 projects on the board-approved ranked list. Staff does not expect any additional funds for this grant round during this federal fiscal year, but if funds do become available, the list includes 71 remaining alternates.

LWCF Program Review

Last fall, the National Park Service (NPS) conducted a review of RCO's administration of the Land and Water Conservation Fund program. NPS has provided RCO staff with a preliminary draft of its program review report. The report includes several positive comments about RCO's administration of the program, and identifies three areas that need attention: (1) appraisal and appraisal review requirements, (2) resolution of compliance issues, and (3) the need for a programmatic agreement with the state Department of Archeological and Historic Preservation

for addressing potential impacts to cultural, archaeological or historic resources. The National Park Service will send its final report to the Governor within the next few weeks.

PRISM Update: Final Report

In late January, RCO staff released a new feature in PRISM that allows sponsors to electronically submit their final report to RCO.

The RCO requires that the sponsor submit the report; the grant manager must accept it before authorizing the final payment. The final report tells the complete story of the RCO-funded project, and includes metrics, dollars spent, and an updated project description. The metrics include information about the overall project, as well as the specific properties or worksites. Examples include acres acquired or renovated, stream miles restored, and elements such as lighting, fencing, and parking. RCO will use the information to measure long-term compliance with the grant agreement.

Staff Activity

Revised Acquisitions Manual

The Recreation and Conservation Funding Board (RCFB) approved significant policy changes for funded RCO acquisition projects at its meeting in October 2010.

Following that decision, staff finalized the manual and put the improved acquisition projects manual online. It is now in use by staff for agreements signed after December 1, 2010. RCO staff has been attending a series of trainings to better understand the complex aspects of acquiring land.

Appraisals

At the same time, some issues regarding possible changes to appraisal standards ("federal Yellow book") and possible changes in how timber is valued were left to further staff work.

In January, RCO solicited for appraisal services to provide staff training on appraisal standards, conduct an internal audit of a small set of appraisals on completed projects, review the Land and Water Conservation Fund appraisal recommendations, and provide recommendations to RCO on improving its procedures and policies regarding appraisal practices. Seven consultants submitted proposals. RCO is currently negotiating the contract with the appraisers that submitted the top ranked proposal. The scope of work is scheduled through June 30, 2010. After the work is complete, RCO will determine next steps for additional changes that may be needed for RCO's acquisition policies and bring an update to the board. Staff also has met with Robert Meier of Rayonier about possible changes to timber valuation on conservation lands; those discussions are ongoing.

Annual RCO/DAHP Meeting

In 2009, RCO and the Department of Archeology and Historic Preservation (DAHP) executed the agencies' first programmatic agreement to address projects and project elements that would be exempt from further cultural resources review. The intent was to streamline the cultural resources review process. For example, it was agreed that certain projects -- including planning and education projects -- would (by definition) be deemed to have no impacts on cultural resources. As a part of the agreement, the agencies also agreed to meet annually to discuss possible updates to the agreement and other issues of common interest.

The 2011 meeting between RCO and DAHP occurred in early February. Discussion points included communication between the agencies, potential changes to the programmatic agreement of exemptions, and a review of the comments received during a recent RCO staff cultural resources questionnaire. As a result of the meeting, RCO and DAHP staff updated the programmatic agreement by adding project types that are considered exempt and scheduled training for grants managers in October 2011.

State Auditor Finding Regarding Whistleblower Complaint

A citizen contacted the State Auditor's Office Citizen Hotline on March 29, 2010, regarding RCO's Farmland Preservation grants in WWRP. Specifically, the individual was concerned about a \$750,000 grant for Snohomish County to purchase a property known as the People's Ranch. The citizen had concerns that Snohomish County's application misrepresented the value of development rights it wished to purchase with the grant. The citizen also questioned whether the board's grant approval process violated the Open Public Meetings Act and complied with Farmland Preservation grant award evaluation requirements.

After several months of investigation, the State Auditor's Office (SAO) found that the county's farmland grant proposal was evaluated in accordance with program guidelines and complied with the Open Public Meetings Act. The SAO did identify concerns with the county's documentation supporting the market value of development rights for the property. The RCO is waiting for the final SAO findings to be released to see what if any additional follow-up is needed.

RCO staff independently conducted a fiscal review of the county in 2010 and found an issue related to the way in which they tracked staff time. This issue was minor and has been corrected.

With regard to the specific project, the County engaged an independent appraisal of the property in March 2009, which was subsequently rejected by the federal review appraiser. RCO staff also shared its concerns about the initial appraisal with Snohomish County. Since that time, the County engaged a different appraiser to do a new report, which is currently in the federal review process. RCO is waiting for the outcome of that review and has not reimbursed Snohomish County for any expenses other than a small amount for project administration.

Project Administration

This table summarizes the outdoor recreation and habitat conservation projects currently being administered by staff:

- Active projects are under agreement.
- Staff is working with sponsors to place the “Board Funded” and “Director Approved” projects under agreement.
- “Board preliminary approved” is the status for projects in WWRP and ALEA that the board forwarded to the Governor and Legislature. They are subject to funding in the next biennium, and will be considered for final approval in June.

In addition, staff has several hundred funded projects that they monitor for long-term compliance.

Program	Active Projects	Board Funded Projects	Director Approved Projects	Total	Board Preliminary Approved
Aquatic Lands Enhancement Account (ALEA)	18	0	1	19	27
Boating Facilities Program (BFP)	13	0	0	13	0
Boating Infrastructure Grant Program (BIG)	3	0	0	3	5
Firearms and Archery Range Recreation (FARR)	12	1	0	13	0
Land and Water Conservation Fund (LWCF)	12	0	1	13	14
Recreational Trails Program (RTP)	66	5	0	71	71
Nonhighway and Off-Road Vehicle Activities (NOVA)	56	0	0	56	0
Washington Wildlife and Recreation Program (WWRP)	152	0	0	152	224
Youth Athletic Facilities (YAF)	11	0	0	11	0
Total	343	6	2	351	341

Projects of Note

Staff from the Recreation and Conservation Sections will present information about the following two projects at the March board meeting.

Project #07-1571: Crown-S Ranch Farmland

- Sponsor:** Okanogan County
- Location:** Located south of Winthrop in the Methow Valley
- Grant Source:** WWRP – Farmland Preservation Program
- Funding:** \$213,750 grant; \$213,750 sponsor match
- Description:** This project supported the purchase of a permanent agricultural conservation easement on a 42-acre farm that could have been developed into nine residences. The Crown-S Ranch combines traditional animal husbandry with new technology to create sustainable farming practices. The farmer raises grass-fed cattle, pigs, laying hens, chickens, and turkeys on certified organic pasture land. The Crown S Ranch conservation easement provides a connection between four existing farmland conservation easements within the Winthrop-Twisp farm corridor. Okanogan County partnered with the Methow Conservancy on this project and is a co-holder of the easement. Matching funds came from the federal Farm and Ranch land Protection Program.

Project #06-1598: Civic Sports Fields Renovation

- Sponsor:** City of Woodinville
- Location:** Located next to city hall in downtown Woodinville in King County.
- Grant Source:** WWRP – Local Parks category
Youth Athletic Facilities – Improving category (YAF)
- Funding:** \$300,000 WWRP; \$75,000 YAF; \$3.3 million sponsor match
- Description:** This project, designed to meet diverse community needs, involved renovation and expansion of a former 1970's era elementary school sports complex that is now owned by the City. It resulted in an eight-acre community park that features all-weather synthetic turf fields and field lighting to allow for year-round, day and evening play for youth and adults. The park was designed to complement the adjacent community center, provide safe access to Wilmot Gateway Park, and provide trail access between downtown Woodinville and the regional Sammamish River Trail. The renovation cost nearly \$3.7 million.

Item 2F

Meeting Date: March 2011
 Title: RCO Performance Measures Update
 Prepared By: Rebecca Connolly, Board Liaison and Accountability Manager

Approved by the Director:

Proposed Action: Briefing

Summary

The Recreation and Conservation Office (RCO) uses performance measures to help the agency reduce reappropriations and improve the way we do business. Staff combines the measures and the agency work plan updates in the monthly Government Management Accountability and Performance (GMAP) report. This memo provides highlights of agency performance related to the projects and activities funded by the Recreation and Conservation Funding Board (board).

Grant Management

The following measures are among those that help us to check our processes at several points in the grant management cycle. All data are for recreation and conservation grants only. Additional detail is shown in the charts in Attachment A.

Measure	Target	FY 2010 Performance <i>FINAL</i>	FY 2011 Performance <i>Through Sept. 30</i>	Indicator <i>for Current Fiscal Year</i>
Percent of recreation/conservation projects closed on time	70%	64%	62%	⚠
Percent of recreation/conservation projects closed on time and without a time extension	50%	69%	47%	⚠
% recreation/conservation projects issued a project agreement within 120 days after the board funding date	75%	88%	No data at this time.	
% of recreation/conservation grant projects under agreement within 180 days after the board funding date	95%	92%	No data at this time.	
Fiscal month expenditures, recreation/conservation target	Varies by Fiscal Month	31% (30% target)	41% (39% target)	⚠
Bills paid within 30 days: recreation/conservation projects	100%	63% Average days to pay = 30	63% Average days to pay = 28	⚠

Time Extensions

The board's adopted policy for progress on active funded projects requires staff to report all requests for time extensions and subsequent staff actions to the board.

Time Extension Requests – Director Approved

Since the beginning of the biennium, the RCO has received several requests to extend projects. Staff reviewed each request to ensure compliance with established policies. The following table shows information about the time extensions granted by quarter, as of March 7, 2011.

Quarter	Extensions Approved	Number of Repeat Extensions	Average Days Extended	Number Closed to Date
Q1	20	8	236	12
Q2	45	15	268	24
Q3	13	6	216	3
Q4	33	16	257	8
Q5	16	5	246	2
Q6	51	15	206	1
Q7	12	10	145	0

Key Agency Activities

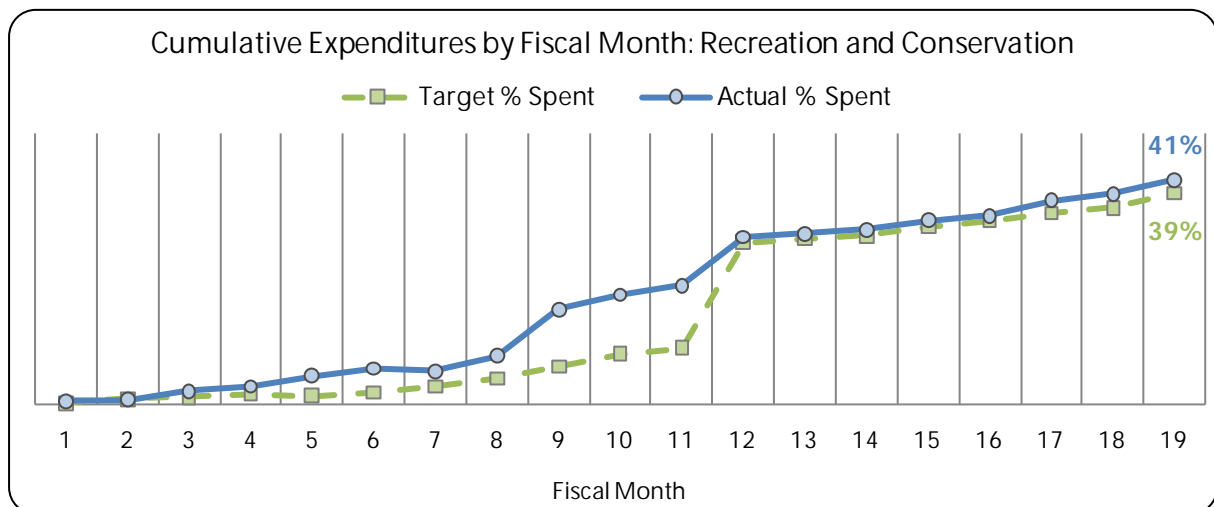
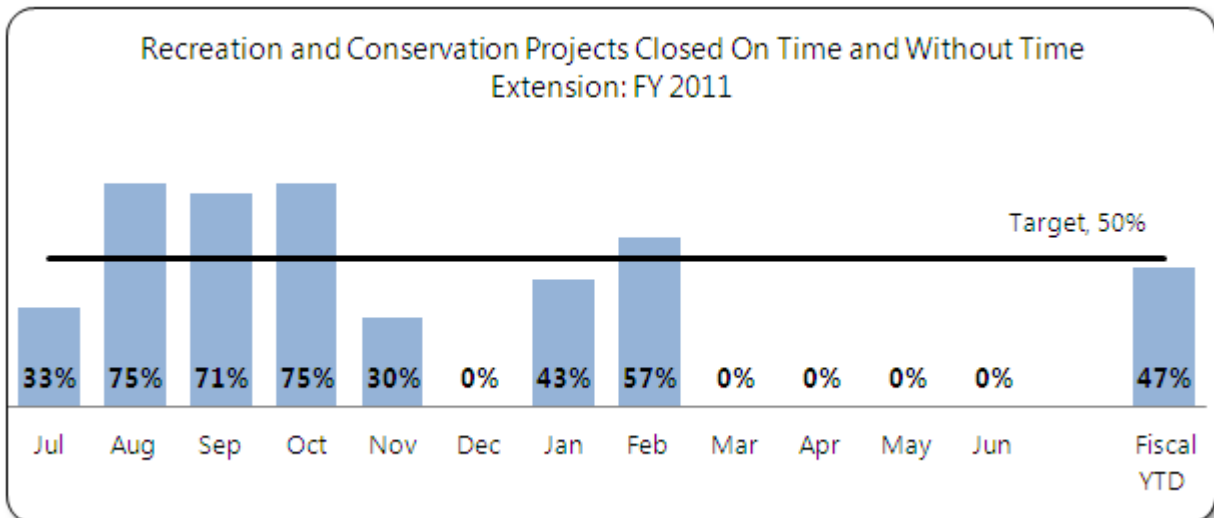
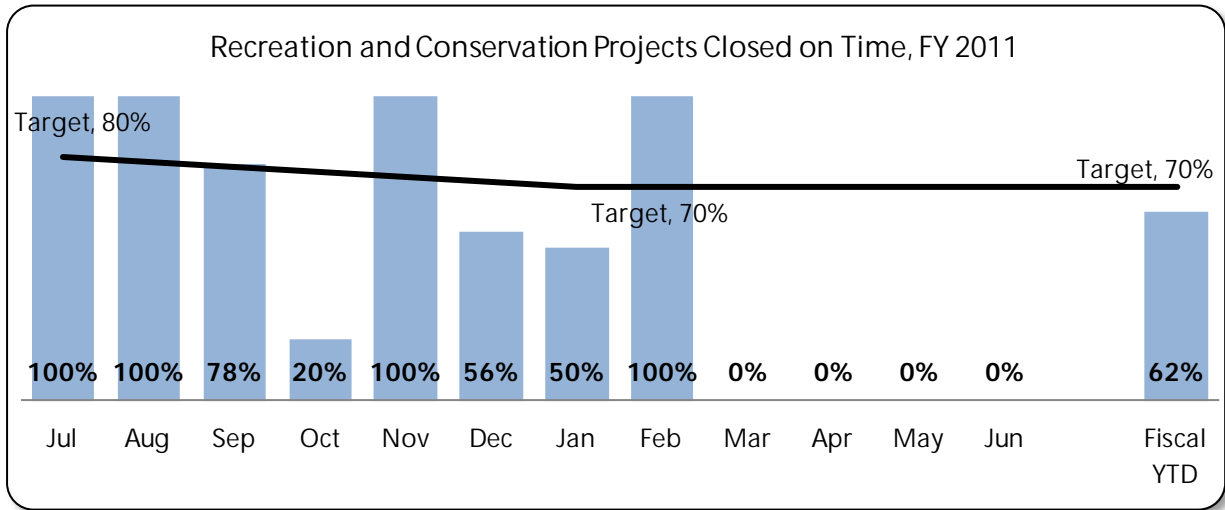
The RCO also tracks progress on key activities through its fiscal year work plan. The following are a few of the actions that the operations team reviews on a monthly basis.

Agency Work Plan Task	Current Status	
Create operations manual for grant management	Progress continues. Staff is working to incorporate the revised deed of right and acquisitions manual into the operations manual.	ñ
Propose policies to encourage sustainable practices in grant programs.	Staff conducted an analysis of sustainability metrics from PRISM, based on applications received (see Item 8)	ñ

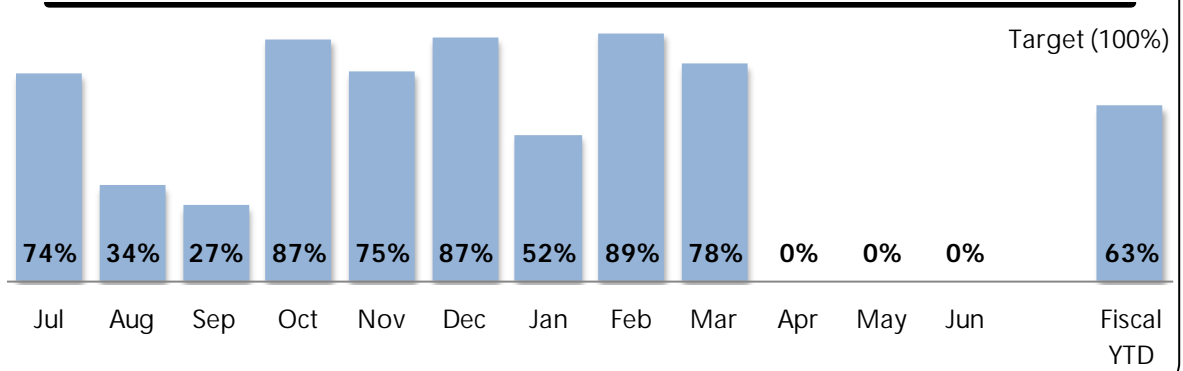
Attachments

- A. Performance Measure Charts

Performance Measure Charts



Percent of Bills Paid Within 30 Days: Recreation and Conservation Projects,
FY 2011



Item 3

Meeting Date: March 2011
Title: Perspectives on Recreational Trails Program Funding and Project Categorization
Prepared By: Greg Lovelady, Grant Services Program Manager

Approved by the Director:

Proposed Action: Briefing

Summary

Mr. Gary Johnson, a member of the Recreational Trails Program (RTP) advisory committee, has requested an opportunity to present to the Board his individual concerns about RTP project categorization. This memo provides an overview of the program's funding process as background for his presentation.

Strategic Plan Link

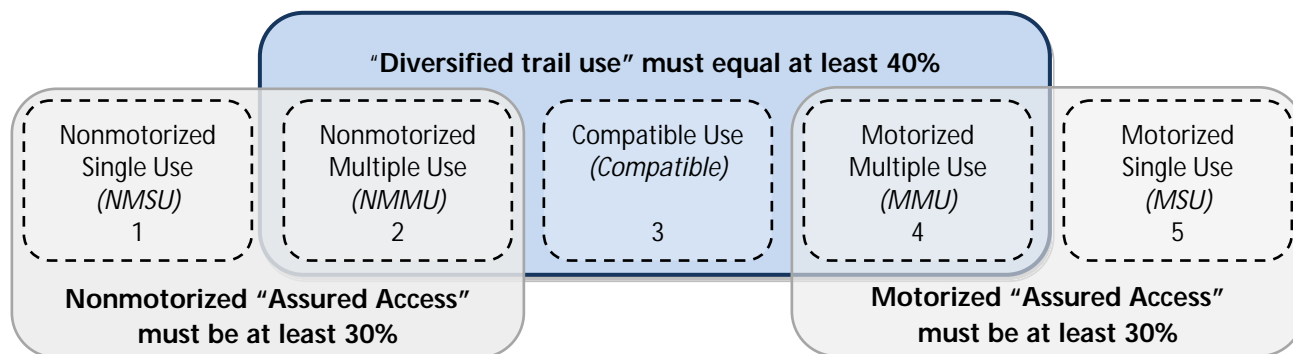
This memo provides background for information that will be presented by a member of the public. Allowing time for such testimony is in keeping with the board's strategy to ensure that the work of the board and staff is conducted with integrity and in a fair and open manner.

Background

The Recreation and Conservation Funding Board follows two sets of policies when funding RTP projects: its own adopted policies and those mandated by the federal government. In its own policies, the board targets projects that reduce the backlog of trail maintenance on backcountry trails and gives preference to projects that further the goals of its various plans, including the *Washington State Trails Plan* and the *Assessment and Policy Plan*. These preferences are shown in program's evaluation criteria.

Regarding the federal mandates, the board looks to the applicable United States Code¹ and the 1999 "guidance" document written by the Federal Highways Administration. As shown in the following figure, these criteria address the way the money is to be distributed among motorized and non-motorized projects.

¹ 23 U.S.C. 206, (d)(3)(A)



Funds are distributed to the states based on a formula that relies on off road recreational gasoline consumption and other factors.

Development of the Five Categories

As originally conceived, federal requirements for use of the funds were based on providing benefits to recreationists who use trail motorcycles, ATVs, and four-wheel drive vehicles. Thus, the program has motorized recreation categories – “motorized multiple use” and “motorized single use.” The proposal didn’t make much progress in Congress, however, until the support base was broadened to include categories for nonmotorized trail users – “nonmotorized single use” and “nonmotorized multiple use”.

Because of the potential for a use that encompassed both motorized and nonmotorized uses, a fifth category, “compatible use” was added. The phrase “compatible use” was coined by RCO staff to label this middle category. Regarding this category, the federal guidance document says:

“This category includes projects where motorized use is permitted, but is not the predominant beneficiary. The category includes projects where motorized and nonmotorized uses are separated by season, such as equestrian in summer and snowmobile in winter. Other examples: a common trailhead project serving separate ATV and bicycle trails; purchasing a machine to groom both snowmobile and cross-country ski trails.”

These five categories won Congressional approval. The middle three categories (nonmotorized multiple use, compatible use, and motorized multiple use) were named “Diversified,” and at least 40 percent of the dollars must be dedicated to projects supporting these uses. The overlapping remaining categories each receive 30 percent of the program’s dollars. These are named “Assured Access” and include nonmotorized single use and motorized single use projects. In addition, states may choose to allocate up to 5 percent of all funds to trail safety and education projects².

² The board has typically allocated five percent of funds to safety and education projects, as is allowed. Each project is assigned to one of the five categories, so the 40-30-30 split is unaffected.

RCO Process

As applications arrive, RCO staff uses the policies and a “decision tree” (Manual 16) to determine which category is most appropriate to federal rules and provides the best chance for funding.

Historically, few projects have met the federal definition for the compatible use category, as described above. As a result, most projects in the “diversified use” category are allocated to either the Motorized Multiple Use or Nonmotorized Multiple Use category.

Item 4

Meeting Date: March 2011
Title: Proposed Change in Land and Water Conservation Fund Evaluation Criteria
Prepared By: Jim Eychaner, Senior Policy Specialist

Approved by the Director:

Proposed Action: Decision

Summary

Recreation and Conservation Office (RCO) staff proposes to change the wording of question 9, "Applicant Compliance," in the Land and Water Conservation Fund (LWCF) priority rating system. The change should make the question easier for applicants to understand, and improve the scoring process.

Staff Recommendation

Staff recommends that the Recreation and Conservation Funding Board (board) approve the revised wording and point system via Resolution #2011-02.

Strategic Plan Link

Consideration of this addition supports the board's objectives to (1) ensure funded projects are managed efficiently and in conformance with existing legal authorities and (2) fund the best projects as determined by the evaluation process.

Background

The Land and Water Conservation Fund (LWCF) is a federal grant program that helps to pay for outdoor recreation sites and facilities. The National Park Service manages the program in cooperation with RCO. Projects must help address federal priorities and be consistent with state comprehensive outdoor recreation planning (SCORP) documents.

Project selection is highly competitive and takes place in an open public process. The process relies on a "priority rating system" to identify the best available projects for funding. The board approved the current rating system in March 2009, and added a "design" question in March 2010. There are now nine questions in the priority rating system.

Proposed Change

Staff is proposing that the board change question number nine, "Applicant Compliance." The intent of the question, which we developed at the request of the National Park Service, is to address a federal priority to reward sponsors for compliance with LWCF rules and regulations.

The question is scored by staff who found that the RCO has insufficient project data to score the question with a high degree of confidence. The number of points assigned to the question is significant, and can substantially affect a project's score and ranking.

Staff proposes to rewrite the question so that it would be easier to score and interpret.

- As with the original, the revised question focuses on how well the sponsor complies with the program rules and its grant agreements.
- The scoring changes from a system that adds points for compliance to one that reduces the score for non-compliance.

Current Question	Proposed Change
<p>Applicant compliance. Has the sponsor demonstrated good grant stewardship?</p> <p>Point Range</p> <p>0 points An otherwise eligible sponsor has one or more outstanding confirmed conversions that are more than 5 years old and/or the sponsor is not working actively with RCO and the National Park Service to resolve.</p> <p>1 point Sponsor has outstanding confirmed conversion of its own making and is actively working with RCO and the National Park Service to resolve.</p> <p>2 points Sponsor has outstanding confirmed conversion not of its making and is actively working with RCO and the National Park Service to resolve.</p> <p>3 points Sponsor has no outstanding compliance issues but has outstanding site inspection findings that are not conversions.</p> <p>4 points Sponsor has no outstanding compliance issues and has had only minor site inspection findings (e.g. missing signs).</p> <p>5 points Sponsor has no outstanding compliance issues and has had no negative site inspection findings.</p>	<p>Applicant compliance. Is the sponsor in compliance with its RCO grant agreements?</p> <p>When scoring this question, staff will consider the applicant's record in all RCO-managed grant programs.</p> <p>Point Range</p> <p>0 points Sponsor has no known compliance issues and no unapproved conversions</p> <p>-1 point Sponsor has one or more known compliance issues <i>including at least one unapproved conversion</i>, but is actively working to correct the issues</p> <p>-2 points Sponsor has one or more known compliance issues <i>including at least one unapproved conversion</i>, but is not working actively to correct the issues; or the sponsor has been identified as a high-risk sponsor</p>

Analysis

Changing the question should reduce the amount of time staff needs to confidently score the question, and makes it more defensible.

The use of negative points, as proposed, is not new; RCO uses “negative” points in other grant programs. The Nonhighway and Off-road Vehicle Activities (NOVA) program, for example, subtracts a point for proposals from applicants that do not meet the requirements of the Growth Management Act (GMA). This is to recognize that not all applicants are required to comply with the GMA.

Consultation with the LWCF advisory committee found that the committee supports the change. The National Park Service has reviewed and accepted the question.

The RCO received no comments during public review of the proposal, which staff conducted via the web between late November 2010 and early January 2011.

Next Steps

If approved, staff will revise the priority rating system immediately by changing the question in Manual 15. The revised question will be used in this year’s LWCF grant round.

Attachments

Resolution #2011-02

- A. Revised Question Nine, LWCF Priority Rating System

Recreation and Conservation Funding Board
Resolution #2011-02
Approving Changes to the Land and Water Conservation Fund Evaluation
Criteria

WHEREAS, Chapter 79A.25.130 RCW authorizes the Recreation and Conservation Office (RCO) to participate in or receive aid from any federal program respecting outdoor recreation or conservation; and

WHEREAS, the Land and Water Conservation Fund (LWCF) is a federal program managed by the National Park Service (NPS) that grants funds to the state for recreation purposes; and

WHEREAS, RCO is recognized as the state agency responsible for management of LWCF funds in Washington State; and

WHEREAS, the NPS requires a priority rating system for selection of potential LWCF projects; and

WHEREAS, the priority rating system must include criteria that address a federal priority to reward sponsors for compliance with LWCF rules and regulations; and

WHEREAS, the revised question number nine shown in Attachment A to the Recreation and Conservation Funding Board (board) memo meets the National Park Service requirements; and

WHEREAS, the revision to question nine supports the board's objectives to (1) ensure funded projects are managed efficiently and in conformance with existing legal authorities, and (2) fund the best projects as determined by the evaluation process;

NOW, THEREFORE BE IT RESOLVED, that the board the revised question number nine and directs staff to implement the system for use in the 2011 and future grant rounds.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Revised Question Nine, LWCF Priority Rating System

Question #9: Applicant compliance.

Is the sponsor in compliance with its RCO grant agreements?

When scoring this question, staff will consider the applicant's record in all RCO-managed grant programs.

Point Range

- | | |
|-----------|--|
| 0 points | Sponsor has no known compliance issues and no unapproved conversions |
| -1 point | Sponsor has one or more known compliance issues <i>including at least one unapproved conversion</i> , but is actively working to correct the issues |
| -2 points | Sponsor has one or more known compliance issues <i>including at least one unapproved conversion</i> , but is not working actively to correct the issues; or the sponsor has been identified as a high-risk sponsor |

Item 5

Meeting Date: March 2011
Title: Proposed Change to Increase Maximum Grant Amount in Firearms and Archery Range Recreation (FARR) Program
Prepared By: Jim Eychaner, Senior Policy Specialist

Approved by the Director:

Proposed Action: Decision

Summary

The Firearms and Archery Range Recreation (FARR) program provides funds to acquire, develop, and renovate firearm and archery training and practice facilities. Grants are currently limited to a maximum of \$50,000. Staff proposes that the Recreation and Conservation Funding Board (board) raise the limit to a maximum of \$100,000 per grant.

Staff Recommendation

Staff recommends that the board approve raising the grant limit via Resolution #2011-03.

Strategic Plan Link

Consideration of this policy change supports the board's strategies to (a) provide funding to protect, preserve, restore, and enhance recreation opportunities statewide, and (b) evaluate and develop strategic investment policies and plans so that projects selected for funding meet the state's recreation and conservation needs.

Background

The FARR program is supported by a portion of fees paid by the public for concealed pistol permits. These fees – typically about \$500,000 per biennium – are deposited into the firearms range account. State law authorizes the board to adopt policies¹ to manage the firearms range account.

¹ RCW 79A.25.210 authorizes the board to adopt rules. The board adopted WAC 286-30-050, which states that it will establish matching share requirements and fund request limits. The board does so by policy.

FARR grants can be used to acquire property, develop facilities, or renovate facilities. All funded sites must be available for public use.

Analysis

Demand for Funds

Demand for FARR grants has been unpredictable. In some years, the number of projects is far below the number to fully utilize the available funds; in other years, the demand has outpaced the total funding available, including unused funds from previous biennia. In recent grant cycles, the lists presented to the board have included as few as four and as many as 17 projects.

Grant Funding Limits

Since at least 1999, FARR grants have been subject to a limit of \$50,000 per application. In 2007, however, the board approved a temporary, one-cycle increase in the grant limit, from \$50,000 to \$100,000. A key reason for raising the limit was to ensure that all funds in the account were allocated to grants.

Due to the variation in project applications, the fund allocation was less of a consideration than whether the grant amount was sufficient to meet the needs of the projects. For example, construction and other costs associated with firearms and archery ranges have risen over time. As a result, in late 2010, staff proposed permanently increasing the grant limit to \$100,000. Staff posted the proposal to the RCO web site on November 15 for public comment.

The RCO received ten comments by the December 10 deadline; comments are summarized in Attachment A. All responses were positive. Many respondents noted that the increased cost and uncertainty of securing permits also were factors in their support. The Firearms and Archery Range advisory committee unanimously supports the increase.

Grant Cycles Affected

Staff recommends that the change be effective beginning with the current grant cycle.

The applicable rule states that the board "normally" would adopt changes to fund request limits six months before project funding consideration.² Potential applicants for the 2011 grant cycle were informed of the potential change. Five of the eight applications requested more than \$50,000 (the current limit). The total requested is about \$481,000. The Governor's budget request includes \$365,000 in new appropriations for the program, and it is likely that there will be returned funds available as well.

² WAC 286-30-050: "The committee will establish sponsor matching share requirements and fund request limits. Any changes will normally be done at a committee meeting six months before project funding consideration."

Next Steps

If the resolution is approved, grant staff will immediately change Manual 11 (*Firearms and Archery Range Recreation Program Policies and Project Selection*) and implement the change.

Attachments

Resolution #2011-03

- A. Proposal to Change Funding Limits and Public Comments on Proposal

Recreation and Conservation Funding Board
Resolution #2011-03
Approving an Increase Maximum Grant Amount in the
Firearms and Archery Range Recreation (FARR) Program

WHEREAS, the Firearms and Archery Range Recreation (FARR) program is authorized by RCW 79A.25.210, and

WHEREAS, the Recreation and Conservation Funding Board (board) has the authority to adopt policies to manage the firearms range account, which funds the FARR program, and

WHEREAS, the Recreation and Conservation Office (RCO) has recognized that the cost of the projects funded by FARR grants is increasing due in part to construction and permitting fees, and

WHEREAS, RCO staff proposed increasing the grant limit from \$50,000 per application to \$100,000 per application and received only supportive comments from stakeholders, and

WHEREAS, the board can promotes its goals of making strategic investments and helping partners to develop recreation opportunities by providing a meaningful level of funding to projects selected and evaluated through a competitive process,

NOW THEREFORE BE IT RESOLVED, that the board permanently sets the maximum grant limit for FARR projects at \$100,000 beginning with the 2011 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Proposal and Public Comments

Proposal Posted to the Web Site

“RCO is proposing to change the maximum amount of grant money an applicant can request with one application. Right now, that maximum is \$50,000. RCO would like to raise that maximum amount to \$100,000. The reasons to raise the maximum are to recognize increasing costs and to encourage better projects.”

Advisory Committee and Public Comments

Person/Affiliation	Comment	RCO Response (if any)
Chuck Ray Hunter Education Program	I support the increase to the range grant total as long as there is enough money to cover the increase.	
Lori Flemm Parks Director, City of Lacey	Your reasons sound valid. No other comments.	
Joel G. Winborn, Director, Clallam County Parks, Fair & Facilities	I think the increase to \$100,000 is a good idea. Costs of permitting and all of the associated miscellaneous fees are quite expensive. This of course means that agencies will need to up their match amount, but I think that is a good thing and would lead to better projects.	
Robert Jaeger FARR Advisory Committee	As a multi-year and multi-term FARR grant evaluator, I would like to offer my support for this proposed change. In the inflationary and expensive economy of Washington State, the existing grant cap has often been an arbitrary and unhelpful limitation on proposed projects. I believe the higher, proposed, grant cap will allow higher quality and more appropriate project proposals to be presented to FARR for grant funding in future years.	
Patricia Sprague-Binder FARR Advisory Committee	I concur on upping the amount of the grants given by the FARR board. This may help to insure the completion, or at least expedite completion.	
James Clem FARR Advisory Committee	This sounds like a very good change.	

Person/Affiliation	Comment	RCO Response (if any)
Linda Parker FARR Advisory Committee	I concur with raising the maximum amount of a grant to \$100,000. With the cost of everything, \$50,000 doesn't cover very significant projects.	
Jerry Cline FARR Committee	I agree with the increase from \$50,000 to \$100,000, as long as all proposed grants are considered including small ones. By that I mean I don't want this increase to result in large grants being funded to the detriment of small requestors.	We do not anticipate that sponsors with small projects will be discouraged by the higher grant limit.
Dick Miller Cowlitz Game & Anglers	<p>Raising the limits on grants from \$50,000 to \$100,000 is a very good policy. We agree costs have risen wherein significant contracts to improve shooting range facilities need additional funds to impact requirements for worthwhile projects.</p> <p>Cowlitz Game & Anglers has been the recipient of significant funding authorization and appreciates the problems of escalating costs. First estimates to build the Cowlitz Public Shooting Range have proven too low. During the longer than expected permitting process energy, lumber, labor & cement prices have increased.</p> <p>It is recommended the matching funds requirement be reduced by 50%. Current requirements put a very high priority on fund raising which is becoming increasingly difficult in these current recessional times. The 50% reduction in matching funds would still require the project leaders to campaign for local funds which would include local citizens and governments to show support for the project yet not become a debilitating requirement.</p> <p>Our experience with RCO personnel has been outstanding. We appreciate the courteous, knowledgeable and timely attention to project details.</p>	The match is set in state law (RCW 79A.25.210). We are not proposing agency request legislation to change the match requirement at this time.

Person/Affiliation	Comment	RCO Response (if any)
Pam Schmitz FARR Committee	<p>I am not against it, but question if there is enough money to fund projects - if we do the \$100,000, then it is possible only 4-6 projects will get funded each 2 years.</p> <p>In one case we had 3 separate projects for one range - no problem, but all were worthwhile and all got funded, but I am not sure that the manpower or matching funds were there for all three projects - so some of the other projects didn't get funded. As a committee, that was not our judgment, we had to rate on the criteria given, not on if all three could be done.</p> <p>I would like the committee to be able to 1/2 fund projects if you do put the \$100,000 limit into effect. Fund certain areas of project, not just give 1/2 the money.</p>	<p>The match is set in state law (RCW 79A.25.210). We are not proposing agency request legislation to change the match requirement at this time.</p> <p>It is possible that fewer total projects could be funded.</p>

Item 6

Meeting Date: March 2011
Title: Proposed Change to Biennial Grant Cycle for All Grant Programs
Prepared By: Jim Eychaner, Senior Policy Specialist
Marguerite Austin, Recreation Section Manager

Approved by the Director:

Proposed Action: Decision

Summary

The Recreation and Conservation Funding Board (board) currently awards grants in ten programs. These grants are awarded on a variety of annual and biennial cycles. For reasons described in this memo, the Recreation and Conservation Office (RCO) staff proposes that the board change the cycles so that all recreation grant programs are offered every two years in the same even-numbered year. Conservation grants already are on a two-year cycle.

Staff Recommendation

Staff recommends that the board change the grant cycles so that all programs are offered only in even-numbered years via Resolution 2011-04.

Strategic Plan Link

Consideration of this policy change supports the board's goal to achieve a high level of accountability in managing the resources and responsibilities entrusted to it. In particular, this proposal uses adaptive management to meet changing needs. It continues to provide a structure under which the board provides strategic funding to its partners and awards grants through fair, impartial, and open public processes.

Background

Under current board policy, grant programs are offered on a number of cycles:

- Four grant programs are offered every two years: Aquatic Lands Enhancement Account (ALEA), Firearms and Archery Range Recreation (FARR), Washington Wildlife and Recreation Program (WWRP), and Nonhighway and Off-Road Vehicle Activities (NOVA) education and enforcement category.

- NOVA grants for the nonhighway road, nonmotorized, and off-road vehicle categories are offered every year.
- Boating Facilities Program (BFP) grants are offered every year for local agencies and in even-numbered years for state agencies.
- The three federal grant programs – Boating Infrastructure Grants (BIG), Land and Water Conservation Fund (LWCF), and Recreational Trails Program (RTP) – are offered every year.
- Two other programs – Boating Activities Program and Youth Athletic Facilities – have not been offered recently due to lack of funding.

These grant programs represent an average investment of \$96.4 million per biennium, depending on funding allocations. The grant programs offered annually are an average of roughly \$4.7 million per biennium, or about 5 percent of the total funding. We do not track the comparative workload demands of the individual programs.

Staff Proposal

Staff is proposing a change so that all grant programs would be offered every two years in the same even-numbered year. The change would be phased in so that it does not affect the cycles currently underway or scheduled for 2011. The proposal is summarized in this table:

Programs and Biennial Funding*	In this year, these grant programs would accept applications					
	2010	2011	2012	2013	2014	2015
Aquatic Lands Enhancement Account (ALEA): \$5,000,000	ALEA		ALEA		ALEA	
Boating Activities Program (BAP)**						
Boating Facilities Program: local and state (BFP): \$8,000,000		BFP	BFP		BFP	
Boating Infrastructure Grants (BIG): \$190,000	BIG	BIG	BIG		BIG	
Firearms and Archery Range Recreation (FARR): \$500,000		FARR	FARR		FARR	
Land and Water Conservation Fund (LWCF): \$1,000,000	LWCF	LWCF	LWCF		LWCF	
Nonhighway and Off-road Vehicle Activities (NOVA): \$7,000,000		NOVA	NOVA		NOVA	
Recreational Trails Program (RTP): \$3,600,000	RTP	RTP	RTP		RTP	
Washington Wildlife and Recreation Program (WWRP): \$73,000,000	WWRP		WWRP		WWRP	
Youth Athletic Facilities (YAF)**						

* Averages presented on RCO's "grants" web site

** Grant programs that have no money and are not scheduled

The reasons for making the proposal are:

- To reduce impacts on applicants' budgets: it should cost less to apply every other year instead of every year;
- To better match the two-year budgeting cycle used by state government and by some local governments;
- To get the funding under contract earlier in the biennium;
- To allow RCO grant managers to focus on grant implementation in "off years;"
- To reduce the burden of travel, leave, and travel expenses for our volunteer advisory and evaluation committees;
- To lower the per-grant cost of RCO administration;
- To reduce the amount of money in reappropriation requests; and
- To address a key recommendation made by Strategica in its Business Practices Consulting Project in its report on RCO grant practice streamlining and efficiency (December 2008).

Reasons not to make a change include:

- Loss of applicant opportunity for year-after-year funding, with potential to hamper on-going or complex projects;
- Potential for an increased number of applications when programs are offered;
- Longer waiting time for unsuccessful applicants; and
- Perceived inability on the part of some nonprofits to adapt to changing conditions.

Analysis

Review of Applicable Rules and Laws

Staff has reviewed the applicable state and federal rules and laws governing the board-funded grant programs, and has found nothing that would bar the board from making this change.

Management and Staff Assessment

Staff believes the advantages of the two-year cycle outweigh the disadvantages.

Of all the reasons for making the change, perhaps the most important, is the likelihood that grants managers would be able to focus on all phases of their grant work load in "off" years. The RCO was assigned the Washington Wildlife and Recreation Program in 1991. That event increased grant work load by 400 percent with no increase in staff resources. Since that event, additional programs have been added, with small increases in staff size. The graphic in Attachment A was prepared by Berk and Associates for its report *Recreation and Conservation*

Office Project Delivery and Grant Manager Workload Study,¹ it illustrates the dramatic growth in the number of programs assigned to RCO.

The result of this growth has been a grant management emphasis on the application phase. Other phases including active grant management and on-going compliance management have been de-emphasized and sometimes deferred. The deferral has resulted in issues related to re-appropriations and sponsor compliance. These issues have been addressed by the board in other sessions.

Management believes it is likely that structuring the grant cycle to have “off years” will enable grant staff to re-emphasize active project and compliance work.

Public Comment

We sought public input on the proposal over the winter. Responses are summarized in Attachment B.

- We received 12 comments in support of or “not against” the proposal. The people commenting represent a mix of government agencies, program advisory committees, and nonprofit organizations.
- We received eight comments opposed to the proposal. Again, there was a mix of interests, but most are from the nonprofit area, especially those interested in the Recreation Trails Program (RTP).

Most “comments opposed” are from nonprofit groups that apply in the RTP. RTP by policy emphasizes recreational trail maintenance grants. The comments focused mainly on two arguments: (1) that a two-year grant cycle would hamper RTP applicants’ ability to adapt to unknown future trail conditions, and (2) that the risk of a lag or gap in funding for unsuccessful applicants would create difficulties for smaller organizations with limited financial resources.

Staff finds the first argument somewhat puzzling. Trail maintenance grants are far more flexible by their very nature than other grants. RCO asks the trail maintenance sponsor to generally maintain a number of miles of trail without holding the sponsor to detailed actions. Contract amendments when needed are simple to execute. Sponsors have the same flexibility with a one- or two-year grant. Also, we note that a number of nonprofit applicants are currently successfully managing two-year RTP projects.

We understand the second argument. The reality of any open competitive grant program makes it impossible to ensure applicants they will receive money in a given year. However, the lag or gap in funding in “off years” could be partially addressed by raising the grant limit in the RTP, perhaps from the current \$75,000 to \$150,000. In fact, staff recommends that the RCFB direct us to investigate changing the grant limit in RTP.

¹ Berk and Associates, 2008

Next Steps

If the proposal is approved, the current grant rounds will proceed as normal. In 2011, the application deadlines are January 10 for some grant programs and May 2 for the remaining programs. The new schedule (shown above) will be put in place, with application deadlines established in the fall of 2011 for the 2012 grants cycle.

Attachments

Resolution #2011-04

- A. Attachment "A Conceptual Timeline of Growth at the RCO" (Berk and Associates)
- B. Public Comment Received

Recreation and Conservation Funding Board
Resolution #2011-04
Approving Biennial Application and Award Cycles for Board-Funded
Grant Programs

WHEREAS, the Recreation and Conservation Funding Board (board) has the authority and responsibility to establish cycles for evaluating project proposals and awarding grants for the programs under its purview, and

WHEREAS, the board has established a variety of annual and biennial cycles over the years, and

WHEREAS, Recreation and Conservation Office (RCO) management has commissioned studies in 2008 and 2009 to improve business processes, and

WHEREAS, both studies recommended streamlining the grant application processes, including the use of a biennial cycle for all programs, and

WHEREAS, the staff assessment found that such a move would improve organizational efficiency and support the agency and board goals to better manage projects and improve long-term project compliance, and

WHEREAS, the staff assessment and public comment also found that a single process would be less time-consuming for applicants and volunteer evaluators, and

WHEREAS, using a single biennial schedule supports the board's goal to achieve a high level of accountability in managing its resources and responsibilities while continuing to provide funding to its partners and award grants through fair, impartial, and open public processes,

NOW THEREFORE BE IT RESOLVED, that the board does hereby authorize the RCO to use a biennial cycle for all grant programs, and to take steps to implement it in a timely manner; and

BE IT FURTHER RESOLVED that the Director is authorized to execute supplemental grant cycles when funding levels or other circumstances warrant.

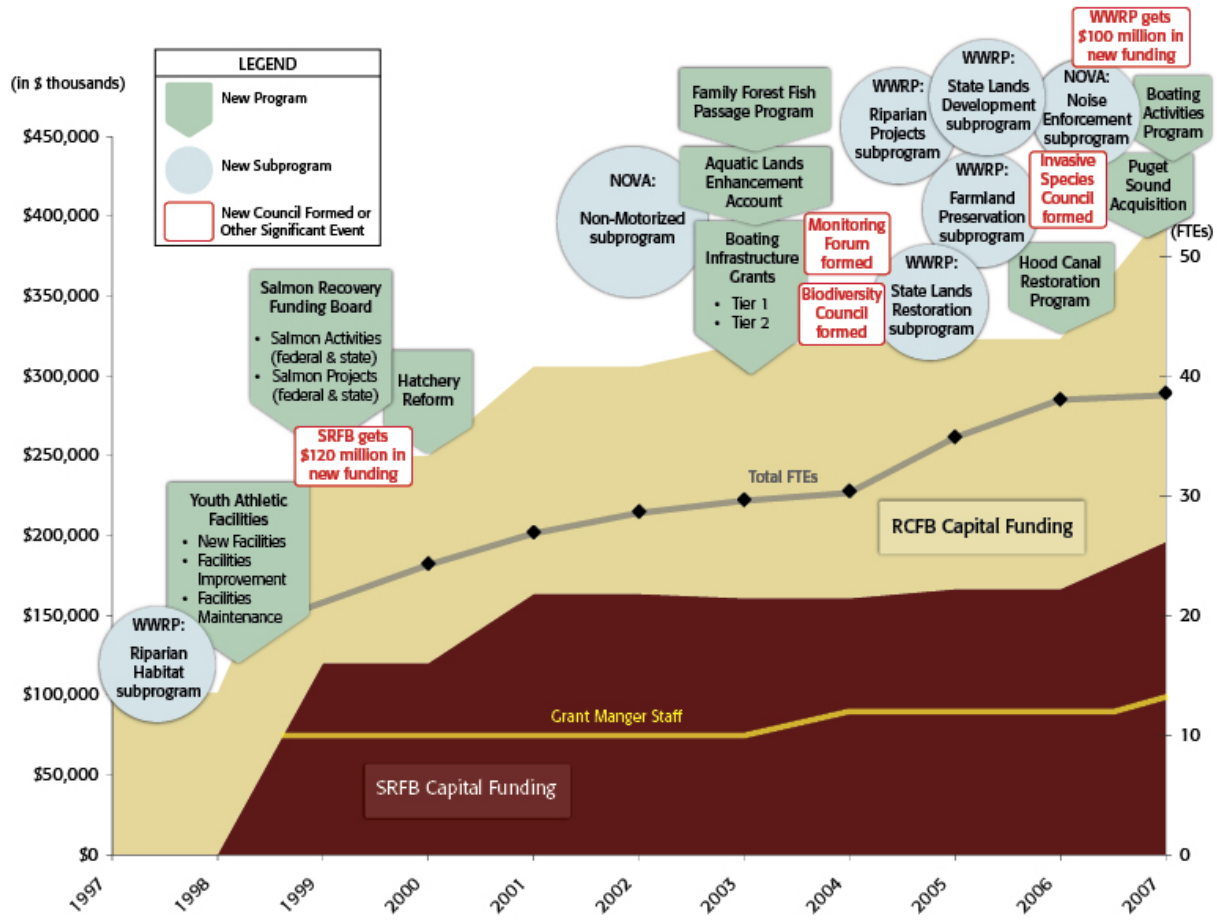
Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

"A Conceptual Timeline of Growth at the RCO" (Berk and Associates)



Public Comments on the Proposal

Comments in Favor of the Proposal

Staff responses are shown in footnotes as appropriate.

Person/Organization	Comment	Staff Reply
Pam Schmitz, FARR grant committee	Great idea!	
Rob Kirkwood, State Parks	I have worked with RCO grants for twenty years. Tracking the RCO project schedules separate from the capital budget project schedules has added to our work load. Having all projects on the same schedule would help set production priorities and help insure that projects are completed in the proposed time frame. I support your proposal to revise the RCO grant schedule.	
Mike Branstetter Boating Programs Advisory Committee	This proposal sounds like a "win" for everyone. Great idea!	
Greg Jones Facility Manager, Chelan County PUD	I support the intent of this, and aligning all grant funding with the state budget cycle. This should help make things a little more efficient.	
T Whal, City of Bellingham	This sounds great.	
Jason Filan Parks Manager, City of Kirkland	I think anytime we can streamline a process to make it more efficient and effective that is just good government. Fully supportive of the 2-year cycle proposal.	
Jessi Richardson, Director of Parks and Recreation, City of Sammamish	I am in favor of this change. Simplifies life on a lot of levels.	

Person/Organization	Comment	Staff Reply
Lunell Haught Recreational Trails Advisory Committee	These reasons and recommendations look quite sensible to me - better to focus on program related activity than getting a grant together.	
Steve Greaves Recreational Boating Association of WA; Boating Programs Adv. Cmte.	Yes ... I agree ... if this change holds down costs ... it likely won't cause any significant delays in projects ... sometimes the first year is a "permit" grant proposal ... and then the second year is a "development" grant proposal ... but that's fairly rare and could be handled as an exception by the Director ... and often (unfortunately) it takes multiple years to get permitting accomplished anyway ...	
John Spring Spring Trail Trust	I strongly endorse this change as positive and a good direction.	
Kurt Dahmen, Recreation Superintendent, City of Pullman	<p>We concur with the RCO proposed grant cycle change and with the well thought out reasoning as presented in your December 3, 2010 e-mail to "Persons Interested in Recreation and Conservation Grants".</p> <p>We would add that agencies applying for the various grants such as ours on the east side of the State of Washington are significantly challenged by the burden of travel and related expenses incurred when presence is required before the volunteer evaluation committees. It is our belief that the in-person presentation grant component should be suspended at least for the duration of the economic recession.</p>	We have gone to "paper" evaluations, where projects are assessed at evaluators' home or office workstations, in some programs. We could extend the practice to other grant programs.

Neutral Comments

Staff responses are shown in footnotes as appropriate.

Person/Organization	Comment	Staff Reply
John Keats Mason County	<p>My only worry about this proposal is coming from a small agency perspective is having the off year to submit grants gives me a chance to space out the workload. So if RCO does go to a grant submission program of every other year I'll have more projects to prepare and manage during that "on" year. This can be a real challenge in smaller departments and hopefully we'll be able to continue to apply for RCO funding as we have in the past, the big assumption is the matching funds.</p> <p>I'm not against it, just concerned about trying to fit everything in if I had lots of projects. Is there any provision to provide grant sponsors a bit more time to prepare projects and complete evaluation process. Last grant round we had 8 projects to prepare and it was really tough.</p>	<p>One reason for proposing the two-year cycle is to give applicants more time to prepare applications including evaluation materials. That is, applicants would have the intervening odd-numbered year in which to begin their applications.</p> <p>We understand the need to decide on priorities and workload issues.</p>

Comments Opposed

Staff responses are shown in the table.

Person/Organization	Comment	Staff reply
Curtis L. Hancock Project Manager Metro Parks Tacoma	<p>I believe this is a step in the wrong direction. Rather than going to 2 year cycles I believe all grant programs should be moving to annual cycles. Not only that, decreasing the time between application and funding availability would help more than anything. I would suggest starting that application cycle after the legislature approves the budget and staggering all the programs over the following year (or two years if you continue on the two year cycle). This would level out the work for everyone. Currently having all applications due at once is a tremendous burden on the applicants and I imagine it's the same for RCO.</p> <p>So in short I do not agree with the proposal and suggest changes in the other direction. Capital projects do not work well on a two year cycle. Due to permitting and design, capital projects proceed at their own speed and the 18 month application before funding and the two year cycle do not work well for projects.</p>	<p>We appreciate your comments. The 18-month cycle refers to our major program, the Washington Wildlife and Recreation Program (WWRP). The suggestion to receive applications after budget approval is not workable for WWRP. Statute requires that WWRP project lists be submitted for Legislative approval. Legislative approval is in the form of a biennial capital budget that lists specific projects by category. In order to have lists to submit, we must receive and process WWRP applications prior to the budget process.</p>
Ann Dunphy Recreation Planner USDA Forest Service Mt Baker RD	<p>Our grant applications are very opportunistic so we only apply when we are able to match and have a good project ripe for funding. I think a two year cycle would hurt us since it is often a timing thing for us and every two years increases a chance for mismatches since we are funded annually, unless it is an election year. So a vote No for me.</p>	<p>We understand the complexities of capital projects. We note that one of our evaluation criteria is "readiness to proceed." The theory behind the criteria is to reward those projects for which permits and design has already been done or is not needed.</p> <p>We appreciate your comments. We understand that field conditions may change unpredictably. We have the ability to help sponsors amend grant agreements to help adapt to change.</p>

Person/Organization	Comment	Staff reply
Jane Byram Backcountry Horsemen of Washington	<p>I would like to comment on the new two year grant cycle proposal. I write education grants for Backcountry Horsemen of Washington under the RTP program. Last year BCHW's Leave NO Trace Program was recognized by the Coalition of Recreational Trails for Outstanding Use of RTP funds in the area of Environment and Wildlife Compatibility. We use all volunteer help and use the grants to fund the educational program.</p> <p>While I would welcome writing grants once every two years, I am wondering if I would be writing them for twice the money as in one year. Education grants are limited to \$10,000 per grant cycle. On the other hand, I would not like to wait two years to apply for another grant if one was not awarded. BCHW relies on the RTP funds to run the top quality Leave No Trace Program that has been so successful in the last 10 years.</p> <p>I am also wondering how this would work with the federal funds be allocated on an iffy basis, such as last year.</p> <p>I guess I have enough reservations about the proposal to say I would like things to stay as they are with the RTP program.</p>	<p>We appreciate your comments. Within the approved limits, the amount of funds requested is at the discretion of the applicant. However, we anticipate that applicants would submit multiple requests.</p> <p>Currently, many applicants get money every year or every other year to maintain the same trails, so they don't need "flexibility" – it's routine and ongoing. Other applicants don't get funded and have to wait until the next grant cycle – there is no certainty when applying for grants now, especially in our over-subscribed programs.</p>
Tom Windsor RTP Advisory Board Member	<p>I have talked to representatives from organizations in Okanogan County, both motorized and non-motorized, and everyone I have discussed this issue with is opposed to changing the grant cycle from one year to a two year cycle. Whereas this may make it easier for RCO to administer the grants, it would impose an inconvenience and hardship on grant applicants. The feeling is that on a one year cycle there is flexibility to apply for grants needed to respond to unforeseen situations immediately, rather than having to wait for an additional year. All organizations feel that a two year cycle would cause deterioration in their ability to maintain trails and build bridges and other structures required to keep motorized and non-motorized trails open for the public.</p>	<p>We appreciate your comments. We understand that field conditions may change unpredictably. We have the ability to help sponsors amend grant agreements to help adapt to change.</p> <p>The RTP grant cycle typically begins in the spring with three different "deadlines" and ends in November, when grant decisions are made. Therefore, funds are not normally spent on many trails until the following year. In their applications, nonprofit organizations seem to be able to anticipate "typical" conditions and are assumed to have the ability to respond to change.</p>

Person/Organization	Comment	Staff reply
Jim Vannice President, Mountain Trails Grooming Assoc.	<p>We want you to know we disagree with this idea whole-heartedly and unanimously.</p> <p>We are a non-profit grooming association, privately-owned and run, primarily through the efforts of a number of local volunteers who put in an enormous number of hours each year. Having established a very successful operation, we want to continue that pattern and be able to implement changes and improvements every year. Moving to a 2-year cycle offers the probability of loss of ability to do that. It promotes the lack of flexibility – i.e., the ability to respond to the variety of events that can, and often do, occur during the year, especially during the winter season.</p> <p>Although it appears that a 2-year cycle would be advantageous for your state committee, we believe if you look at the scenario a little more closely you will discover the opposite. It appears the underlying “cause” of this proposal is to save taxpayers dollars, which we all agree is a noble cause. After all, we, also, pay (a lot, it seems!) in taxes. But that concept is based on responsibility and the origin of the word “responsibility” infers the “ability to respond.”</p> <p>You, as a government agency and us, as a local entity, cannot react effectively to current events if we are locked into having to plan and implement on a 2-year cycle. We lose the ability to respond – i.e. lose our responsibility. As your committee knows, it is tricky responding to needs that arise even on a yearly basis. Even if the (relatively) minor expenses of travel are minimized, these savings pale in the light of being able to serve our winter-recreation population who, in turn, patronize local businesses. Entire communities will be affected adversely.</p> <p>We sincerely request that your committee re-think this proposal and make the decision to remain on a yearly plan cycle.</p>	<p>We appreciate your comments. We understand that field conditions may change unpredictably. We have the ability to help sponsors amend grant agreements to help adapt to change.</p> <p>Currently, many applicants get money every year or every other year to maintain the same trails, so they don’t need “flexibility” – it’s routine and ongoing. Other applicants don’t get funded and have to wait until the next grant cycle – there is no certainty when applying for grants now, especially in our over-subscribed programs.</p> <p>Cost savings may be modest. In addition, we are interested in shifting staff’s work load to allow more focus on grant compliance.</p> <p>Our experience suggests that our sponsors, including non-profits, are flexible and creative, able to adapt to change. We have the ability to help sponsors amend grant agreements to help adapt to change.</p>

Person/Organization	Comment	Staff reply
Chris Holm Secretary, Methow Valley Snowmobile Association	<p>To a person, our membership is against the idea, as we see several problems inherent in this idea.</p> <p>We live in a recreation area that, economically, depends on people visiting, and staying, to take advantage of the outdoor, park and forest environments and activities available. A plan that is not responsive to community needs, as we think this plan is, would be disastrous for the economics of our area. So I am speaking not only for our membership, but also for all those who come here to recreate and the businesses which are open because of those visitors.</p> <p>We think your committee would be inundated with requests to re-open grants in the off year and one of two scenarios would occur. You would be just as busy, albeit not as organized, as if you'd remained with the current plan or, upon refusing to re-open some proposals, you would create a cadre of very unhappy constituents.</p> <p>Given the unpredictability of our sport (mostly weather), it is difficult enough to plan for an annual cycle and changing to a 2-year cycle would be disastrous. We believe this is true of most sports. The 2-year cycle does not allow for the flexibility needed. Responsiveness to current changes would be lost. The ability to react to current situation is most critical – and that is even before one considers the monetary aspect.</p> <p>Travel expenses, which are minimal in the overall budget anyway, would not be saved and the allocation of funds could easily be unfair. Speaking of funds, would all funds be appropriated for the 2 years or would some be saved back? What happens if the saved funds are not used, or if there are not enough funds reserved? Your planning, our planning, all sports' planning could be, and most likely would be, unsuccessful.</p>	<p>We appreciate your comments.</p> <p>Our experience suggests that our sponsors, including non-profits, are flexible and creative, able to adapt to change. We have the ability to help sponsors amend grant agreements to help adapt to change.</p> <p>We are routinely asked about funding for projects at any given point in time. Grant program schedules do not always align with potential applicant needs. Proposals are considered in an open competitive process, and, especially in over-subscribed programs, we are unable to fund everyone.</p> <p>We are not proposing changes to the evaluation process and do not agree there is a connection between travel costs and allocation of funds becoming "unfair."</p> <p>State government has a need to minimize all costs, including travel. The state is interested in cumulative savings.</p>
	Please make a decision to remain on a yearly plan cycle.	

Person/Organization	Comment	Staff reply
Glenn Glover Executive Director Evergreen Mountain Bike Alliance	<p data-bbox="478 237 1283 337">As Executive Director of Evergreen Mountain Bike Alliance, and on behalf of our thousands of supporters around the state, I express our firm opposition to the proposed change of grant schedule.</p> <p data-bbox="478 380 1283 797">Specifically, the proposal to convert RTP from an annual to a biannual grant program will have a significant negative impact on small to mid-size recreation and conservation organizations. As a two-time recipient of an RTP grant, with another highly ranked application this year, I can attest to the importance of the annual nature of potential financial support for projects. These are extremely competitive grants and very few organizations are successful on their first attempts, rather taking the information learned from the scoring committee results and improving the focus and quality of their project and application in subsequent applications. Moving to a two-year cycle will make this process almost impossible for small organizations.</p> <p data-bbox="478 839 1283 1044">Biannual calendars can work for larger grant programs, such as WWRP and NOVA. These are intended for, and essentially open only to, government agencies pursuing very large projects. The RTP grant program, with a \$75,000 annual award limit has always been a means for agencies and non-profits to execute highly valued and highly efficient small projects.</p> <p data-bbox="478 1086 1283 1323">Furthermore, I have spoken with two members of the RTP scoring committee about these proposed changes. As I understand they were not consulted or offered the opportunity to provide input on this proposal and they are very concerned about the additional work load that will create. In "scoring" years they will now be expected to score twice as many applications and for many community volunteers this will be an unsustainable intensity of effort.</p> <p data-bbox="478 1365 1283 1430">Evergreen has brought tens of thousands of volunteer labor and hundreds of thousands of matching dollars to projects around</p>	<p data-bbox="1310 237 1929 264">We appreciate your comments.</p> <p data-bbox="1310 306 1929 371">Our experience with nonprofit organizations makes us aware of the importance of grant funding.</p> <p data-bbox="1310 414 1929 651">All past and current funded projects are open and available in PRISM to anyone – applicants can learn a lot from reading a few successful proposals, viewing the attachments, evaluation responses, etc. OGMs are also here to help. But even organizations that have “won” a lot of grants also have applications that score below the funding line.</p> <p data-bbox="1310 693 1929 758">The RCFB could decide to raise grant limits and fund two-year proposals.</p> <p data-bbox="1310 800 1929 930">All advisory committee members and interested people were notified and given equal opportunity to comment. Note the support from RTP and other advisory committee members, above.</p> <p data-bbox="1310 974 1929 1039">Staff anticipates that we may get a few more, but probably not twice as many applications.</p> <p data-bbox="1310 1081 1929 1211">Also, the draft proposal would likely increase the workload somewhat in even years but we feel this would be compensated by “no application work” in odd numbered years.</p> <p data-bbox="1310 1253 1929 1393">We do not agree that a two-year funding cycle diminishes the ability of applicants to leverage government funds, since applicants currently bring substantial match to our two-year grants programs.</p>

Person/Organization	Comment	Staff reply
	Washington State. This proposed change will diminish our ability to continue this and support non-motorized recreation at a time when leveraging of government fund has never been more important.	

Item 7

Meeting Date: March 2011
Title: Request for Delegation of Authority,
Kah Tai Park (RCO# 81-043A) Boundary Dispute
Prepared By: Jim Anest, RCO Conversion Specialist

Approved by the Director:

Proposed Action: Decision

Summary

In 1981, the City of Port Townsend and the Port of Port Townsend used federal Land and Water Conservation Fund (LWCF) and state bonds to purchase property for Kah Tai Park¹. The two grant sponsors are now in dispute with the National Park Service (NPS) about how the grant-protected boundary of the park is defined. If unresolved, this difference of opinion could lead to a conversion or to litigation.

This issue is complicated by the fact that the project files are incomplete and agency policy is unclear on the director's authority to negotiate this boundary dispute.

Therefore, Recreation and Conservation Office (RCO) staff is asking the Recreation and Conservation Funding Board (board) to delegate to the RCO director the authority to negotiate a resolution to this issue of a disputed park boundary.

Staff Recommendation

Staff recommends that the board approve delegation of authority to the RCO director to negotiate the project boundary at Kah Tai Park in Port Townsend, WA via Resolution #2011-05.

Strategic Plan Link

This request for delegation of authority supports the board's strategy of ensuring that funded projects are managed in conformance with existing legal authorities.

¹ Unrelated to the acquisition grant, the City of Port Townsend received a development grant from the board in 1983 (RCO# 83-018D). These bond funds were used to construct trails, restrooms and other features in the park.

Background

Project Name: Kah Tai Park	Project #: 81-043A
Grant Program: 50% Land and Water Conservation Fund (LWCF) 25% Bonds 25% local match	Board funded date: 1981
LWCF Amount: \$ 113,977	Original Purpose: The acquisition of approximately 78.5 acres for a park through donations, land transfers and purchases.
State Bonds \$ 56,983	
Sponsor Match \$ 59,000	
Total Amount: \$ 229,960	

In 1981, the City of Port Townsend (City) and the Port of Port Townsend (Port) were awarded a grant to acquire 78.5 acres for park purposes in Port Townsend (Attachment A). Much of the sponsors' match for the grant was donated land. As part the match, the port entered into a 30-year lease with the city for 20 acres, which make up the southern portion of the park (Attachment B). This lease expires in mid-2012.

There is no question that the 30-year lease was a part of the land donation constituting the sponsor match. The dispute is over the long-term geographic scope of the grant. That is, whether the land donation was limited to the 30-year term of the lease or perpetual.

- The National Park Service (NPS)² believes that, as a signatory to the grant, the Port agreed to perpetual outdoor recreational use for the leased property. They assert that the LWCF program has never allowed short-term leases in acquisition grant agreements.
- A land use attorney retained by the port, however, concluded that LWCF rules (at the time of the grant) did allow lease terms, and that the port's grant obligations terminate with the end of the lease agreement.

Complicating matters further, street easements owned by the city were apparently never included in the grant. As a result, a fragmented grant boundary was created for this park.

Staff has been working with NPS and the sponsors for over a year on this issue. Due to the nature of the park, public interest in the outcome is high. A transit center with a park and ride lot has been built in recent years adjacent to the southwest corner of the Kah Tai Park. Currently, there is a proposal for a multipurpose aquatic, recreation, and fitness center adjacent to the transit center on about 1.5 acres of the port-leased portion of the park.

² According to the LWCF act, the National Park Service makes the final decision in determining grant project boundaries. The state, through the RCFB and RCO, are responsible for ensuring perpetual grant compliance.

Analysis

This situation illustrates some common challenges of long-term compliance with older grants, especially those with multiple sponsors:

- Difference of opinion between sponsors as to what is required by the grant;
- Incomplete and ambiguous records in the file; and
- Conflicting memories of those who participated in the decisions of many years ago.

While the particular facts of this dispute are unique, it is common to discover unanticipated boundary problems with older grants. Resolving such problems without litigation requires considerable time and effort to negotiate with those involved. The ability to be flexible in decision making is a significant asset.

Staff is recommending the clear delegation of authority to the director so that the parties can negotiate and resolve the matter in a way that allows for flexibility in decision making. Doing so also would improve the timeliness of the resolution, since the director could consider alternatives as they are proposed, without the potential delay from waiting for the board meetings.

Next Steps

If delegated authority by this board, the director will meet with all parties to the grant agreement and seek a mutually acceptable resolution to the dispute over park boundaries.

Attachments

Resolution 2011-05

- A. Kah Tai Park location map
- B. Map of Kah Tai Park

Recreation and Conservation Funding Board
Resolution #2011-05

Delegating Authority to the Director to Negotiate a Resolution to the
Boundary Dispute for Project #81-043A

WHEREAS, In 1981, the City of Port Townsend (City) and the Port of Port Townsend (Port) were awarded a grant to acquire 78.5 acres for Kah Tai Park in Port Townsend; and

WHEREAS, the grant included funding from the Land and Water Conservation Fund (LWCF) , which is funded by the National Park Service (NPS), and is thus subject its rules and determinations regarding boundaries; and

WHEREAS, the NPS makes the final determination regarding the boundary; and

WHEREAS, the Recreation and Conservation Funding Board (board), through the Recreation and Conservation Office (RCO) are responsible for ensuring ongoing compliance with LWCF-funded grants in Washington State; and

WHEREAS, the two grant sponsors are now in dispute with the NPS about how the grant-protected boundary of the park is defined; and

WHEREAS, as the grant management agency, RCO has been working with NPS and the sponsors for over a year on this issue; and

WHEREAS, negotiating a resolution to complicated boundary disputes requires the ability to consider alternatives in a timely manner; and

WHEREAS, avoiding costly litigation over boundaries is in the best interest of the public, protects the board's investments, and supports the board's goal to manage its resources in an accountable way; and

WHEREAS, delegating authority to the director to negotiate a resolution with the sponsors and the National Park Service allows for the consideration of multiple alternatives and a timely resolution; and

NOW THEREFORE BE IT RESOLVED, that the board hereby delegates authority to the Recreation and Conservation Office director to negotiate a resolution to the boundary dispute regarding project number 81-043A.

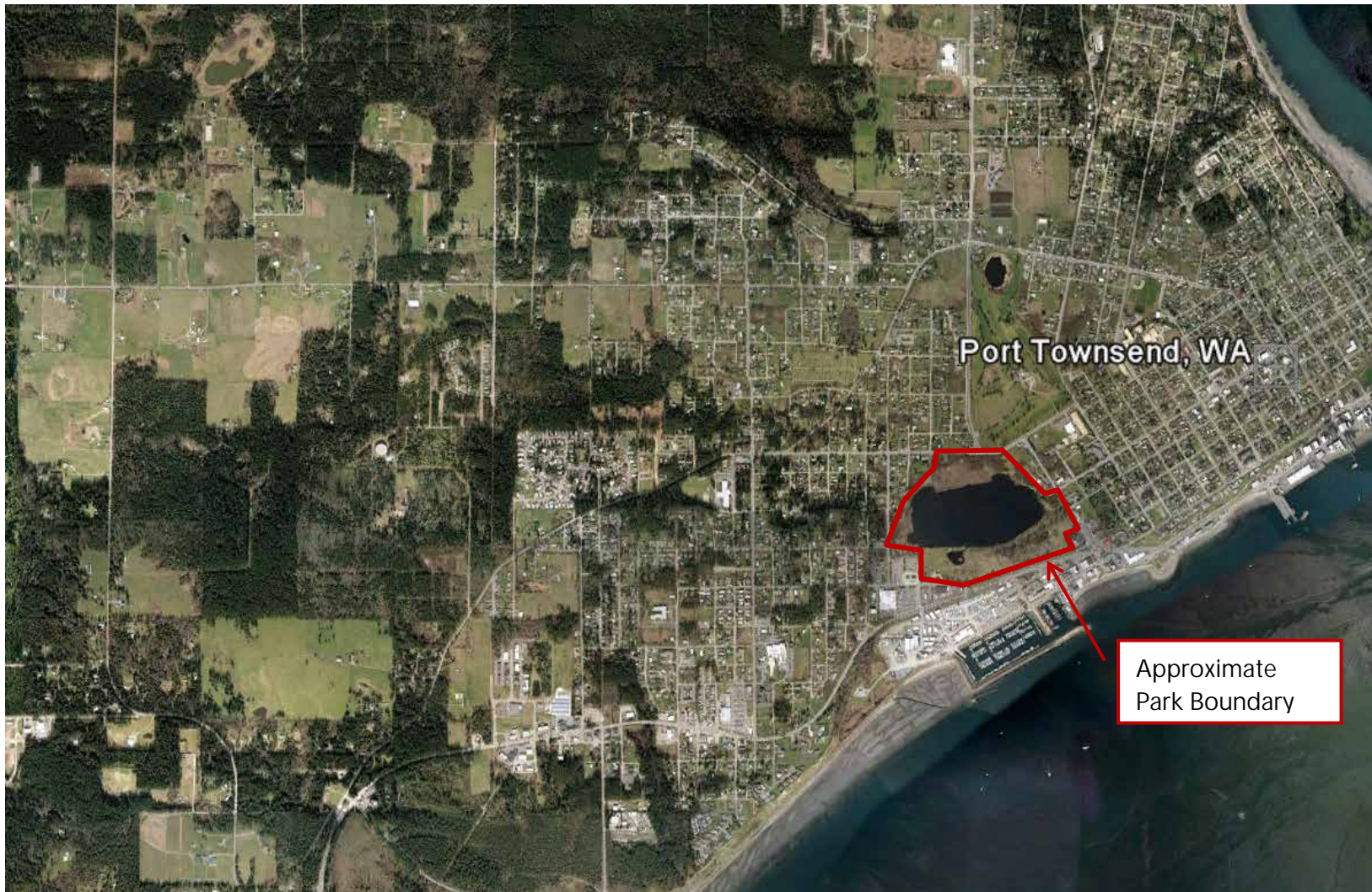
Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Kah Tai Park Location Map



Map of Kah Tai Park



Item 8A

Meeting Date: March 2011
Title: Sustainability Practices and Policy Development
Prepared By: Jim Eychaner, Senior Policy Specialist
Lucienne Guyot, Agency Sustainability Coordinator

Approved by the Director:

Proposed Action: Briefing

Summary

Per direction from the Recreation and Conservation Funding Board (board) in 2010, staff has continued its review of sustainability practices through research and analysis of available data, focusing on grant applicants' report of sustainability measures. This memo provides highlights; more detail will be provided at the March meeting.

Strategic Plan Link

The board's mission states that it will "Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations." Consideration of sustainability is vital to implementing the mission for future generations.

Background

In March 2010, Recreation and Conservation Office (RCO) staff presented a research paper on issues related to sustainability (Attachment A). This paper suggested potential board actions for policy, planning, and programs.

Since then, staff has leveraged new PRISM¹ metrics to investigate grant applicants' reports concerning sustainable measures they intend to implement if awarded funds. Per board direction, we examined application data in the local parks, trails, and state lands grant categories of the Washington Wildlife and Recreation Program (WWRP).

¹ PRISM is the agency database for tracking projects.

Analysis

Staff found the following:

- 88% of applications in the local parks category claimed sustainable measures.
- 72% of applications in the trails category claimed sustainable measures.
- 93% of applications in state lands development/renovation claimed sustainable measures.

The most reported “sustainable” metrics are:

- On site materials reduction
- Stormwater management
- Plantings and landscaping
- Use of recycled materials
- Use of pervious surfaces

We also conducted brief case studies based on informational interviews with a number of applicants to better understand their perspectives. We will summarize the interviews during our briefing.

Next Steps

Staff will present our findings and additional information to the board in March, and will develop next steps based on board guidance.

Attachments

- A. Approaches to Policies to Promote Sustainability through the Recreation and Conservation Funding Board, 2010

DRAFT

Approaches to Policies to Promote Sustainability through the Recreation and Conservation Funding Board



Jim Eychaner
Policy and Planning Specialist

March 2010



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Background

The Recreation and Conservation Funding Board (RCFB) has expressed interest in incorporating sustainability concepts into its grant programs. This paper discusses

- How Washington state government has defined sustainability;
- RCFB grant program consistency with these definitions;
- RCFB's authority for addressing sustainability;
- Relevant state law and Governor's Executive Orders;
- Models for implementing and measuring sustainable practices; and
- Potential actions for RCFB consideration.

It is assumed that RCFB will direct Recreation and Conservation Office (RCO) staff to work with the public and grant program stakeholders to identify or recommend appropriate actions.

Sustainability as Defined by Washington State Government

To *sustain* literally means to support, keep up, lengthen or extend, nourish, or take on. *Sustainability* is the property or characteristic of being able to sustain – being able to support, keep up, lengthen or extend, nourish, or take on.

From its beginnings in 1964, the Recreation and Conservation Funding Board has been concerned with a particular form of sustainability: that is, sustaining the state's investment in outdoor recreation and habitat over time. The Board and agency's organic legislation includes the provision

... land with respect to which money has been expended under RCW 79A.25.080 shall not, without the approval of the board, be converted to uses other than those for which such expenditure was originally approved.¹

This "non-conversion" clause has helped ensure sustained access to and enjoyment of the land and facilities paid for in whole or part with state funds managed by the RCFB.²

Since the 1960s, but especially in the late 20th and early 21st Centuries, the term *sustainability* has evolved to take on an environmental and ethical emphasis.

¹ RCW 79A.25.100

² This assumes both the RCFB and its clients have the tools needed to manage portfolios forever. This is not necessarily the case. RCO, for example, is not always able to describe the exact location and boundaries of land paid for in previous decades.

This emphasis may have originated in the 1987 “Brundtland Report,” which defined sustainability as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”³

Washington State Government has adapted a variation of the Brundtland definition. Both the Office of Financial Management and the Department of Ecology currently define *sustainability* as “... a holistic approach to living and problem solving that addresses social equity, environmental health, and economic prosperity. To be sustainable, the economy must support a high quality of life for all people in a way that protects our health, our limited natural resources, and our environment.”⁴

Washington State Parks defines sustainability as “An ethic that guides individual and organizational decisions resulting in the conservation of environmental, economic and human resources for current and future generations.”⁵

Similarly, the Recreation and Conservation Office’s 2003 internal sustainability plan defines sustainability as “... a way of meeting present needs, without compromising future generations of their ability to meet their own needs, while integrating environmental protection, economic need, and social concerns.”

The common themes to be found in these recent definitions are: the environment, the economy, and people (health, human resources, social concerns). The “environment” has come to include issues related to climate change, including but not limited to protection of natural resources and natural processes and the extent of human-produced “greenhouse gases” such as carbon dioxide. For this reason, much of the discussion to follow will reference carbon emissions and greenhouse gases.

Consistency with the Definitions

RCFB policy has, since the Board and agency’s beginnings, reflected the themes found in modern definitions of sustainability.

Environment. In all RCFB-supervised grant programs, the natural environment is referenced either in program purpose, policy, or evaluation criteria. The Washington Wildlife and Recreation Program findings state “That Washington possesses an abundance of natural wealth in the form of forests, mountains, wildlife, waters, and other natural resources, all of which help to provide an unparalleled diversity of outdoor

³ Report of the World Commission on Environment and Development *Our Common Future*, Gro Harlem Brundtland (Norway) Chairman

⁴ <http://www.ofm.wa.gov/sustainability/default.asp> and *A Field Guide to Sustainability connecting concepts with action*, Ecology, publication #03-04-005 (Rev. October 2007)

⁵ *Agency Policy on Sustainability and “Being Green,”* Washington State Parks and Recreation Commission, June 2008

recreation opportunities and a quality of life unmatched in this nation." (RCW 79A.15.005)

Policy A-2 of the Boating Programs Policy Plan reads "***RCO boating grants shall assist public agencies in providing quality opportunities for the recreational boating public—opportunities that satisfy user needs in an environmentally responsible manner.*** RCO does not own or operate facilities. In making funding available to facility providers, however, RCO will recognize its responsibility as a partner in the stewardship of the natural environment."

Sustainability as an element in grant evaluation criteria may use different wording and emphasis, but is consistently present. For example:

- The Aquatic Lands Enhancement Account (ALEA) criterion 4b (Manual 21) asks among many other questions "Will the [restoration] project lead to sustainable ecological functions and processes over time?"
- Washington Wildlife and Recreation Program (WWRP) Local Parks criterion 3 (Manual 10a) asks "Will environmental or other important values be protected by the proposed development?"
- The Nonhighway and Off-Road Vehicle Activities (NOVA) ORV criterion 3b (Manual 14) asks applicants to "Explain how the design protects and complements the environment."

It could be assumed that conservation grants from programs such as ALEA or WWRP's "Critical Habitat" program are essentially contributions to environmental sustainability. There is a fallacy, however, in assuming that nature does not change. There is no long-term, steady-state in nature. A conservation grant made to support a particular species, for example, cannot assure perpetual existence of that species when so many conditions are beyond human control. Grant compliance policy is beginning to recognize this fact and allows for a certain level of adaptability.⁶

The Economy. The Recreation and Conservation Office (RCO) is not recognized as an economic development or "jobs" agency: such tasks are typically assigned to the Department of Commerce or other agencies. Grant criteria do not measure economic development or jobs, though there is mention of consideration of youth crews in Recreational Trails Program (RTP) policy, and a "Jobs for Veterans" effort in grants managed by the Salmon Recovery Funding Board (SRFB). Also, the agency's PRISM data base is being modified to track job creation/retention attributable to grants.

People. There is no other reason for RCFB and its grant programs to exist than to satisfy public demand, whether for trails, ball fields, or land preservation for human values from scenic to ecological. Statute, policy, and evaluation criteria all emphasize human and social need, whether the integration of health and recreation in the state comprehensive outdoor recreation plan (SCORP), or asking about "need" in evaluation criteria.

⁶ Manual 7 *Funded Projects: Policies and the Project Agreement*, RCO
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Recreation is recognized as fundamental to human needs. The United Nations has declared "Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay."⁷

Accepting that leisure/recreation is fundamental to human existence, we can make a further generalization: that is, *managed* recreation is sustainable; *unmanaged or undermanaged* recreation may not be sustainable. This is confirmed by the Washington State Department of Natural Resources and its 2008-09 Sustainable Recreation initiative.

"Recreation occurring on state lands has dramatically changed over the course of the last forty years since the Multiple Use Act was enacted. When DNR began building its recreational facilities and trails in the 1960's most people in the outdoors participated in fishing, hiking, horseback riding, swimming, picnicking and hunting. Now... the most outdoor activities include mountain biking, camping, and motorized trail use (motorcycles, ATVs, 4x4s). Other activities like paragliding, paintball and mountain biking did not occur on the state lands until well after the 1960s. Not only has the type of recreation changed, but the amount of recreation has dramatically increased, as reflected by the fact that the state's population has doubled from 3.3 million people to 6.5 million in the last forty years.

"As DNR faces issues with drastically changing recreation trends on state lands, DNR is forced to keep up with increased demand for outdoor recreational opportunities with the same outdated facilities and trails it built forty years ago. As increased use and demand for recreation continues to grow so does the need for increased maintenance and management abilities to handle these changes. *As the gap between the public's increase demand for outdoor recreation opportunities and DNR's limited supply continues to grow the negative effects of recreation on the environment and public safety will also grow.*"⁸ [Emphasis added]

RCFB can assume that investment in the management of recreation through appropriate sites and facilities is in essence a contribution to social or human sustainability. Further, many recreation facility grants are used to protect resources, adding to environmental sustainability.

In sum, RCFB grant programs address the major elements of sustainability as defined by state agencies. Whether they do so in a deliberate, systematic, or strategic manner is a different question.

⁷ United Nations Universal Declaration of Human Rights, Article 24.

⁸ Sustainable Recreation Work Group Forum Issue: Access, Background Information 2, Preliminary DRAFT, July 2009

RCFB's Ability to Promote Sustainability

The RCFB's powers and duties are established in state law. Because the Recreation and Conservation Office, the agency that supports the RCFB, is part of the Executive Branch, both the Board and the agency must ultimately be in accord with the Governor's agenda. There are a number of issues and concepts worthy of RCFB promotion or encouragement, from healthy lifestyles through physical activity to environmental justice. Fortunately, successive Governors have taken a high level of interest in sustainability, as evidenced by Executive Orders supported by legislation. RCFB therefore can be confident that promoting sustainability is within its authority.

Statutory Context for Sustainability Policy

RCFB has some latitude in taking initiative to add the concept of sustainability to grant program direction and evaluation. However, consistent with any criteria development, it must make sure that new criteria are consistent with applicable state law and Governor's Executive Orders. Also, it must consider the institutional capacity of its clients and avoid placing unreasonable burdens on these clients.

Statutes and Executive Orders specific to sustainability are relatively few. The more important ones are

Planning

- **36.70A RCW, Growth Management Act**, in which the legislature finds "... that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state."

Development

- **RCW 39.04.133**, requiring a preference for the purchase and use of recycled content products in State capital improvement or construction projects.
- **RCW 39.35D.030**, establishing that "All major facility projects of public agencies receiving any funding in a state capital budget, or projects financed through a financing contract... must be designed, constructed, and certified to at least the LEED⁹ silver standard." The statute applies to buildings of 5,000 square feet and larger.

⁹ "LEED" is Leadership in Energy and Environmental Design, a program managed by the US Green Building Council. It provides third-party verification that a building was designed and built using strategies aimed at improving performance in energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

- **43.21C RCW, State Environmental Policy**, declares a state policy "... which will encourage productive and enjoyable harmony between humankind and the environment; (2) ... promote efforts which will prevent or eliminate damage to the environment and biosphere; (3) ... stimulate the health and welfare of human beings; and (4) ... enrich the understanding of the ecological systems and natural resources important to the state and nation."

Greenhouse Gases (CO2)

- **RCW 47.01.440**, adopts statewide goals to reduce annual per capita vehicle miles traveled: 18% reduction by 2020, 30% by 2035, and 50% by 2050.
- **70.235 RCW** directs certain agencies to participate in the design of a regional multi-sector market-based system to help achieve greenhouse gas emission reductions, assessing other market strategies to reduce emissions of greenhouse gases, and ensuring the state has a well trained workforce for a clean energy future.
 - RCW 70.235.050 requires all state agencies to achieve reductions in greenhouse gas emissions generated by agency travel.
 - RCW 70.235.070 directs that when distributing capital funds through competitive programs for infrastructure and economic development projects, all state agencies must consider whether the entity receiving the funds has adopted policies to reduce greenhouse gas emissions.

Solid Waste

- **70.95 RCW** establishes "... a comprehensive statewide program for solid waste handling, and solid waste recovery and/or recycling which will prevent land, air, and water pollution and conserve the natural, economic, and energy resources of this state." Assigns primary responsibility to local government and a supporting role to Ecology. No role for RCFB.

Executive Orders

- **Executive Order 02-03**, directs state agencies to develop sustainability plans for their own internal operations.
- **Executive Order 05-01**, directs state agencies to incorporate "green" building practices in all new construction projects and in major remodels that cost over 60% of the facility's assessed value (buildings of 5,000 square feet). Orders agencies to reduce petroleum use by 20%, paper use by 30%, and reduce energy purchase by 10%, effective 9-1-09.
- **Executive Order 07-02**, Washington Climate Change Challenge, adopting the 2005 Clean Car Act requiring certain automobiles to meet tougher emissions standards beginning with 2009 models; sets state goals for reducing greenhouse gas emissions, for increasing "green" energy sector jobs, and for reducing the amount of fuel imported into the State; and adopting high performance green building standards, as well as having one of the most energy efficient building codes in the nation.
- **Executive Order 09-05** Washington's Leadership on Climate Change, instructs Ecology to continue work in the Western Climate Initiative toward reducing

greenhouse emissions, establish emissions baselines by certain large facilities, and develop emission benchmarks Ecology believes will be covered by a regional or federal cap and trade program; to work with Department of Natural Resources on recommendations for forestry offset protocols; instructs Washington State Department of Transportation to develop plans and strategies when implemented will reduce vehicle miles traveled.

Except for 70.95 RCW, which targets action by local agencies, these statutes and Executive Orders are analyzed with RCFB grant programs in mind.

State Law

36.70A RCW: Growth Management Act

According to RCFB Manual 2, *Planning Policies*, the Growth Management Act (GMA) encourages recreation and habitat conservation planning in several ways, including –

- A GMA goal designed to guide the development and adoption of comprehensive plans is to – *“Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.”* RCW 36.70A.020(9)
- *“Each county shall adopt development regulations that protect critical areas.”* RCW 36.70A.060(2)
- *“Each comprehensive plan shall include... a land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for... recreation, open spaces...”* RCW 36.70A.070(1)
- *“Comprehensive plans may include... other subjects relating to the physical development within its jurisdiction, including... recreation.”* RCW 36.70A.080(1)(c)
- *“Each county and city that is required or chooses to prepare a comprehensive land use plan under RCW 36.70A.040 shall identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030.”* RCW 36.70A.160
- *“Whenever a state agency is considering awarding grants... to finance public facilities, it shall consider whether the... requesting [agency] is a party to a county-wide planning policy under RCW 36.70A.210... and shall accord additional preference to the [agency] if such policy exists.”* RCW 43.17.250

Many of RCFB’s planning requirements parallel those in GMA, including a capital facility element with inventory, forecast of future needs, and the multi-year financing plan. Manual 2 encourages applicants to consider meeting GMA and RCFB requirements in a single plan document.

As well as providing planning guidance, RCFB policy rewards those governments that meet GMA requirements. Nearly all RCFB-managed grant programs have an evaluation question focused on meeting the requirements of the GMA; the exceptions are the

Boating Infrastructure Grant (BIG) program that operates with federal evaluation criteria, and the Boating Activities Program which at present has no funding and no evaluation criteria.

RCW 39.04.133: purchase and use of recycled content products

This statute calls for preferences for the purchase and use of recycled content products as a factor in the design and development of state capital improvement projects. It appears to extend to RCFB development grants made with capital dollars:

RCW 30.04.133 (2) If a construction project receives state public funding, the product standards, as provided in RCW [43.19A.020](#),¹⁰ shall apply to the materials used in the project, whenever the administering agency and project owner determine that such products would be cost-effective and are readily available.

RCFB does not currently have a policy or directive in place that specifically references RCW 39.04.133. It could be argued that the small-scale construction typically funded by RCFB was not targeted by this statute. Many grant recipients are already incorporating recycled materials into project elements from park benches to play ground surfaces.

¹⁰ RCW 43.19A.020 makes federal product standards the standards for the State of Washington.
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RCW 39.35D.030: Leadership in Energy and Environmental Design (LEED)

This law directs that all major facility projects by public agencies receiving any funding in a state capital budget must be designed, constructed, and certified to at least the LEED silver standard.¹¹ It applies to buildings over 5,000 square feet.

LEED's measurable standards are arranged into seven categories, of which 5 appear to have relevance to the outdoor orientation of RCFB grant projects. The seven categories have a total of 25 criteria.

Staff analyzed LEED criteria against RCFB grant programs with "typical" projects in mind. The analysis considered the applicability or suitability of the 25 criteria using a scale of low, medium, high, and "not applicable." We found that overall, 15% of the criteria are not applicable (e.g., indoor environmental quality), 49% have low applicability, 23% have medium applicability, and only 12% have high applicability.¹²

The few buildings funded by RCFB tend to be significantly smaller than 5,000 square feet. Typical buildings are restrooms, winter-use warming shelters, and primitive "convenience camping structures" such as yurts. Even the largest of the structures funded by RCFB may be a few hundred square feet in size.

Other RCFB-funded facilities such as ball fields, boat launches, trails and trail heads, and play grounds "fit" the LEED criteria only in the most generic sense. Applying the criteria to these projects requires a level of subjectivity that would be difficult to defend. In short, asking a LEED inspector to use these criteria on a "typical" RCFB project may be somewhat akin to using automobile manufacturing standards to rate a bicycle.

Refining LEED: A Potential Option. LEED weaknesses are recognized by entities seeking guidance on sustainable construction for projects other than buildings. The Sustainable Sites Initiative (SSI) is a leading proponent for augmenting LEED to cover more types of construction.

The Sustainable Sites Initiative "... began as separate projects of the Sustainable Design and Development Professional Practice Network of the American Society of Landscape Architects (ASLA) and the Lady Bird Johnson Wildflower Center. In 2005, the two groups joined forces to hold a Sustainable Sites Summit in Austin, Texas.

In 2006, the United States Botanical Garden (USBG) joined as a major partner in the Initiative. A Steering Committee representing 11 stakeholder groups was selected to

¹¹ LEED points are awarded on a 100-point scale, and silver standard is 50 points or above.

¹² Percentages do not add up to 100% due to rounding.
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guide the Initiative. More than 30 experts are now on Technical Subcommittees developing sustainable benchmarks for soils, hydrology, vegetation, human health and well-being and materials selection. These subcommittees are developing the technical foundation for the *Guidelines and Performance Benchmarks*. The first interim report - the "Preliminary Report" - was released in November 2007.

The Initiative's central message is that any landscape, whether the site of a large subdivision, a shopping mall, a park, an abandoned rail yard, or a single home, holds the potential both to improve and to regenerate the natural benefits and services provided by ecosystems in their undeveloped state. ¹³

The SSI work could be important, as the U.S. Green Building Council anticipates incorporating these guidelines and performance benchmarks (measurable criteria) into future iterations of the LEED system. The guidelines and benchmarks are in progress: SSI is seeking sponsors to submit planned projects as case studies to further refine the criteria.

At first glance, this set of criteria seems to have more promise for assessing RCFB-funded projects than LEED. SSI presents its criteria in eight prerequisite categories and nine credit categories. A total of 65 criteria may be measured.

To assess relevance of "typical" RCFB projects to SSI, staff conducted the same analysis done for LEED, using a scale of low, medium, high, and "not applicable." We found that virtually all criteria are applicable, but that overall 47% appear to have low applicability, 21% medium, and 31% high.¹⁴

As mentioned above, SSI is continuing to test and refine its criteria. It is worth tracking this initiative over time, perhaps proposing a future case study associated with an RCFB grant program. For the present, however, the fact that nearly half of the SSI criteria have no or low applicability to RCFB grant projects should be of concern.

Key finding. "Sustainability" standards for recreation facilities do not exist. Current efforts by recreation providers borrow somewhat unpredictably from a variety of sources from low impact development to urban forestry to invasive species prevention guidelines. While there is some overlap of facilities (e.g., parking, restrooms) among the huge variety of outdoor recreation activities, different forms of recreation require different facilities which in turn should be treated with different standards: ball fields cannot be compared to trails which cannot be compared to boat ramps.

Also, neither LEED nor SSI criteria are relevant to a substantial portion of the RCFB's portfolio. LEED and SSI standards cannot be used to measure sustainable farm lands, riparian areas, aquatic lands, or habitat of any variety.

¹³ Text quoted from www.sustainablesites.org, the web page of the Sustainable Sites Initiative, 2008.

¹⁴ Percentages do not add up to 100% due to rounding.

43.21C RCW, State Environmental Policy Act (SEPA)

Any development or major renovation project proposed by local or state agency sponsors is subject to review under SEPA. The SEPA process, managed by the Washington State Department of Ecology, starts with a checklist of environmental and other project impacts. The purpose of the checklist is to help a project proponent decide whether an environmental impact statement (EIS) is needed.

The SEPA checklist asks about potential project impacts to 16 environmental elements from air and water to recreation and transportation. None of the elements are specific to sustainability or sustainable practices. Unlike LEED or SSI criteria, the elements are not evaluated or scored.

SEPA is useful to RCFB grant processes in many respects, for example as an applicant's major step toward securing permits or demonstrating readiness to proceed. However, SEPA as it is now designed is not particularly useful for sustainability purposes. Ecology recognizes this and has acted to improve the connection between SEPA and climate change. It has assembled a Climate Advisory Team, which has segued into an Implementation Working Group responsible for a *Report to the Climate Action Team* at Ecology. The report focused on a directive "to ensure that climate change considerations are fully incorporated into governmental decision-making, resource and development planning, permitting and approval. This addresses the broader recommendation to analyze greenhouse gas emissions and mitigation options early in decision-making, planning processes, and development projects."¹⁵

Therefore, there does not seem to be a need to further address 43.21C RCW in RCFB criteria.

Building on the SEPA Foundation: Permits as Sustainability Tools. An important function of the SEPA checklist is to help a project proponent to determine the extent of permits needed. The Department of Ecology's Environmental Permit Handbook lists 119 permits in thirteen major categories. As the name of the handbook implies, virtually all of these permits are in place to protect natural resources: air quality, water, land resources, and wetlands, among others. The permits may be issued by federal, state, or local government. Native American Tribes must be consulted for other permits, such as an archeological excavation permit.

Development and renovation projects funded by RCFB are subject to permit requirements. A water access project could be subject to a list of permits ranging from hydraulic to on-site sewage, shoreline variance to shoreline substantial development.

¹⁵ 2008 Climate Action Team, Appendix 6: State Environmental Policy Act (SEPA) Implementation Working Group, "Report to the Climate Action Team," Ecology.

RCFB does not require applicants to have permits “in hand” at the time of grant application. However, grant criteria do ask about the status of permits, usually in a “readiness to proceed” question.

RCW 47.01.440: Reducing Vehicle Miles Traveled

Burning gasoline for mobility is a known and significant source of greenhouse gases including carbon dioxide (CO₂).¹⁶ This law adopts statewide goals to reduce annual per capita vehicle miles traveled by 2050. It is intended to support implementation of RCW 47.04.280 and Executive Order 07-02 (Washington Climate Change Challenge), both of which address greenhouse gases from mobile sources. One rationale is related to sustainability: “To enhance Washington’s quality of life through transportation investments that promote energy conservation, enhance healthy communities, and *protect the environment.*” RCW 47.04.280(1)(d) emphasis added.

The focus of Executive Order 07-02 is the State’s response to evidence that “...greenhouse gas emissions are causing global temperatures to rise at rates that have the potential to cause economic disruption, environmental damage, and a public health crisis.”¹⁷

The intent of RCW 47.01.440 is partially addressed by RCW 79A.25.250, which requires RCFB grants to give priority to parks located in or near urban areas. The statute’s rationale includes “... the fact that the demand for park services is greatest in our urban areas, that parks should be accessible to all Washington citizens, that the urban poor cannot afford to travel to remotely located parks... [and] *that a need exists to conserve energy...*” *Emphasis added.* Nearby parks and trails should mean less driving. RCFB has implemented RCW 47.01 by use of an evaluation question.

Grant programs that support the goals of RCW 47.01.440. RCFB grant programs that help pay for urban bicycle and pedestrian facilities can support the goal of reducing vehicle miles traveled. The Burke-Gilman Trail in King County, for example, receives 2 million or more uses annually; about 1/3 of these uses are for commuting.¹⁸ The RCFB-managed Land and Water Conservation Fund (LWCF) recognizes this in its priorities for LWCF investment:

RCO recommends... the provision of active connections between communities and recreation sites and facilities. “Active connections” means shared use trails and paths, greenways, and other facilities and features that encourage walking, jogging, running, and bicycling for more than recreation.

¹⁶ “Motor vehicles account for at least half the carbon monoxide pollution in Washington,” Focus: Major Air Pollutants, Washington State Department of Ecology, FA-92-132 (Revised 4/98).

¹⁷ Governor’s Executive Order 07-02, February 7, 2007.

¹⁸ Puget Sound “Trends” Newsletter, Puget Sound Regional Council, November, 2000.

Reason: Leverage funding to address multiple priorities of government, including recreation, health through physical activity, and personal mobility.¹⁹

In addition to LWCF, the Washington Wildlife and Recreation Program and the Recreational Trails Program (by law) can support these facilities.²⁰

RCFB has been among the leaders in encouraging use of trails and paths for transportation as well as recreation. RCFB has adopted policy statements including "Trails need to be incorporated into transportation plans at state and local levels," and "plan for access [to parks] via trail modes: foot, bicycle, horse."²¹ These policies have been incorporated into grant criteria only for LWCF.

Uncertain grant programs. In contrast, RCFB manages and in fact depends on (for grant project and RCO administrative funding) a number of programs that at first glance appear to be inconsistent with this statute. The Boating Facilities Program, Boating Infrastructure Grant (BIG) program, the Nonhighway and Off-Road Vehicle Activities (NOVA) Program, and the Recreational Trails Program (RTP) are all based on funding derived from the consumption of gasoline.

One point of view could argue that these programs encourage gasoline consumption by rewarding vehicle miles traveled, whether motor vehicle travel to a recreation site or by recreational use of a motor vehicle or gasoline-powered boat.

A counterpoint is that the programs mitigate for minor CO₂ impacts by helping managers provide programs and facilities that minimize the environmental impacts of vehicle and boat use. The Department of Natural Resources, for example, has learned that virtually all types of recreation on its lands is essentially sustainable if the agency has the money and other resources it needs to actively manage for recreation. DNR has stated that "Human activity in nature that may appear benign can still cause significant harm to the environment if not managed properly."²²

In addition, NOVA activities often take place in a forested setting: forests are known to absorb CO₂.²³ If NOVA funds are being used to protect the environment by placing and maintaining suitable facilities that prevent resource damage, NOVA in a sense could be "off-setting" itself. The same concept could not necessarily be claimed for boating; water

¹⁹ *Defining and Measuring Success: the Role of State Government in Outdoor Recreation*, RCO, June 2008.

²⁰ RTP has flexibility under Federal law to fund urban bicycle and pedestrian facilities; RCFB policy directs RTP funds to "backcountry" trails that do not contribute to reducing vehicle miles traveled.

²¹ *Washington State Trails Plan Policy and Action Document*, RCO, June, 1991.

²² "Environmental Impacts Paper" developed by the Department of Natural Resources for the Sustainable Recreation Work Group, 2008-09.

²³ The Department of Natural Resources recently estimated that state trust forests have the potential to absorb 200 million tons of carbon, *2008 Climate Action Team, Forest Sector Workshop, Forest Sector Workgroup on Climate Change Mitigation, Final Report*, Ecology and DNR.

does absorb CO₂, but in doing so it becomes more acidic, potentially harming the marine environment.

Whether these perspectives balance or even should balance is a challenging question. To put the conversation into perspective, it is helpful to understand the potential “carbon” (CO₂) contribution of gasoline-powered recreation. We have data available with which to make an estimate of CO₂ contributed by two major recreational gasoline uses.

- RCO’s 2003 fuel study found that “NOVA activities” from driving family vehicles or pickups on nonhighway roads to motorcycle and ATV riding off of roads burned 25,600,000 gallons of gas in the study period.
- According to the Washington State Department of Licensing, the motor boating community, over time, averages 1% of annual gasoline sales. WSDOT estimates 2010 gas sales at 2,772 million gallons. Boating’s share of the estimate would be 1% or 27,200,000 gallons.
- Burning a gallon of gasoline creates 20 pounds of CO₂.²⁴
- With these data, we can calculate the following:

Estimated Annual CO ₂ Contribution of Boating and NOVA Activities				
Program	Gallons of gas consumed	Pounds of carbon per gallon	Pounds of carbon	Pounds converted to US tons
NOVA	25,600,000	20	512,000,000	256,000
Boating	27,200,000	20	554,000,000	277,000

As recently as 2005, Washington State’s total CO₂ emissions have been estimated at about 95 million tons.²⁵ The total estimated CO₂ from boating and NOVA activities of 533,000 tons is an insignificant part of that total.

It must be noted that boat and vehicle manufacturers are increasingly aware of their responsibilities with regard to fuel efficiency (responding to consume concerns about the price of gas) and carbon emissions. The BMW Group, owners of the Husqvarna motorcycle line, for example, promises that its products will offer “Less fuel consumption, lower CO₂ emissions, practical environmental protection....”²⁶ Honda is working to reduce emissions from its motorcycles 20% over 2001 levels by the year 2012; between 1996 and 2006 Honda claims to have increased its motorcycle fuel efficiency by 33.1%.²⁷

In the broadest terms, it could be argued that these emissions are a small part of the national “carbon” total that is subject to current and on-going national and international debate and negotiation. Certainly, it is worth noting that Ecology’s SEPA Implementation

²⁴ www.fueleconomy.gov web site of the United States Environmental Protection Agency

²⁵ Washington State Department of Natural Resources

²⁶ “Sustainability by Design. Taking Responsible Action.” BMW Group brochure, 2009.

²⁷ Publication “Setting High Standards: Striving for Sustainability,” Honda, 2006.

Working Group found that "...only part of the future greenhouse gas reductions mandated by Washington State law is likely to be implemented through SEPA-related mitigation. Much of the eventual future reductions will likely result from multi-state, national or international "cap and trade" provisions, carbon taxes, or other Washington State laws that may not be tied directly to the SEPA process."²⁸

The Future of Gasoline and the Sustainability of the RCFB. Because RCFB and its RCO administrators depend on gasoline taxes to pay for administrative costs, it needs to be concerned about larger issues of gasoline use and supply. In the short run, per capita gasoline sales are falling, and with it gasoline tax revenue.²⁹

As total revenue declines, the share credited to NOVA and Boating Facilities will likewise decline: each is a percentage of total gas used and taxes paid, and as the total declines, the shares will decline. Note that gas taxes attributable to boating and credited to the recreation resource account have not yet declined because of a graduated rate that has not yet reached its maximum (see chart, below).

State Fuel Tax Allocations (per gallon of gasoline)			
Year	Total State Fuel Tax Rate RCW 82.36.025	Fuel Tax Rate Used to Calculate Transfer to the Recreation Resource Account RCW 79A.25.070	Fuel Tax Paid by Boaters Directed to Highways
2002	\$0.23	\$0.18	\$0.05
2003	\$0.28*	\$0.19	\$0.09
2004	\$0.28	\$0.19	\$0.09
2005	\$0.31	\$0.20	\$0.11
2006	\$0.34	\$0.20	\$0.14
2007	\$0.36	\$0.21	\$0.15
2008	\$0.375	\$0.21	\$0.165
2009	\$0.375	\$0.22	\$0.155
2010	\$0.375	\$0.22	\$0.155
2011	\$0.375	\$0.23	\$0.145

*RCW 82.36.025(2) allows this \$0.05 to expire "when the bonds issued for transportation projects 2003 are retired." Bond information is available from the Washington State Treasurer.

²⁸ 2008 Climate Action Team, Appendix 6: State Environmental Policy Act (SEPA) Implementation Working Group, "Report to the Climate Action Team," Ecology.

²⁹ Transportation Revenue Forecast Council, June 2009 *Transportation Economic and Revenue Forecasts*, Volume 1, Summary Document, Washington State Department of Transportation.

After 2011, RCFB can expect the recreation resource account to erode as gasoline sales continue to decline at least through 2018.³⁰

The big picture of gasoline supply is uncertain. How long petroleum will be available for cost-effective recovery is simply not known. The amount of recoverable petroleum is sometimes a state secret in those countries with known deposits. A recent opinion on the extent of supply comes from the International Energy Agency (IEA): it reported that "the output of conventional oil will peak in 2020 if oil demand grows on a business-as-usual basis."³¹

In the long run, there seems to be no question that the cost of petroleum and gasoline will continue to rise.³² As the cost goes up, perhaps including future "carbon taxes," society will turn to alternatives. People will continue to recreate with boats and trail machines; however, they may not be using gasoline to power them. "Hybrid" passenger vehicles are becoming commonplace. Electric vehicles are promised for the near future. Biofuels could become commonplace in recreational uses.³³ These and other, potentially cheaper, energy technologies no doubt will be adapted for recreation.

Obviously, if people buy less gasoline over time, RCFB would receive less revenue over time for its programs – and for the agency that supports it. The question could then become how long the funding sources, grant programs, the Board, and the agency will be sustainable. Losing this structure could compromise or endanger the past investments made in land and infrastructure statewide.

³⁰ Ibid.

³¹ Reported in *The Economist*, The Peak Oil Debate 2020 Vision, December 10, 2009.

³² "...oil prices will recover as the world economy emerges from recession; North Sea Brent, the European benchmark, will average \$74 a barrel, up from \$62 in 2009." *The World in 2010*, The World in Figures, The Economist, December 2009.

³³ For discussion of alternate fuels for motor boating, see *Ecoboat – Boats for a Sustainable Future on the Norfolk and Suffolk Broads*, School of Marine Science and Technology, University of Newcastle Upon Tyne, May 2005.

70.235 RCW Limiting greenhouse gas emissions

This law focuses on state participation in the design of a regional multi-sector market-based system to help achieve those emission reductions. Responsibility is assigned to the Department of Ecology and the Department of Commerce.

A “market-based” system implies the buying and selling of carbon units of some kind, with the potential to find market values for carbon sequestration services provided by forests.

RCFB would have no direct role in implementation of this law. However, it is of interest to speculate on “market value” value of the carbon emissions that could be attributed to recreation.

For example, cap-and-trade proponents debate the value of carbon units. Value is usually expressed in dollars per ton. *The Economist* magazine suggests carbon should be priced at US \$18 per ton. *Forbes* magazine suggested that the recent Copenhagen debate might settle on US \$10 per ton (and did not).

Using a “for instance” price of \$10 US per ton of CO₂, calculated against the values for NOVA and Boating gasoline consumption discussed above, we can estimate the market value of the carbon attributable to gasoline-supported grant programs this way:

Program	Gallons of gas consumed	Pounds of carbon per gallon	Pounds of carbon	Pounds converted to US tons	Price per ton	Potential annual price
NOVA	25,600,000	20	512,000,000	256,000	\$10	\$2,560,000
Boating	27,200,000	20	554,000,000	277,000	\$10	\$2,770,000

Whether these estimates have any relevance to a multi-sector market-based system is unknown at this time. NOVA and boating, not to mention recreation generally, is probably not a major source sector: the figures above represent only 2% of CO₂ from gasoline consumption. However, these figures could find their way into Washington State’s unique emissions portfolio at some point in the future.

Recent changes to 70.235 RCW. In the 2008-09 session, the Legislature approved ESSB 5560, now codified as RCW 70.235.070. The section reads

Beginning in 2010, when distributing capital funds through competitive programs for infrastructure and economic development projects, all state agencies must consider whether the entity receiving the funds has adopted policies to reduce greenhouse gas emissions. Agencies also must consider whether the project is consistent with: (1) The state's limits on the emissions of greenhouse gases established in RCW 70.235.020; (2) Statewide goals to reduce annual per capita vehicle miles traveled by 2050, in accordance with RCW 47.01.440, except that the

agency shall consider whether project locations in rural counties, as defined in RCW 43.160.020, will maximize the reduction of vehicle miles traveled; (3) Applicable federal emissions reduction requirements.

The Office of Financial Management (OFM) has determined that this section is not applicable to the RCFB's grant programs: parks, boat launches, trails and other sites and facilities paid for by RCFB grants do not meet the intended definition of "infrastructure."³⁴ OFM does encourage RCO to implement the provisions of this statute when feasible.

Executive Orders

02-03 Sustainable practices by state agencies

Directs state agencies to prepare and implement sustainability plans for their business practices. RCO has maintained a sustainability plan since 2003. In annual reports to the Office of Financial Management, the agency has shown real results toward the goals of this executive order. For example, the agency reported in 2003 it used 3,965 reams of paper; in 2007, 972 reams; the agency reduced gasoline purchase by over 1,000 gallons between 2008 and 2009.

The agency sustainability plan has no real applicability to RCFB policy to promote sustainability other than as a "good example."

05-01: Establishing sustainability and efficiency goals for state operations

Again, RCO has met its goals to reduce gasoline and paper use, but this executive order does not apply to policy promoting sustainability.

07-02 Washington Climate Change Challenge

See discussion under RCW 47.01.440, page 15.

09-05 Washington's Leadership on Climate Change

See discussion under 70.235 RCW, page 19. In addition to Ecology and Commerce leading on establishing emission baselines and investigating a market-based system, the Order gives the Department of Natural Resources a key role in making recommendations for making forestry offset protocols, and also gives the Department of Transportation a role in giving the public additional transportation alternatives and choices.

³⁴ IMPLEMENTATION OF RCW 70.235.070, memo from Office of Financial Management, February 8, 2010

Summary of State Laws and Executive Orders

Applicability of different state laws and Executive Orders to RCFB grant programs appears to be problematic. Not all statutes are evenly applicable to all programs, and some executive orders are aimed at the agency and are not necessarily applicable to sustainability policy affecting grant programs.

Statute or Executive Order	Applicability to RCFB Grant Programs	Comments
36.70A RCW, Growth Management Act	High	RCFB policy encourages planning and rewards compliance with GMA
RCW 39.04.133 preference for recycled materials	Mixed – uncertain connection to acquisition projects	No policy in place
RCW 39.35D.030 buildings to LEED standards	Low, funded structures do not meet minimum size	Sustainable Sites Initiative may be more relevant
43.21C state environmental policy	Low in programs funding federal projects, high in all others	SEPA check lists may be evidence of applicant's "readiness to proceed"
RCW 47.01.440 reduce vehicle miles traveled	Mixed	Boating, NOVA, and RTP may be problematic
70.95 RCW solid waste management	Not applicable	
Executive Order 02-03 sustainable practices by state agencies	Low	Agency specific, not applicable to grant clients
Executive Order 05-01 sustainability goals for state agencies	Low	Agency specific, not applicable to grant clients
Executive Order 07-02 Washington Climate Challenge	Mixed	Boating, NOVA, and RTP may be problematic
Executive Order 09-05 Washington's leadership on climate change	Mixed	Uncertain relationship

Unfortunately, this mixed or uneven applicability does not help RCFB to craft policy that is deliberate, systematic, or strategic. Especially confounding is the apparent problematic relationship between some grant programs and state law and Executive Order.

Other Guidance for Developing Sustainability Policy

Looking beyond state law and Executive Order, RCFB may consider sustainability models from other agencies, institutions, or organizations.

Living Building Challenge

The International Living Building Institute (ILBI) is a non-governmental organization (NGO) "dedicated to the creation of a truly sustainable built environment in all countries around the world." It was "...initially launched and continues to be operated by the Cascadia Region Green Building Council www.cascadiagbc.org (a chapter of both the US Green Building Council and Canada Green Building Council)...."³⁵

The Living Building Challenge offers a set of 20 criteria in seven categories for assessing development in four settings: neighborhood, building, landscape+infrastructure, renovation. A cursory examination shows that, like LEED, the LBC has low applicability to many of the projects funded by RCFB.

The Natural Step

Ecology refers to the concept called The Natural Step as a framework for decision making. "The Natural Step was developed beginning in the late 1980s by Dr. Karl-Henrik Robèrt, a Swedish oncologist, who later collaborated with physicist, Dr John Holmberg to create a framework for the conditions that are considered essential for life. The Natural Step framework strives to move beyond ongoing debate over appropriate levels of risk or potential long-term effects of a product or process. If an activity continually violates the system conditions, it cannot be sustained over the long term."³⁶

The Natural Step System Guidelines have four goals.

- Goal 1: Fossil fuels, metals, and other minerals should not be extracted from the earth and accumulate on the surface at a faster rate than their slow redeposit into the Earth's crust.
- Goal 2: Synthetic substances should not be produced faster than they can be safely used or broken down in nature.
- Goal 3: The productivity and diversity of nature should not deteriorate. We must not harvest more from nature than can be recreated or renewed. Also, we cannot change the climate such that major imbalances in global systems arise. We cannot destabilize the dynamic equilibrium necessary

³⁵ Quoted from www.ilbi.org web site 2009

³⁶ Quoted from www.naturalstep.org web site 2009

for life as we and all other creatures know it, such as the balance between oxygen and carbon dioxide in the oceans and atmosphere.

Goal 4: There must be fair and efficient use of resources. Basic human needs³⁷ should be met with the most resource-efficient methods possible, including equitable resource distribution. Economic development should be sustainable for all the economies of the world.

The Washington State Department of Ecology assessed The Natural Step (TNS) as a foundation for its own agency sustainability plan and found important weaknesses. For example, a criterion of “measurability” was rated “poor.” Ecology writes, “TNS was designed to define societal sustainability and requires estimates of substance flows compared to the earth’s ability to process those flows and to handle wastes. These measurements are very difficult and in some cases, probably beyond humankind’s current knowledge. Organizations must use measurable surrogates that may not be systematic or comprehensive as indicators.”³⁸

Another weakness of The Natural Step is its model of “backcasting” – that is, identifying a desired outcome and looking back in space and time at the steps needed to achieve the outcome. Other than the *Washington State Trails Plan* (RCO, 1991), no RCFB-approved document has established measurable goals for grant or other RCO programs from which to “backcast.”

The Natural Step is not a satisfactory model for RCFB policy on sustainability.

Salmon Safe

Salmon Safe is a nonprofit organization dedicated to restoring urban and agricultural watersheds for salmon. It has developed salmon-safe certification standards for parks and natural areas, focusing on avoiding harm to stream ecosystems. As such, it is perhaps too narrowly focused to be considered a sustainability model, though its application would be consistent with sustainability. It is of interest as it could make a connection between RCFB and the Salmon Recovery Funding Board (SRFB).

Washington State Department of Ecology

Ecology offers a major document intended to assist organizations in assessing their “ecological footprint,” *Pathways to Sustainability*. *Pathways* focuses on “business practices” such as building design and facility operations. Ecology also offers a minor document intended as a general interest or promotional piece, *A Field Guide to*

³⁷ “Basic human needs” defined to include leisure, Natural Step Internet site <http://www.naturalstep.org/the-system-conditions> October 2009, emphasis added.

³⁸ *Pathways to Sustainability, A Comprehensive Strategic Planning Model for Achieving Environmental Sustainability*, Washington State Department of Ecology, Publication No. 02-01-008.

Sustainability. The *Field Guide* somewhat contradicts Pathways by focusing on The Natural Step. The *Field Guide* deals in generalities. Its advice to government is to engage in: environmentally preferable purchasing, green building, and green energy.

Neither Pathways nor the Field Guide offers substantial guidance for developing sustainability policy related to RCFB grant programs.

Local Washington Communities

Many local communities refer to sustainability in parks and recreation programs and services. These tend to a grab-bag of initiatives such as tree planting, volunteerism, recycling, and "green" design such as use of artificial turf with no underlying strategy or standards.

Other States

Staff queried planners through the National Association of Recreation Resource Planners (NARRP).

California. Its sustainability web site focuses on retention and adaptive use of older and historic buildings.

Nebraska. State Parks was developing a "green cabin" project. In searching for applicable standards or criteria, it borrowed a checklist from San Mateo (CA) County. The check list includes consideration of site, water, recycled materials, sustainable products such as wood from sustainable forests, and saving energy through design.

Pennsylvania. Pennsylvania State Parks offers Community Recreation and Conservation grants. It has decided to "Go Green," and scores applications accordingly: 30 out of 100 possible points are linked to sustainable practices. Points are based on the Sustainable Sites Initiative guidelines. The points are allocated in four major sections: water, natural landscaping and trees, green design and construction (including LEED criteria for buildings), and connecting people to nature. To assist applicants, the agency offers an Internet site on "Greening Parks and Sustainable Practices" <http://www.dcnr.state.pa.us/brc/grants/indexgreen.aspx> This site features Parks' "Green/Sustainable Project Scorecard for Grant Applicants."

Texas. Encourages but does not require grant applicants to use "environmentally responsible activities" with a grant evaluation question specific to these activities. Examples range from use of native plants to water catchment systems. It also offers a publication to grant applicants called *Environmentally Responsible Activities: Recommendations*.

Wisconsin. Generally recommends different sustainability standards for different recreation types. Detail is not currently available.

Alternatives for RCFB Action

The Recreation and Conservation Funding Board may approach sustainability policy in three broad and interrelated areas: agency policy, agency planning, and grant programs. Because accepted standards for sustainability specific to recreation sites and facilities are simply not available, work in this area could be ground-breaking. As such, a proposal to develop such standards could be worthy of agency-request legislation or other means to seek research and development funds.

To avoid unintended consequences, stakeholder resistance, and poor precedence, a high level of due diligence is essential. As the Department of Ecology's SEPA Implementation Work Group found,

In other states and on a federal level, we have witnessed climate change policy under SEPA-like statutes being made on an ad hoc basis through piecemeal litigation or through piecemeal precedent set by individual environmental reviews negotiated between individual applicants and individual lead agencies. In neither case has there been consistency or predictability. Our aim is to diminish the potential for litigation (and to provide consistency and predictability) by giving state and local agencies the tools and framework they need to fully incorporate climate change considerations into their decision-making.³⁹

Policy

RCFB could consider crafting any number of general Board and agency policies regarding sustainability. It appears that RCFB could be well served by ensuring that existing policies are aligned before making new demands of its clients.

At the simplest level, RCFB could on the evidence available to it simply declare that its current practices address sustainability in a sufficient manner. The agency sustainability plan is in place, and its goals are being met. RCFB grants routinely pay for projects that contribute to sustainability, whether the acquisition of wetlands or forest habitat, or a development project that protects natural resources by directing and focusing use. RCFB does not fund capital projects subject to LEED requirements.

However, it may be desirable to ensure that any RCFB-funded development be executed with sustainable practices as a specific goal. Trails, ball fields, parks, and boat launches

³⁹ 2008 Climate Action Team, Appendix 6: State Environmental Policy Act (SEPA) Implementation Working Group, "Report to the Climate Action Team," Ecology.

could be built with recyclable materials, use native vegetation, conserve water, and minimize energy use.

RCFB could assist with implementation of RCW 70.235.070, considering whether grant applicants have adopted policies to reduce greenhouse gas emissions. This action would require sensitivity to the variety of applicants we serve. For example, it may be unreasonable to ask a small nonprofit seeking a trail maintenance grant to submit its greenhouse gas policies; on the other hand, a large city such as Seattle may have already adopted and implemented its policies and considers a park project to be directly related to greenhouse gas reduction.

Regarding those programs with uncertain alignment with state law or Executive Order, the RCFB could find that its varied programs act as offsets for one another. Or it could find that emissions from recreation-based sources a diminutive part of the state’s overall emission profile, and that this profile will be subject to national or international action such as cap and trade, cap and dividend, or other carbon limits legislation.

Defending offsets. To support an assertion that varied programs offset one another, it may be desirable to defend the assertion with metrics. It is possible to develop an estimated carbon footprint of the impacts and benefits of funded projects in all grant programs in a given biennium or grant cycle. The carbon footprint estimate, perhaps an initial baseline followed by regular updates, would be made up of estimates of a number of elements related to the themes identified in the State’s definition of sustainability.

Potential Metrics to Estimate Biennial Carbon Footprint				
Element	Measure	Impact	Benefit	Comments
Environmental	Use of petroleum products	ü		Pavement, artificial turf, fuel used in construction
	Use of timber		ü	If certified “green” products, though different certifications are controversial
	Percent of pervious surface	ü		Farm land program has set precedent with “envelope” concept
	Estimated vehicle traffic	ü		Difficult to determine service area, could be offset with bicycle access, transit stop
	Use of native plants		ü	The public has been known to object to replacement of grass with native plantings
	Energy used on site	ü		Lighting for ball fields, parking lots, restrooms, etc.
	Energy generated on site		ü	Potential for solar, wave-energy, other generation if it does not interfere with the purpose of the grant
	Preservation of natural processes		ü	So-called green infrastructure benefits, such as carbon sequestration, water filtration, storm water control
Social	Public satisfaction		ü	Requires survey potentially limited to projects: high cost
	Promote physical activity		ü	Would tend to reward trails, ball fields, sports courts, playgrounds
	Meet “demand”		ü	“Demand” needs better definition, potential link to level of service
Economic	Jobs created or		ü	PRISM report in progress

	preserved			
	User spending		ü	Economics of recreation poorly understood and often overstated

The challenge would be to gather the required data and make sense of it. Assigning points to criteria makes sense, though determining how many points to assign to estimate vehicle traffic versus public satisfaction would require a consensus among key clients and stakeholders. If metrics were to be developed and data collected, it would only make sense to collect data consistently over time to monitor trends from the baseline. Currently, RCO lacks the resources necessary to fully develop these metrics, in terms of expertise and available staff. At minimum, staff training would be needed, but which staff in an agency working beyond capacity would be a difficult decision.

Moving into more complex policy areas, RCFB could decide that it needs to assume it has responsibility to reduce or mitigate for emissions attributable to motor boating or NOVA activities.

Reducing: While the RCFB has virtually no influence over consumer choice in terms of recreation activities, it could for example work with user groups to publicize alternates to fossil fuel: hybrid technology, biofuels, solar, or others. This kind of activity would require additional work to address a likely decline in program revenue. In the realm of speculation, it may be possible to develop agency legislation that results in replacement of fuel taxes foregone with revenue from another source, perhaps the boating excise tax or sales tax related to the equipment needed for NOVA activities.

Mitigating: In a creative action perhaps needing new agency authority, RCFB could pay a forest landowner, such as DNR, to defer or delay timber harvest of sufficient volume to account for CO2 attributable to motorized recreation. Optionally, grant sponsors could be asked to set aside a portion of grant funds for some kind of mitigation payment.

The challenges here would include, at minimum, weighing the political risk against potential return.

Planning

RCFB could direct RCO staff to incorporate sustainability concepts in internal policy and client planning requirements.

Internal planning. Examples of internal plans that could readily incorporate sustainability issues include the state comprehensive outdoor recreation plan (SCORP); the NOVA plan; or the Boating Programs Policy Plan. The work here could be a “next step” in going from no applicable sustainability guidelines or standards to exploring activity-specific guidelines or standards.

Client planning. RCFB grant programs such as Boating Facilities, NOVA, and the Washington Wildlife and Recreation Program (WWRP) require potential applicants to

submit an approved plan to establish programmatic eligibility. RCFB could encourage, recommend, or require a sustainability element in those plans. Implementation would include amending the Washington Administrative Code and program Manual 2. Amendments could include case studies, checklists, references, and other material.

Grant Programs

Of all the activities that RCFB oversees, there is no doubt that the grant programs have the most influence outside of the agency. The RCFB could adjust grant program policies and rules to promote sustainability agenda in at least three ways.

1. Recommend. Similar to the Pennsylvania State Parks approach, RCFB could direct that programs provide clients with general guidance, checklists, and resources. Clients could self-assess the extent to which they are doing or are willing to do “the right thing.”

2. Reward. Grant programs could be restructured to give more weight, more evaluation points, or more money to projects demonstrating sustainable practices. The first order of business, of course, would be to determine what those practices are on a program-by-program basis.

As of this date, the word “sustainability” is found in one RCFB evaluation criteria in the WWRP State Parks category. The word “sustainable” is found only in the Land and Water Conservation Fund (LWCF) criteria. However, virtually all program evaluation criteria reference protection of the environment or natural resources.

- **Aquatic Lands Enhancement Account.** Question 4b. Project design and viability (Access Projects Only): *Does the proposed development protect the natural resources on site? For example, does the project include low impact development techniques, green infrastructure, or environmentally preferred building products?*
- **Boating Activities Program.** No criteria are in place at this time.
- **Boating Facilities Program.** Question 3b. Project Design. *Is the proposal appropriately designed for the intended use? Development only. RCFB policy rewards design standards and construction techniques intended to maximize service life, minimize routine maintenance, and avoid environmental impacts.*
- **Boating Infrastructure.** No reference in existing federal criteria.
- **Firearms Archery Range.** Question 3. Project Design. *Has this project been designed in a high quality manner? Development projects. Environment - How are aesthetic, accessibility, and environmental issues addressed? If applicable, how are lead recovery, soil, and water conditions addressed?*
- **Land and Water.** Question 5. Cost Efficiencies. *The extent that this project demonstrates efficiencies and/or reduces government costs through documented use of: Innovative or **sustainable** design or construction resulting in long-term cost savings. Examples: Use of solar energy, integration of wetlands as “green infrastructure,” new materials or construction techniques with outstanding potential for long service life. [emphasis added]*

- **Nonhighway and ORV.** All categories use Question 3b. Project Design. *Is the proposal appropriately designed for intended uses and users? Explain how the design: Protects and complements the environment.* Question 3c. Maintenance. *Are the project's maintenance goals and objectives appropriate? Is the project needed to ensure protection of an environmentally sensitive site?*
- **Recreational Trails.** Question 3. Project Design. *Is the proposal appropriately designed for intended uses and users? How does the design protect and complement the environment?*
- **WWRP.** From Manual 10a WWRP – ORA, all categories, Question 3. Project Design. *Does the project demonstrate good design criteria? Does it make the best use of the site? Will environmental or other important values be protected by the proposed development?* Manual 10a, State Parks category, question 8, **Application of Sustainability.** *Does the proposed design or acquisition meet accepted sustainability standards, best management practices, and/or stewardship of natural or cultural resources?* From Manual 10b WWRP – HCA. 3. Manageability and Viability. *What is the likelihood of the site remaining viable over the long term and why is it important to secure it now? [Describe] Ongoing stewardship.*
- **Youth Athletic Facilities.** No reference in existing criteria.

To give more weight to “sustainability,” the RCFB could direct staff to simply insert the word “sustainable” in existing evaluation questions, accompanied by a definition and examples. Where questions are lacking, new questions could be written, as the State of Texas has done. The problem with adding points or a question is that the element assigned the points becomes a new requirement: in a process in which some projects are separated by tenths of a point, all points are important. Regardless, RCFB would need to develop program-specific definitions, checklists, case studies, or guidelines to help clients respond to the “sustainability” element.

Beyond points, RCFB may wish to encourage action by offering more money to grants demonstrating sustainability. For example, where policy calls for a sponsor to bring its own matching resources to bear on at least 10% of a project cost, the amount could be lowered to 5%. Another approach would be to raise grant limits; boating for example could provide 90% funding instead of the current 75%.

3. Require. The RCFB could make sustainable practices a requirement for program participation. One suggestion is to establish a sustainability threshold of some kind. A threshold would be difficult to determine. One way would be to require applicants to have permits in hand at the time of application or evaluation.

There is no doubt that an option to *require* clients to address sustainability would be the most difficult to implement. Here again, no clear standards or guidelines exist. RCFB would have to direct RCO staff to work with the public to develop acceptable guidelines based on available examples.

Additional action. Whatever the decision, RCFB could consider approaching the Sustainable Sites Initiative about making a “sustainable Grant program” part of the case studies SSI is seeking to further develop its criteria.

Public Process

To achieve any policy initiative, RCFB understands that a public process is essential. Addressing sustainability as an agency priority or requirement in the public arena would not be a simple undertaking.

At minimum, staff recommends a “sustainability steering committee.” A committee could include experts and experienced people associated with each of the grant programs potentially involved. It could be charged with taking RCFB direction and providing advice to RCO staff.

Additional public involvement could include personal interviews with experts and important stakeholders, workshops, focus groups, public meetings, web polls, and other approaches.

Next Steps

Assuming the RCFB wishes to make sustainability a priority, the RCO currently has sufficient resources available for developing and implementing a public process. A caution is that the more complex the direction, the more time it will take to develop recommendations that have client and public support.

A public process should result in consensus recommendations to the Board, including an assessment of the agency’s capacity to achieve the recommendations.

Appendix: Summary of Grant Programs and Estimated Applicability of State Laws and Executive Orders

36.70A RCW, Growth Management Act

<i>RCFB Grant Program</i>	<i>Potential Applicability of 36.70A RCW</i>	<i>Comments</i>
Aquatic Lands	High	No RCFB planning requirement
Boating Activities	High	No RCFB planning requirement
Boating Facilities	High	
Boating Infrastructure	High	No RCFB planning requirement
Firearms Archery Range	High	No RCFB planning requirement
Land and Water	High	
Nonhighway and ORV	Low	Significant number of projects take place on federal lands subject to National Environmental Policy Act (NEPA)
Recreational Trails	Low	Significant number of projects take place on federal lands subject to National Environmental Policy Act (NEPA); no planning requirement
WWRP	High	Not all categories have a planning requirement
Youth Athletic Facilities	High	No RCFB planning requirement

RCW 30.04.133, use of recycled content products

<i>Grant Program</i>	<i>Potential Applicability of RCW 30.04.133</i>	<i>Comments</i>
Aquatic Lands	Low	Development projects
Boating Activities	High	Development projects
Boating Facilities	High	Development projects
Boating Infrastructure	High	Development projects
Firearms Archery Range	High	Development projects
Land and Water	High	Development projects
Nonhighway and ORV	Low	On site materials may be recycled
Recreational Trails	Low	On site materials may be recycled
WWRP	High	Development projects
Youth Athletic Facilities	High	All categories

LEED Criteria

Grant Program	Potential Applicability: LEED Criteria	Comments
Aquatic Lands	Low 4 (15.4%) Medium 6 (23.1%) High 15 (57.7%) N/A 1 (3.8%)	Parking, restrooms
Boating Activities	Low 3 (11.5%) Medium 4 (15.4%) High 15 (57.7%) N/A 4 (15.4%)	Parking, docks, restrooms
Boating Facilities	Low 3 (11.5%) Medium 4 (15.4%) High 15 (57.7%) N/A 4 (15.4%)	Parking, docks, restrooms
Boating Infrastructure	Low 2 (7.7%) Medium 4 (15.4%) High 12 (46.1%) N/A 8 (30.8%)	Docks, piers, floats, restrooms
Firearms Archery Range	Low 0 (0%) Medium 8 (30.8%) High 13 (50%) N/A 5 (19.2%)	Shelters, restrooms, water use, energy use
Land and Water	Low 7 (26.9%) Medium 10 (38.5%) High 8 (30.8%) N/A 1 (3.8%)	Development: water use, energy use, restrooms, parking, "hard" trail surfaces
Nonhighway and ORV	Low 1 (3.8%) Medium 2 (7.7%) High 10 (38.5%) N/A 13 (50%)	ORV sport parks may have modest buildings, parking, restrooms
Recreational Trails	Low 1 (3.8%) Medium 2 (7.7%) High 14 (53.8%) N/A 9 (34.6%)	Use of native elements, recycled materials on site
WWRP	Low 8 (30.8%) Medium 9 (34.6%) High 9 (34.6%) N/A 0 (0%)	Affects development projects: parking, restrooms, lights, water use
Youth Athletic Facilities	Low 2 (7.7%) Medium 9 (34.6%) High 14 (53.8%) N/A 1 (3.8%)	Water use, lighting, on-site energy

Sustainable Sites Initiative

Grant Program	Potential Overall Applicability: SSI	Comments
Aquatic Lands	Low- 19 (29.2%) Medium 15 (23.1%) High 31 (47.7%) N/A 0 (0%)	Aligns well with natural systems preservation and social values
Boating Activities	Low 38 (58.5%) Medium 8 (12.3%) High 17 (26.2%) N/A 2 (3.1%)	Potential conflict with floodplain criteria
Boating Facilities	Low 32 (49.2%) Medium 13 (20.0%) High 18 (27.7%) N/A 2 (3.1%)	Potential conflict with floodplain criteria
Boating Infrastructure	Low 33 (50.7%) Medium 12 (18.5%) High 18 (27.7%) N/A 2 (3.1%)	Potential conflict with floodplain criteria
Firearms Archery Range	Low 41 (63.1%) Medium 11 (16.9%) High 13 (20.0%) N/A 0 (0%)	Water use, energy, recycled materials
Land and Water	Low 16 (24.6%) Medium 22 (33.8%) High 27 (41.5%) N/A 0 (0%)	Aligns well with social values
Nonhighway and ORV	Low 42 (64.6%) Medium 7 (10.8%) High 15 (23.1%) N/A 1 (1.5%)	On site elements, recycled materials (on site), parking, restrooms
Recreational Trails	Low 42 (64.6%) Medium 7 (10.8%) High 15 (23.1%) N/A 1 (1.5%)	On site elements, recycled materials (on site)
WWRP	Low 13 (20%) Medium 27 (41.5%) High 25 (38.5%) N/A 0 (0%)	Development projects are applicable, water use, on-site energy, site selection
Youth Athletic Facilities	Low 31 (47.7%) Medium 13 (20%) High 21 (32.3%) N/A 0 (0%)	Water use, site selection, recycled materials

43.21 RCW, state environmental policy (SEPA)

<i>Grant Program</i>	<i>Potential Applicability of 43.21 RCW</i>	<i>Comments</i>
Aquatic Lands	High	Development projects only
Boating Activities	High	Development projects only
Boating Facilities	High	Development projects only
Boating Infrastructure	High	Development projects only
Firearms Archery Range	High	Development projects only
Land and Water	High	Development projects only
Nonhighway and ORV	Low	Funds many federal projects not subject to SEPA
Recreational Trails	Low	Funds many federal projects not subject to SEPA
WWRP	High	Development projects, but 80% of WWRP goes for acquisition ⁴⁰
Youth Athletic Facilities	High	New or improvement projects

RCW 47.01.440, reduce vehicle miles traveled

<i>Grant Program</i>	<i>Potential Applicability of RCW 47.01.440</i>	<i>Comments</i>
Aquatic Lands	Potentially low	Neutral?
Boating Activities	Potentially high	Inconsistent?
Boating Facilities	Potentially high	Inconsistent
Boating Infrastructure	Potentially high	Inconsistent?
Firearms Archery Range	Potentially low	Neutral?
Land and Water	Potentially medium to high	Potential for offsets?
Nonhighway and ORV	Potentially high	Inconsistent?
Recreational Trails	Potentially high	Inconsistent?
WWRP	Potentially low	Potential for offsets?
Youth Athletic Facilities	Potentially low	Neutral?

⁴⁰ Determined by staff analysis for OFM in response to RCW 70.235.070 , December 2009.

Item 8B

Meeting Date: March 2011
Title: Level of Service Recommendations
Prepared By: Jim Eychaner, Senior Policy Specialist

Approved by the Director:

Proposed Action: Briefing

Summary

The Recreation and Conservation Office (RCO) hired a contractor to complete a statewide test of the level of service (LOS) recreation planning tool. Our contractor is recommending, and staff agrees, that the LOS be amended and used as an optional tool for local and state agency recreation planning. Staff will brief the Recreation and Conservation Funding Board (board) about the tool at the March board meeting.

Strategic Plan Link

Consideration of the level of service recreation planning tool supports the board's strategy to evaluate and develop strategic investment policies and plans so that projects selected for funding meet the state's recreation and conservation needs.

Background

In 2005, Representative Hans Dunshee expressed interest in an easy way to explain recreation "demand." To that end, he helped create a Legislative Study Committee on Outdoor Recreation. The committee found that typical approaches to recreation planning such as "population ratios" once recommended by National Recreation and Park Association are neither desirable nor effective.

Representative Dunshee then sponsored budget language that directed RCO to "... develop recommendations for a statewide approach to a recreation level of service for local and regional active recreation facilities, including indicators with which to measure progress in achieving level of service objectives."¹

¹ Supplemental Capital Budget, ESSB6384, April 4, 2006

Developing a Level of Service

RCO assembled an advisory group of local planners and other experts to help staff develop a scope of work. After an open contractor competition, RCO retained the consulting firm of EDAW (now AECOM). EDAW started work in July 2006.

RCO and EDAW held a series of public meetings on the assignment. Two meetings were scheduled for each community: one in the afternoon intended for professionals, and one in the evening intended for volunteers and the general public. The public meetings were held in Spokane, Wenatchee, Everett, Tacoma, and Aberdeen. The meetings were well attended, especially in Everett and Tacoma.

Reception was mixed. Planners and citizens were highly interested in and supportive of a tool with which to make more objective judgments about the status of and need for recreation sites and facilities. Park directors and managers were often neutral, or voiced concerns about unfunded state mandates, unproven tools, the potential need to re-do plans that had been developed at great political and financial cost, and the potential of being held to a new standard.

Working to meet the Legislative mandate, RCO and EDAW collaborated to develop the most reasonable and practical outcome. The result was a preliminary Level of Service (LOS) based on a three-tiered approach: quantity, quality, and access. In its report to RCO, EDAW stressed that the LOS was preliminary and that the concept needed further testing.

In a letter transmitting the LOS report to the Legislature in March 2007, the RCO Director stated

"The result is a recommendation that is both ground-breaking and preliminary.

It is ground-breaking in the sense that it introduces a truly new and unique concept of how to measure both performance of and the potential need for active park and recreation facilities. To our knowledge, no other state has developed anything like the initial level of service method presented in the report. The multi-level method has the potential to become a powerful planning tool, useful locally and at a statewide level to identify gaps in active park and recreation facilities.

It is preliminary in that the authors of the report recognize the need for further testing and refinement with input from communities across the state."

Testing the Preliminary Level of Service Proposal

In order to further the opportunity to test the LOS proposal, RCO staff added the preliminary LOS outcome to the state comprehensive outdoor recreation planning (SCORP) document,

which was then under development². The SCORP document was focused on defining and measuring success based on staff's experience with the state budget "Priorities of Government" process, as well as its experience in the LOS workshops held across the state.

The board agreed with this approach to further the public dialogue on the LOS and approved the 2008 SCORP with the preliminary LOS as a major component. A key provision of the SCORP's discussion of the LOS was to acknowledge that the concept needed further testing. The National Park Service subsequently agreed to help fund a statewide test.

RCO again conducted a competition to find a contractor to conduct the statewide test. The successful bidder was AECOM (formerly EDAAW).

Testing the Local Agency LOS

AECOM, with input from RCO staff and the project's advisory group, developed a sample of communities and counties on which to test the local agency LOS tool. The sample was stratified by population size, median income, and percent minority (non-white) to allow for potential comparisons. The selection of sample communities and counties based on these characteristics helped ensure that the preliminary LOS tool was tested on and applicable to a variety of communities/counties throughout the state.

Sample Communities				Sample Counties
Algona	Beaux Arts Village	Bellevue	Bellingham	• Adams
Bremerton	Brewster	Buckley	Carbonado	• Benton
Clarkston	Colton	Duvall	Ellensburg	• Ferry
Elmer City	Federal Way	Forks	Grand Coulee	• Grant
Issaquah	Kettle Falls	Kirkland	Lacey	• Kitsap
Mercer Island	Mossyrock	North Bend	Oakville	• Kittitas
Prosser	Pullman	Puyallup	Redmond	• Lewis
Renton	Richland	Ridgefield	Roy	• Lincoln
Royal City	Sedro-Woolley	Sequim	Skykomish	• Okanogan
Soap Lake	South Cle Elum	Spokane	Steilacoom	• Skagit
Sunnyside	Tacoma	Twisp	Walla Walla	• Spokane
Wenatchee	West Richland	Yakima		• Wahkiakum

The test was done by gathering existing park and recreation data from the communities. No new information or data were collected at the community/county level. The available data was then analyzed according to the preliminary LOS guidelines.

Presented with the results of the test, communities were surveyed on two major items: attitude toward the LOS and the accuracy of the LOS.

² SCORP is required to maintain Washington State's eligibility for federal Land and Water Conservation Fund grants from the National Park Service.

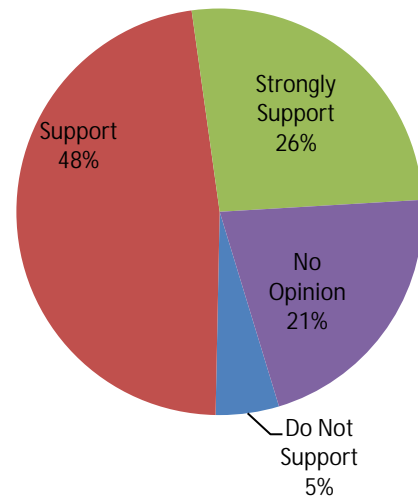
Regarding attitudes, as shown in the graph, there was strong support among the communities responding.

Regarding accuracy, communities responded as shown in the table. In short, they believed that the tool was quite accurate, but the response for individual indicators was mixed.

Accuracy of Local Agency LOS Grades

	LOS Overall	Individual Indicators
Very Accurately	24%	10%
Accurately	48%	55%
Neither Accurately nor Inaccurately	14%	10%
Inaccurately	14%	25%
Very Inaccurately	0%	0%

Attitudes Toward the Preliminary LOS (Local)



Testing the State Agency LOS

Three state agencies (DNR, WDFW, and State Parks) were invited to participate in a test of the preliminary state agency LOS. Several challenges appeared immediately.

- Among the three state agencies, there is inconsistency in whether or not data exist, the type of data that exist, and the usability of the information.
- All three agencies aim to protect the resources listed in their mission or mandate, whether that is forested lands, recreation sites, and/or fish and wildlife habitat. Recreation resources hold varying degrees of priority in those missions.
- The three agencies are aiming for different goals, have differing visions and mandates, and reach different objectives through the provision of recreation resources.

The state agency test was not as robust or conclusive as the local agency LOS test. However, AECOM recommended retaining a version of the state LOS, recommending further work in the next iteration of SCORP.

Analysis

Potential Use of the LOS in Grant Making

As a component of the recreation LOS testing process, the RCO also requested a “mock” grant evaluation. The intent of the mock grant evaluation was to assess the potential use of the LOS tools in RCO grant processes. Because of the common denominator of SCORP, the LWCF grant program was chosen by the RCO and AECOM as the case study for the mock grant process using the LOS.

AECOM recreation planners compiled and reviewed available data and information (using the RCO's PRISM software, which is available to the public) for each of these grant applications. Based on this review and prior knowledge from the local agency LOS tool testing process, AECOM determined that (1) the applicants had likely included any available pertinent data and information in their grant applications and (2) additional sources of data/information were not likely to be gained via direct engagement with the grant applicants.

AECOM recreation planners gathered and summarized available data and information from the 2010 LWCF grant applications (as provided by the grant applicants in PRISM). Originally, AECOM recreation planners hoped to engage the LWCF Advisory Committee in the review and scoring of the new LOS-related grant criteria. This plan proved unfeasible, so we used an internal review group of three AECOM recreation planners and two RCO staff members.

Overall, using the new LOS-related criteria with the existing LWCF grant criteria resulted in no change in rank for five of the fourteen grant applicants, an increase in rank for five of the grant applicants, and a decrease in rank for four of the grant applicants. Of the four applicants that decreased in rank, two (Tacoma and Mason County [Sunset Bluff]) decreased by 3 places –the largest relative move in the rankings. The change in rank seems to indicate that adding a LOS-related set of criteria to the LWCF grant application process would result in slightly different final ranks for grant applications.

While this change in rank is an interesting observation, it is difficult to draw definitive conclusions from the mock grant process because of several limitations associated with the process. First, the LWCF Advisory Committee scored the existing criteria, while an internal review group (many of whom were not experienced in scoring grants) scored the LOS-related criteria. Second, the grant applicants were not asked to directly address the LOS-related criteria. Third, the process lacked a robust stakeholder input process.

Local Agency LOS

High support for the local agency LOS indicated that it has high value as a planning tool. Mixed response to the criteria, however, indicated that changes were needed. Changes included eliminating several criteria. AECOM added a criterion based on "population ratios" commonly used in recreation planning. While many planning professionals reject the "population ratio" approach as simplistic and inadequate, it is retained as a sort of "short hand" that is easy to understand and explain.

AECOM Recommendations

- Retain the overall concept and execution of the LOS planning tool.
- Modify some of the specific indicators used in the tool (indicators are deleted, revised, or new).

- Reorganize the indicators within the three following categories: Quantity, Quality, and Distribution and Access.
- Recommend that local agencies use the LOS tool, but do not require its use.
- The revised LOS tool increases the ease of use and utility of the local agency LOS tool, can be enhanced in the future to accommodate other indicators, and retains inherent flexibility to best meet the needs of an individual community or jurisdiction.

State Agency LOS

The state agency LOS needs further development. However, AECOM has simplified it from the preliminary approach by removing criteria. A new criterion based on budget goals has been added.

AECOM Recommendations

- The original recommendation was to eliminate the use of the state agency LOS planning tool, as preliminarily proposed.
- Based on additional feedback (on the draft Recommendation Report), the final recommendation is to revise the state agency LOS planning tool to focus less on integration with state agency planning processes, and instead provide a consistent measurement approach for park and recreation facilities managed by the state.
- Like the recommendation for the local agency planning tool, the indicators should be designed and organized around three main concepts: Quantity, Quality, and Access. The indicators should exclude Distribution.

AECOM Recommendations: Moving Forward

As the state moves forward in potentially advocating the use of the LOS tools (per the recommendations in this report), the following are key considerations:

- **Provide Implementation Assistance:** The RCO could consider providing direct assistance (e.g., funding, staff time) to those communities who may not have the staff and/or resources to utilize the local agency LOS tool in their planning efforts.
- **Provide Written Guidance for Implementation.** The RCO could provide more direction on how to use the local agency LOS tool. For example, a guidebook could be created that communities/counties could use to apply the LOS indicators and criteria in a meaningful manner.
- **Provide On-Line Guidance.** The RCO should also consider creating an online local agency LOS knowledge-sharing or community of practice website.

- **Add Predictive Element to the LOS Tool.** The RCO should consider including an element on using the LOS tool to quantify future recreation needs, often a key component of recreation planning at the local level.
- **Continue to Work with State Agencies.** The RCO should continue to work with DNR, State Parks, and WDFW to refine and improve the state agency LOS planning tool.

Next Steps

Staff notes the high level of support shown for the LOS by test communities and agrees with the local agency LOS modifications proposed by AECOM. Staff also agrees that use of the LOS should be recommended, not required, as a way to help local communities assess the effectiveness of their park and recreation programs.

We agree with providing guidance. However, we recognize that the agency's budget means that this should be done at the lowest possible cost. We are pursuing two initial methods:

- We have rewritten policy Manual 2, *Planning Policies*, to include the LOS as a recommended tool for agency self assessment.
- We propose to develop a web page based on the material developed for Manual 2.

We also agree that further work with state agencies is needed. The next iteration of SCORP needs to follow up on the current edition by presenting the LOS test and test results. As the development of SCORP is done with the cooperation of affected parties and public review, it is an ideal next step for development of the LOS.

Attachments

- A. Preliminary local agency LOS, as published in SCORP and tested
- B. Recommended local agency LOS, based on 2010 test
- C. Preliminary state agency LOS, as published in SCORP and tested
- D. Recommended state agency LOS, based on 2010 test
- E. Text from Manual 2, *Planning Policies*, explaining the recommended LOS

Attachment A: Preliminary Local Agency LOS as published in SCORP and tested

Indicators and Criteria	Level of Service Ratings				
	A	B	C	D	E
Baseline Criteria: Per Capita Participation					
Individual Active Participation					
Percent of population that participates in one or more active outdoor activities	66-100%	51-65%	41-50%	31-40%	0-30%
Facility Capacity: Activity-Specific Participation					
Existing facilities meet this percentage of activity-specific demand	76-100%	61-75%	46-60%	31-45%	0-30%
Enhanced Criteria: Service Area/Population-Based (Equity)					
Urban Park, Trail					
Percentage of population within 0.5 mile of a neighborhood park or trail	76-100%	61-75%	46-60%	31-45%	0-30%
County Park, Trail*					
Percentage of population within 1.5 miles of a county park/trail	76-100%	61-75%	46-60%	31-45%	0-30%
Regional Park, Trail*					
Percentage of the population within 25 miles of a regional park or trail	76-100%	61-75%	46-60%	31-45%	0-30%
In-depth Criteria: Function-Based Guidelines					
Agency-based Assessment					
Percentage of facilities that are fully functional per their specific design and safety guidelines (based on manager assessment)	81-100%	61-80%	41-60%	21-40%	0-20%
Public Satisfaction					
Percentage of population satisfied with the condition (including facility condition, cleanliness, etc.) of existing outdoor park and recreation facilities	66-100%	51-65%	36-50%	26-35%	0-25%
Operations and Maintenance					
On average, routine operations and maintenance funded at this percentage of annual need (does not include major capital development)	80-100%	61-80%	41-60%	21-40%	0-20%
Access					
Percentage of facilities that may be accessed safely via foot, bicycle, or public transportation	80-100%	61-80%	41-60%	21-40%	0-20%

Attachment B: Recommended Local Agency LOS, based on 2010 test

Indicators and Criteria	A	B	C	D	E
QUANTITY CRITERIA					
Number of Parks and Recreation Facilities					
Percent difference between existing quantity or per capita average of parks and recreation facilities and the desired quantity or per capita average	<10%	11-20%	21-30%	31-40%	>41%
Facilities that Support Active Recreation Opportunities					
Percent of facilities that support or encourage active (muscle-powered) recreation opportunities	>60%	51-60%	41-50%	31-40%	<30%
Facility Capacity					
Percent of demand met by existing facilities	>75%	61-75%	46-60%	30-45%	<30%
QUALITY CRITERIA					
Agency-Based Assessment					
Percentage of facilities that are fully functional per their specific design and safety guidelines	>80%	61-80%	41-60%	20-40%	<20%
Public Satisfaction					
Percentage of population satisfied with the condition, quantity, or distribution of existing active park and recreation facilities	>65%	51-65%	36-50%	25-35%	<25%
DISTRIBUTION and ACCESS CRITERIA					
Population within Service Areas					
Percentage of population within the following services areas (considering barriers to access):	>75%	61-75%	46-60%	30-45%	<30%
0.5 mile of a neighborhood park/trail					
5 miles of a community park/trail					
25 miles of a regional park/trail					
Access					
Percentage of parks and recreation facilities that may be accessed safely via foot, bicycle, or public transportation	>80%	61-80%	41-60%	20-40%	<20%

Attachment C: Preliminary State Agency LOS Tool as Published in SCORP and Tested

Indicators and Criteria	Level of Service Ratings				
	A	B	C	D	E
Baseline Criteria: Sustainable Access					
Sustainable Access					
The agency provides sustainable access while meeting this percentage of its resource protection goals	More than 70%	61-70%	51-60%	50-59%	0-50%
Enhanced Criteria: Service Area, Population-Based (Equity)					
Distance to Parks, Trails, Access Sites					
Percentage of population within 1 hour of a state site	66-100%	51-65%	36-50%	21-35%	0-20%
In-Depth Criteria: Function-Based Guidelines					
Agency-based Assessment					
Percentage of facilities that are fully functional per their specific design and safety guidelines	81-100%	61-80%	41-60%	21-40%	0-20%
Public Satisfaction					
Percentage of users satisfied with the condition (facility condition, cleanliness, etc.) of outdoor access and recreation facilities	66-100%	51-65%	36-50%	35-49%	0-35%
Operations and Maintenance					
On average, routine operations and maintenance funded at this percentage of annual need	81-100%	61-80%	41-60%	21-40%	0-20%
Access					
Percentage of facilities that may be accessed safely via foot, bicycle, or public transportation	66-100%	51-65%	36-50%	21-35%	0-20%

Attachment D: Recommended State Agency LOS, based on 2010 Test

Indicators and Criteria	A	B	C	D	E
QUANTITY CRITERIA					
Capital Facility Development					
Biennial average percentage of unmet capital facility development (redevelopment, renovation, and/or restoration) goals	<30%	30-40%	41-50%	51-60%	>60%
QUALITY CRITERIA					
Agency-Based Assessment					
Percentage of facilities that are fully functional per their specific design and safety guidelines	>80%	61-80%	41-60%	20-40%	<20%
Public Satisfaction					
Percentage of visitor population satisfied with existing park and outdoor recreation facilities/experiences/opportunities	>65%	51-65%	36-50%	25-35%	<25%
ACCESS CRITERIA					
Sustainable Access					
Percentage of parks/recreation areas/facilities that provide sustainable recreation opportunities (e.g., help protect natural and cultural resources, use green infrastructure to strengthen natural processes, minimize encroachment and/or user-developed facilities, prohibit poaching, etc.)	>65%	56-65%	46-55%	36-45%	<35%

Attachment E: Text from Manual 2, *Planning Policies*, explaining the recommended LOS

Recommendations for Your Planning Process

RCO recommends but does not require determination of a level of service for park and recreation planning, including trails.

This recommendation is based on a level of service first proposed in the state comprehensive outdoor recreation plan (SCORP).³ The proposed level of service was subsequently tested and refined. The test found strong support for a level of service tool, with 73% of the communities testing the level of service tool supporting or strongly supporting an LOS tool.⁴

The LOS works best for local communities considering grants from ALEA, BFP, LWCF, WWRP, and YAF. The state agency LOS tool may be useful for federal as well as state agency applicants in BFP, RTP, and NOVA, especially the criteria concerning resource protection.

An analysis with the level of service tool will indicate strengths and weaknesses of your parks and trails system, suggesting where you may need additional resources.

Once the categories and elements have been assessed and scored, it is your choice whether to average the scores or to keep each separate. Consider how you will use the LOS scores when deciding.

For example:

- If you are applying for a grant to build a new ball field, you may wish to present results of the quantity criteria that support your request.
- If you are building a budget request for additional maintenance resources, you may wish to use results from the quality criteria. Providing new trails can be justified with the access criteria.
- If you are developing a report to citizens, you may wish to publish results of each of the criteria, and suggest an overall average.

³ *Defining and Measuring Success: The Role of State Government in Outdoor Recreation*, RCO, 2008

⁴ The complete test is posted on RCO's web site at <http://www.rco.wa.gov/recreation/scorp.shtml>

Item 8C

Meeting Date: March 2011
Title: Allowable Project Uses
Prepared By: Dominga Soliz, Policy Specialist

Approved by the Director:

Proposed Action: Briefing

Summary

As part of its work on compliance issues, Recreation and Conservation Office (RCO) staff is developing a new policy regarding allowable uses of grant-funded land and facilities. The policy and process will help staff and the funding boards make clear, consistent, and more streamlined decisions about how to determine whether certain uses are compatible with the grant funding. It will give sponsors and staff a clearer understanding of RCO's expectations about how grant grant-funded land and facilities should be used.

This memo provides an overview of the draft staff proposal for the new policy. Staff will bring the proposal to the Recreation and Conservation Funding Board (board) for a decision in June 2011.

Strategic Plan Link

Consideration of this policy advances the board's goal to achieve a high level of accountability in managing the resources and responsibilities entrusted to it. It also is critical to ensuring that the board investments are maintained, and that the statutory intent of the programs is upheld. Evaluating allowable uses is an integral part of the RCO's compliance policy, which the board has established as a priority in its annual work plan.

Background

At the direction of the board, RCO staff is developing policies and procedures to address several aspects of grant compliance.¹ In general, the policies affect both this board and the Salmon Recovery Funding Board.

¹ This involves making the conversion process more efficient and effective, including ways to encourage sponsors to disclose conversion issues. While related, that work is outside the scope of this memo and process.

One important aspect of compliance is the way that sponsors use the project site. Policies stating whether a project use is eligible for reimbursement are generally clear. However, policies about whether a project use is allowed – even if it is ineligible for reimbursement – are less clear. Thus, it can be difficult and subjective for grant managers to determine whether a project use is allowed on the project site or if it constitutes non-compliance.

Common questions about allowable project uses include:

- Should cattle be allowed to graze on riparian habitat?
- Should cell towers be allowed on outdoor recreation or habitat conservation land?
- Should low-impact recreation be allowed on habitat conservation land?
- Should non-conforming uses such as construction staging be temporarily allowed ?
- Should existing structures that provide habitat be allowed to remain on acquired land?
- Should recreational cabins with amenities such as bathrooms and kitchens be allowed as part of outdoor recreation projects?
- Should structures that are significant to the community be allowed to be retained on acquired property?

Questions about a project use can arise at any time during the grant process. For example, a potential grant applicant may want to know whether they will be allowed to use part of the habitat land for agriculture if they receive grant funds. Or, after the project is completed, RCO staff may find a cell tower on a grant-funded local park project during inspection.

Questions can arise about any type of board-funded project, including acquisition, development, and restoration projects. They can arise about a wide range of project uses, including activities by humans and animals, structures, and infrastructure elements. Since grant projects are unique and diverse, and since project purposes are expected to be fulfilled forever, the range of potential questions about allowable uses of land and facilities is practically limitless.

Policy and Process Development

Policy staff is developing a proposal to help both the Recreation and Conservation Funding Board and the Salmon Recovery Funding Board determine whether a specific use is out-of-compliance with the grant.

- **The policy** will clarify when a use is allowed and when it is out-of-compliance. This will help staff and the boards make clear, consistent, and more streamlined decisions about how to treat project uses. It will give sponsors and staff a better understanding about RCO's expectations about how grant funds should be used.
- **The process** will describe the steps that staff will follow when considering a proposed use. Since the list of uses is potentially endless, there will always be "gray" areas. The process is intended to help sort out those uses that fall between allowed and not allowed. The process begins with a review by a grant manager. It progresses to

compliance team review, and ultimately the director and/or board depending on the situation.

This memo presents only the policy proposal. Staff is developing an internal implementation process, if the board adopts the policies.

Analysis

Summary of the Proposed Policy

Board-funded grants are intended to support resource-oriented conservation, restoration, or outdoor recreation opportunities. Staff will propose that in order for a non-recreational or non-habitat use to be allowable, it must be either:

1. Clearly allowed by existing policy,

OR

1. consistent with grant purposes: both the specific grant agreement and the overall grant program;
2. reasonably justified; and
3. Achieve its intended purpose with minimum impairment to the resource. An overall impairment would not be allowed.
 - A use that results in some impairment to the habitat conservation or outdoor recreation resource must provide benefits to the resource that are at least equivalent to the impairment.

Clearly Allowed by Existing Policy

This test determines which policies apply: allowable uses or non-compliance. If existing policy clearly prohibits the proposed use, then the non-compliance policy would apply. Otherwise, the allowable uses policy is applicable. If existing policy clearly allows the proposed use, then the use is allowed.

Consistent with Grant Purposes

Applicable statutes and rules state that grant-funded land and facilities may not, without prior approval of the board, be converted to a use other than that for which funds were originally approved.² To ensure the statute is met, RCO must identify whether a project use is consistent with the grant agreement and program.

² The grant program statutes and regulations provide similar language. For example, the Washington Wildlife and Recreation Program statute states, "Habitat and recreation land and facilities acquired or developed with moneys appropriated for this chapter may not, without prior approval of the board, be converted to a use other than that for which funds were originally approved." RCW 79A.15.030

Consistency with the Grant Agreement

The project agreement is the sponsor’s promise to spend the funds in a certain way. For example, a project agreement to provide baseball fields is different from an agreement to provide an outdoor swimming pool, even though both provide outdoor recreation opportunities.

If a use is already included in the project agreement, then it would be allowed. If the use is not included in the project agreement, then it would be compared against the overall goal, primary purpose, and key elements described in the project agreement (see table for examples).

	Project Type	Examples
Overall Goal	Recreation project	Expand capacity in local parks for softball and baseball leagues
	Habitat project	Establish habitat connectivity
Primary Purpose	Recreation project	Provide day and night baseball and softball
	Habitat project	Protect riparian habitat for Endangered Species Act (ESA) listed anadromous fish
Key Elements	Recreation project	8 acres for ball fields, 2 acres restrooms and parking lots
	Habitat project	10 acres riparian and wetland, 10 upland

Staff proposes that as long as the use does not impair the overall goal, primary purpose, and key elements in the project agreement, then it would be considered consistent with the project agreement.

Consistency with the Grant Program

A project must be consistent with the grant program because there is an expectation that those program funds will be expended for certain purposes valued by the program. For example, funds from recreation programs are intended to result in opportunities for public recreation in perpetuity while funds from habitat programs are intended to result in habitat values or functions in perpetuity³.

Project uses that are neither clearly prohibited nor clearly allowed would be compared to the values of the grant program. Depending on the program, program values may include:

- Public access on the project site
- Habitat quality or species on the project site
- Activities that support operation and maintenance of the project land on the project site

³ RCO compliance policy

- Land features, such as vegetation, on the project site
- Structures, facilities or infrastructure elements on the project site
- Public support for the project

Staff proposes that if a use does not impair the program values, then it would be considered consistent with the program.

Reasonably Justified

A project use that is not included in the project agreement should be justified as reasonably related to a legitimate public interest or need.

Staff proposes that sponsors provide justification explaining the reasons for the use. In lieu of strict standards, which could not contemplate all potential uses, staff proposes that the justification be evaluated by the staff team on a case-by-case basis. We expect that over time, such decisions would be documented and create a “past practice” basis for consideration.

Impairment to the Grant Resource

A non-recreational or non-habitat project use should be done in such a way that it achieves its purpose with minimum impairment to the resource.

- For example, a recreational trail on habitat conservation land should be located and built so that it meets its intended purpose (recreation) with minimal impairment to habitat functions.

Sometimes project uses that result in impairments also provide benefits to grant resources.

- For example, temporarily restricting access to certain areas of a habitat project site impairs the public access purposes of the grant, but the overall benefit to species and habitat function may outweigh the impairments.
- Similarly, allowing a barn to remain on habitat land impairs the habitat conservation values by retaining the barn’s footprint, but the benefit to the species that nest in the barn may outweigh the impairments.
- In addition, allowing cattle to graze on non-riparian habitat land can impair habitat for some plant and animal species, but weed management that results from grazing can provide benefits to other species.

Staff will propose that the *overall* impairment to a project should be evaluated by analyzing the project use’s consistency with the grant purpose, the justification, and whether it achieves its purpose with minimum impairments to the resource the grant is intended to protect. The likely impairment on the project resource will be given significantly more weight than economic efficiency or convenience. All practical alternatives should be considered before a use that

results in resource impairments is allowed. The National Park Service has a similar minimum requirement policy for wilderness areas⁴.

Note that the proposed policy would require changes to current policy that prohibits non-habitat conservation or non-outdoor recreation uses that result in any impairments (rather than overall impairments).

Process Note: Approval or Denial

The process will include several stages of review. At each step, a use that is inconsistent with policy, the project agreement, and/or the grant program are grounds for denial. Approval could be granted by the grant manager if the use is clearly consistent with policy and the agreement. If the grant manager denies the use because it is not clearly consistent, then the sponsor could request a formal review and go to the next step. All approvals of formal requests would be made by the director based on the compliance team's recommendation. Requests for which the compliance team is undecided, or recommends denial, could be approved or denied by the director, could be submitted to an external review panel, or could be submitted to the board for approval at the director's discretion.

Next Steps

Staff is vetting the proposed policy and process with staff and a group of key stakeholders. Following that review, the public will have a 30-day opportunity to provide comment. Staff will bring the revised proposal and a summary of comments to the board for decision in June 2011.

⁴ Section 6.3.5 of the National Park Service Management Policies: www.nps.gov/policy/mp/policies.html#_Toc157232833

Meeting Date: March 2011
Title: Project Overview and Preview of Upcoming Time Extension: Qwuloolt Estuary Restoration and Interpretive Trail Project, Tulalip Tribes, Project #06-1604D
Prepared By: Elizabeth Butler, Outdoor Grants Manager

Approved by the Director:

Proposed Action: Briefing

Summary

The success of the Tulalip Tribes' Qwuloolt Estuary Restoration and Trail Project depends on a partnership with the US Army Corps of Engineers (Corps). While the sponsor has made good progress on design, permitting, and some restoration work, construction of the setback levee has been delayed by internal project review at the Corps. Now, the sponsor and the Corps are completing design and securing permits to start levee construction this summer. The Tulalip Tribes anticipate requesting a time extension at the June 2011 Recreation and Conservation Funding Board (board) meeting.

Strategic Plan Link

This project is an example of how the board achieves its goal to help its partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems. Consideration of a future time extension, where the sponsor has demonstrated diligent effort and the reasons for the extension are outside its control, is consistent with the board's goal to achieve a high level of accountability and its objective to ensure funded projects are managed efficiently.

Background

In June 2007, the board approved \$499,000 of Aquatic Lands Enhancement Account (ALEA) funding for the Tulalip Tribes' Qwuloolt¹ Estuary Restoration and Trail project. The Qwuloolt site is among the largest estuarine habitats to be restored in the Puget Sound (second only to the Nisqually delta) and will provide fish passage to 16 miles of an adjacent stream, Allen Creek, that

¹ Qwuloolt means "Marsh" in lushootseed, the language of the Tulalip people.

flows through the City of Marysville. The project is located east of I-5, in the City of Marysville and within the Snohomish River floodplain about three miles upstream from its outlet to Puget Sound (Attachment A).

This top-ranked 2006 ALEA project proposed the restoration of about 360 acres of floodplain. The project will construct a setback levee, breach the levee along the north bank of Ebey Slough, restore historic tidal channels, remove tide gates at Allen and Jones Creeks, plant native vegetation, and reintroduce tidal inundation to fallow farmland (Attachments B and C). While the project name references a "trail," recreational elements were never included in the scope; rather the new levee will form the foundation for a future trail. This project will restore significant ecosystem functions, structure, and dynamic ecological processes to benefit protected Chinook, bull trout, and Steelhead, among many other fish and bird species. It balances public access and aesthetic considerations with the ecological benefits of improved water quality, enhanced fish migratory pathways and increased cover and forage habitat.

The ALEA-funded project is part of a larger effort that began more than fifteen years ago, when the Tulalip acquired the first farmland lying north of Ebey Slough. The efforts were necessitated by floodplain reengineering that expanded agricultural opportunities throughout the region a century ago. Dikes, levees, and tide gates now restrict the river and tides from reaching historic wetlands in the floodplain; as a result less than 20 percent of the 10,000 acre Snohomish River estuary area remains. Since then, the Tribe has purchased more than 430 acres of Qwuloolt floodplain from willing sellers – an investment of about \$6.2 million. Acquisition funding sources included an \$850,000 grant from the Salmon Recovery Funding Board.

Progress to Date

Over the past three and a half years Tulalip staff worked diligently on planning, design, and construction of the Qwuloolt Estuary Restoration. They have increased the restoration footprint from 360 to more than 400 acres. Since 2008, they've excavated about 2 miles of channel and filled nearly 1 mile of old drainage ditches in preparation for the levy breach.

Construction alone is estimated to cost a total of about \$9.1 million, and involves nine partner agencies (Attachment D). The key to project success is a partnership with US Army Corps of Engineers (Corps), which will contribute about \$4.5 million (65 percent of remaining construction costs) to complete the setback levee and reconnect the flood plain to river and tides. Perhaps more importantly, the Corps is providing engineering expertise, and will assume liability to ensure flood protection for the City of Marysville and neighboring property owners.

Analysis

The Tulalip Tribes and the Corps have been working together for more than six years on Qwuloolt Estuary restoration. The construction delays were caused by a slower than anticipated internal review by the Corps, and thus were outside the sponsor's control. The Corps approved

the decision document² on February 4, 2011, clearing a critical milestone for a summer 2011 construction start.

The ALEA grant is part of the 35 percent match necessary to secure the \$4.5 million Corps investment. Without a time extension on the ALEA grant, the success of Qwuloolt Estuary Restoration Project would be significantly threatened.

Large scale estuary restorations are complicated to permit, expensive to implement, and can take years to realize. For example, the Nisqually delta project took more than 10 years for the project proponents to see the tide finally roll in to the National Wildlife Refuge – and now it is celebrated as a grand success.

Next Steps

The Corps Partnership Project Agreement needs to be signed by the Assistant Secretary of the Army for Civil Works in Washington DC by the end of May to enable a summer 2011 construction start.

The City of Marysville Community Development Department completed two reviews of the project. The city planner reports they expect to issue a conditional shoreline permit enabling the setback levee construction to begin in July 2011. The levee breach is planned for 2012, allowing time for additional flood analysis and mitigation measures to satisfy the City of Marysville.

If the project makes good progress towards a 2011 construction start, staff expects to present a time extension request to the board in June.

Attachments

- A. Project Area Map
- B. Design Plan
- C. Photos
- D. RCO and Partner Investments to Date
- E. Letter of Support from the City of Marysville

² A "decision document" is a substantial report prepared by the Corps for the Corps that outlines the problem to be addressed, analyzes a series of restoration options, and then recommends the preferred strategy. The engineering designs cannot be finished until the decision document is approved.

Project Area Map



Restoration Design



Photos



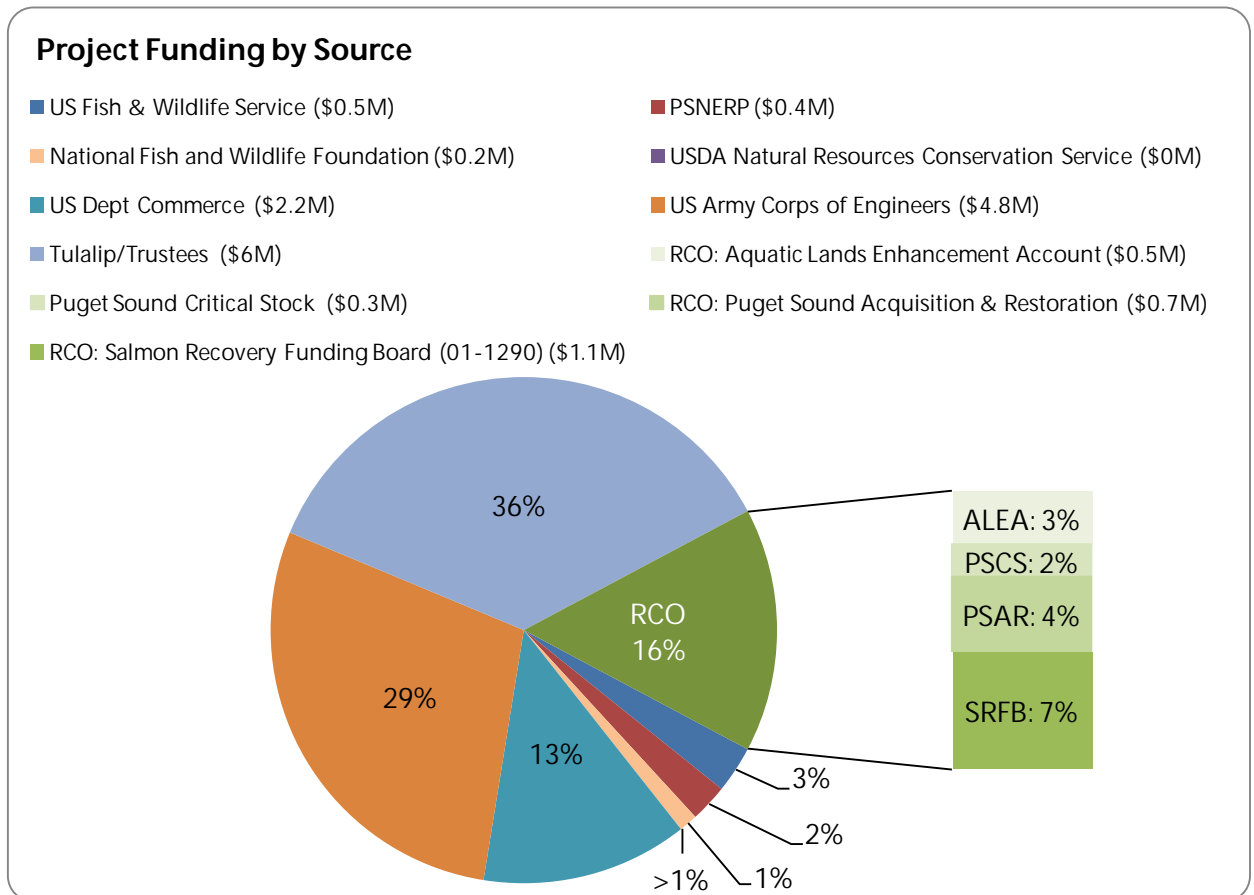
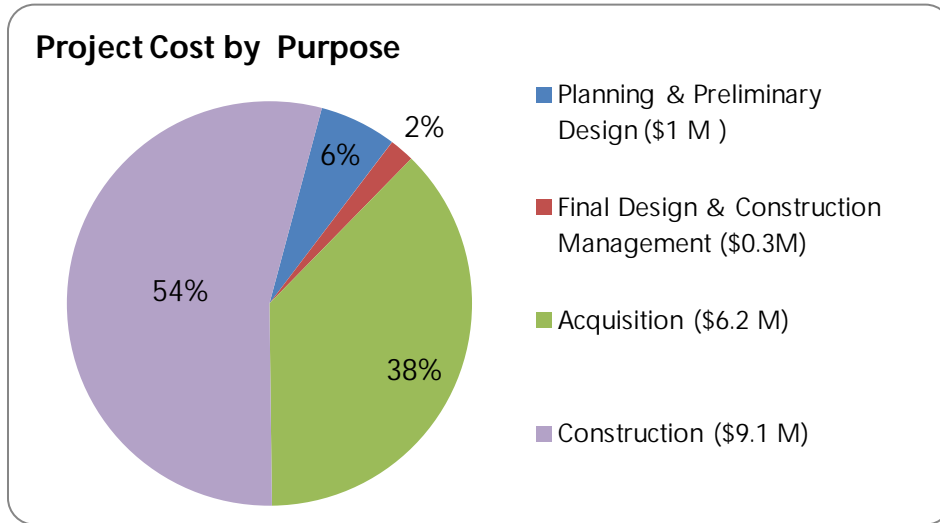
Aerial view looking west over the Qwuloolt site. Ebey Slough in upper left.



Walking west along the north bank Ebey Slough levee at high tide. Qwuloolt restoration area to right.

RCO and Partner Investments to Date

The Tulalip Tribes have worked diligently to cultivate partnerships and further the success of the Qwulooit Estuary Restoration and Interpretive Trail Project. They assembled more than \$16.7 million dollars from private, tribal, state, and federal government agencies.



Letter of Support from the City of Marysville



OFFICE OF THE MAYOR

Jon Nehring

1049 State Avenue
Marysville, Washington 98270
Phone: (360)363-8000
Fax: (360)651-5033
marysvillewa.gov

RECEIVED

FFR 28 2011

RECREATION AND CONSERVATION OFFICE

February 24, 2011

Kaleen Cottingham, Director
Recreation Conservation Office
PO Box 40917
Olympia, WA 98504-0917

SUBJECT: Qwuloolt Restoration Project #06-1604

Dear Ms. Cottingham:

I am writing in support of the Tulalip Tribes request for an extension of the Qwuloolt Restoration and Trails Project, funded in part by an ALEA grant #06-1604. The City of Marysville has been an active partner in this project with many other agencies over an 11 year period. The Tribes has been diligent in performing all requirements including multiple in-depth feasibility studies associated with permitting processes. It is our understanding that the primary reason for delays has been due to the extensive review process by the US Army Corps of Engineers. We experienced a similar situation with our Ebey Waterfront Project in 2004/2005 under a BFP Grant. We received extensions from your agency as a result of the same review challenges by the Corps office. The project was accomplished shortly thereafter.

This project is one of the largest restoration projects in the state of Washington and will restore populations of several species within the watershed. The residents of Snohomish County will benefit from a sustainable improvement involving 350 acres including public access, educational opportunities, and the ability to become stewards within our prized estuary.

Tulalip Tribes has demonstrated its ability to respond satisfactorily to any and all technical issues and now is awaiting determinations from the Corps review creating an unanticipated delay. This project is key to the City's environmental future in many respects and any loss of funding at this stage would be a substantial impact to this project and community. We are certain this project will be completed on schedule provided the reviews are accomplished in a timely manner and funding remains in place.

On behalf of the partners of the Qwuloolt Restoration Project, I thank you in advance for your consideration to support an extension of the grant period in support of the extraordinary work that has been accomplished.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Nehring".

Jon Nehring, Mayor

JB:lcs(Feb2011.4)

cc: Elizabeth Butler- RCO

Item 10

Meeting Date: March 2011
Title: Proposed Conversion: Sullivan Park #2, Project #79-011D
Prepared By: Jim Anest, RCO Conversion Specialist

Approved by the Director:

Proposed Action: Briefing

Summary

This memo provides an overview to the Recreation and Conservation Funding Board (board) about a proposed partial conversion that will be presented for decision at the June 2011 meeting. Staff will ask for board comments and questions in March so that we can prepare for the June decision.¹

The project in question is Sullivan Park, a 23-acre recreation area located in the south side of Everett. In 1979, the city was awarded a development grant (RCO# 79-011 D) through the federal Land and Water Conservation Fund (LWCF). A portion of the site was converted (without an advance request to the board) for a fire station, and the city is proposing to replace the converted property (1.6 acres) with a larger parcel of at least equal value and reasonably equivalent location and recreational utility.

Strategic Plan Link

Ensuring long-term compliance supports the board's strategy to provide funding to protect and enhance recreation opportunities statewide, as well as its objective to ensure that funded projects are managed in conformance with existing legal authorities.

Conversion Policy and Board's Role

Use of grant funds creates a condition under which funded property and structures become part of the public domain in perpetuity. Board policy states that interests in real property, structures, and facilities that were acquired, developed, enhanced, or restored with board funds must not

¹ Staff believes that this approach will improve the conversion process by giving the board an opportunity to discuss conversion proposals and raise questions and issues of concern earlier in the decision process. We welcome board feedback on the approach.

be changed (either in part or in whole) or converted to uses other than those for which the funds were originally approved without the approval of the board.²

If a board-funded project is changed or converted, the project sponsor must replace the changed or converted interests in real property, structures, or facilities. The replacement must have at least equal value and have reasonably equivalent recreation utility and location.

Because this project was funded by the federal Land and Water Conservation Fund (LWCF), the role of the board is to decide whether to recommend approval of the conversion to the National Park Service (NPS). The NPS has the legal responsibility to make the final decision of whether or not to approve this conversion.

The role of the board is primarily to evaluate the list of practical alternatives that were considered for replacement or remediation, including avoidance, and to consider if the replacement property has reasonably equivalent location and utility.

Background

Project Name:	Sullivan Park #2	Project #:	79-011D
Grant Program:	Land and Water Conservation Fund (LWCF)	Board funded date:	1979
RCO Amount:	\$ 44,900	Original Purpose:	Develop various facilities to enhance water-oriented recreational activities.
Total Amount:	\$ 89,800		

Sullivan Park has served as a widely used outdoor recreation and swimming location for many decades. The city of Everett purchased the property in 1922. The area surrounding the park is now largely developed with Interstate-5 to the immediate west, and a major arterial 112th Street to the north. Nevertheless, the ongoing uses of the park have changed little over the decades. Swimming, picnicking, and appreciating nature are the major uses of this day-use facility.

In 1979, RCO awarded a grant from the federal Land and Water Conservation Fund (LWCF) to the City of Everett. The purpose of the grant was to enhance water-oriented recreation activities. This grant provided underground utility systems, one restroom, a boat dock, asphalt paths, two day use shelters, and area lighting along selected paths and other required areas for safety.

Grant funds were used only for development of the site. None of the facilities purchased with this development grant were impacted by this conversion. However, LWCF rules require that the land upon which the grant-funded development occurred must be used for outdoor recreation in perpetuity.

² Policy is consistent with state law. See especially RCW 79A.15.030 (8) and RCW 79A.25.100.

The Conversion

In 1995, the city authorized the construction of a fire station, driveway, and parking area on 1.6 acres at the northeast corner of the park along 112th Street. The fire station was built in 1996. In 2005, the city constructed a one lane road in front of the fire station. This road separates the fire station from the park and allows egress for a neighboring community (Attachment A). The total area of these two conversions is 1.6 acres.

In 2008, city officials approached the RCO to acknowledge that they had unknowingly developed the grant protected site and wanted to properly replace the converted property.

Analysis

The city purchased a 15-acre piece of property under a waiver of retroactivity (W08-04) in 2008 with the intent of satisfying this conversion and possibly other conversions. They are asking for approval to use 3.5 acres of this property as replacement property for the Sullivan Park conversion.

Evaluation of Practical Alternatives

Because this conversion has already occurred, it is not realistic to evaluate the practical alternative locations for the fire station. The alternative to remove and replace the fire station was rejected as too costly to be practical. Therefore, this evaluation will address only the practical replacement alternatives.

Because this is an urban area that is largely built out, there are very limited options for open space replacement property near to the area being converted.

Evaluation of Reasonably Equivalent Location

The area of the city near Sullivan Park is highly developed and there are very few sites with recreation and conservation values available for sale.

- The converted property is located immediately adjacent to an increasingly busy arterial street (112th Street), a short distance from Interstate 5.
- The proposed replacement property is located about one-half mile by bike or foot northwest of the park, adjacent to the Interurban bicycle and pedestrian trail, parallel to Interstate 5. This trail is an important recreational link providing access from Seattle to Everett. Locally, the trail links individual neighborhoods to the Everett Mall and Sullivan Park. The replacement property would therefore improve access from these areas to Sullivan Park by way of a recently constructed bicycle and pedestrian route on 112th Street across Interstate 5, providing a more direct path (Attachment B).

Evaluation of Reasonably Equivalent Recreational Utility

Before the construction of the fire station, the converted site consisted of a mix of coniferous and deciduous trees. Its primary use appears to have been open space and a place for the appreciation of nature. The replacement property will serve this function for a similar recreational community.

The property being proposed for replacement also is forested with coniferous and deciduous species and has more than twice the acreage of the converted property. Trails and several small wetlands cover the replacement property. The city plans to improve the walking trails and add interpretive signs. They further intend to provide public access signs, benches, and picnic areas within the replacement property.

Next Steps

Staff will communicate any concerns raised by the board to the City of Everett as they prepare a final conversion proposal. Staff and the city intend to bring this conversion back to the board in June of this year. At that time, the board will decide whether or not to recommend this conversion to the National Park Service for final approval.

Attachments

- A. Map of Sullivan Park with area to be converted
- B. Site of proposed replacement property in relation to converted property

Map of Sullivan Park with area to be converted



Site of proposed replacement property in relation to converted property



Item 11

Meeting Date: March 2011
Title: Americans with Disabilities Act (ADA): New Requirements for Grant-Funded Projects
Prepared By: Rory Calhoun, Accessibility Specialist

Approved by the Director:

Proposed Action: Briefing

Summary

Projects funded by the Recreation and Conservation Funding Board (board) must comply with the Americans with Disabilities Act (ADA) of 1990.

The Department of Justice (DOJ) has issued a final rule which updates and amends certain provisions within the ADA. The new accessibility standards include some substantial changes that will need to be incorporated into project review, evaluation and compliance work.

This memo provides an overview of those changes, which staff will present in more detail at the March meeting.

Strategic Plan Link

Understanding and incorporating ADA rules into project requirements helps the board to achieve its strategic objective to ensure funded projects are managed in conformance with existing legal authorities. By promoting accessibility to the outdoors, the board also supports its goal to help partners provide recreation opportunities that benefit people.

Background

RCO promotes accessibility to the outdoors by working closely with applicants and sponsors, providing technical assistance about accessibility requirements, providing specific feedback on facility design, and reviewing construction plans and specifications to ensure that they meet accessibility requirements. Staff also helps sponsors of older projects who want to find the most efficient and effective way to bring aging facilities into compliance with current requirements.

The DOJ issued new 2010 ADA Standards for Accessible Design. The standards are a compilation of existing building codes, federal laws and guidelines and some "best practices" developed over

the years. They will become the minimum standards for providing accessibility, and RCO grant sponsors will be required to meet these standards. Exemptions may be made in cases of damage to fragile landscapes, damage to historic or cultural resources, or for reasons of safety.

Analysis

The final rule went into effect March 15, 2011. The DOJ will begin enforcing the provisions on March 15, 2012 for construction projects sponsored by government agencies and the commercial sector. Although adherence to the new standards is optional for sponsors that begin construction before that date, Recreation and Conservation Office (RCO) staff will recommend that they do so.

RCO has not identified any major conflicts between board policies and the new standards, and will make only minor revisions as needed to incorporate the new DOJ rules into existing grant programs.

Significant Changes

The new standards include a specific chapter for recreation facilities, and provide the minimum scoping and technical standards that would be required for boating, fishing, playgrounds, golf and other facilities. Developed trails, beaches, picnic, and camping areas are not part of the rule.

Another significant requirement for state and local governments and other RCO grant sponsors is that they must allow "power driven mobility devices" to be used in any place pedestrians are allowed. RCO has been working with State Parks, and the departments of Natural Resources and Fish and Wildlife to develop a consistent draft plan to address expected requests for access and to comply with the rule. The plan includes a unified definition of mobility disability and a unified special use permit system for all agencies. Individual agency approaches are also being developed to address requested access to specific sites available for outdoor recreation.

Many public agencies appear to have been caught off-guard by the requirement even though the rule went through a lengthy comment period. We will work with our local project sponsors to help them comply with the rule on RCO-funded sites.

Next Steps

Local and state agencies will be responding to requests by persons with mobility disabilities who want to access lands managed by state and local governments. RCO will continue to work with those needing technical assistance and promote the use of universal designs to help the greatest number of people enjoy the outdoors.

More information may be found at: http://www.ada.gov/2010ADASTandards_index.htm

RECREATION AND CONSERVATION FUNDING BOARD SUMMARIZED MEETING AGENDA AND ACTIONS, MARCH 31, 2011

Agenda Items without Formal Action

Item	Board Request for Follow-up
Item 2: Management Report	Staff to work with board members to develop a letter following release of House budget, noting the importance of WWRP and other state funding. (Completed on April 4, 2011)
Item 3: Perspectives on Recreational Trails Program Funding and Project Categorization	No follow up requested
Item 8a: Sustainability Practices and Policy Development	Staff should provide a more specific checklist of sustainable practices in the application metric, with links to resources for technical assistance, design, etc. Web site should be updated with similar information so RCO serves as a clearinghouse for ideas. WWRP Local Parks evaluation question to be revised for next grant round.
Item 8b: Level of Service Recommendations	No follow up requested
Item 8c: Allowable Uses Policy	The board asked that the policy proposal scheduled for June 2011 provide a stronger consideration than "reasonably justified," be cautious with the term "cell tower," and clarify the policy regarding existing uses or structures.
Item 9: Qwuloolt Estuary Restoration and Interpretive Trail (Project #06-1604D)	No follow up requested
Item 10: Overview of Upcoming Conversion: Sullivan Park, City of Everett, Project #79-011	No follow up requested
Item 11: Americans with Disabilities Act (ADA): New Requirements	Presentation delayed until June 2011

Agenda Items with Formal Action

Item	Formal Action	Board Request for Follow-up
Item 1: Consent Calendar	APPROVED revised resolution <ul style="list-style-type: none"> Approval of Board Meeting Minutes – October 28-29, 2010 as amended Time Extension Request: Auburn Environmental Park, City of Auburn, Project #06-1834 Recognition of Volunteer Evaluators 	No follow up requested
Item 4: Proposed Change in Land and Water Conservation Fund Evaluation Criteria	APPROVED <ul style="list-style-type: none"> Changed question #9 in evaluation criteria regarding sponsor compliance. 	No follow up requested
Item 5: Proposed Change to Increase Maximum Grant Amount in FARR Program	APPROVED <ul style="list-style-type: none"> Increased maximum grant amount to \$100,000. 	No follow up requested
Item 6: Proposed Change to Biennial Grant Cycle	APPROVED as amended <ul style="list-style-type: none"> Changed all programs to a biennial grant cycle, with changes to begin as shown on table in board materials. Increased the RTP maximum to \$150,000 beginning January 2012. 	No follow up requested
Item 7: Delegation of Authority to Director to Resolve 6(f) Boundary Issues	APPROVED as amended <ul style="list-style-type: none"> Delegated authority to the director to ascertain and recommend a boundary to NPS for Kah Tai Park (81-043). 	No follow up requested

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: March 31, 2011

Place: Room 172, Natural Resources Building, Olympia, WA

Recreation and Conservation Funding Board Members Present:

Bill Chapman, Chair	Mercer Island	Stephen Saunders	Designee, Department of Natural Resources
Betsy Bloomfield	Yakima	Larry Fairleigh	Designee, State Parks
Harriet Spanel	Bellingham	Dave Brittell	Designee, Department of Fish and Wildlife
Pete Mayer	Vancouver		
Steven Drew	Olympia		

It is intended that this summary be used with the notebook provided in advance of the meeting. A recording is retained by RCO as the formal record of meeting.

Opening and Management Reports

Chair Bill Chapman called the meeting to order at 9:10 a.m. Staff called roll, and a quorum was determined. Chair Chapman introduced the new members of the board – Betsy Bloomfield and Pete Mayer – and asked members to introduce themselves. New State Parks Director Don Hoch was unable to attend, but was represented by designee Larry Fairleigh.

Member Brittell moved to approve the agenda. Member Spanel seconded. The agenda was approved as presented.

The Recreation and Conservation Funding Board (board) reviewed Resolution #2011-01, Consent Calendar. Director Kaleen Cottingham noted that they were considering a revised resolution because the minutes had been amended before the meeting. The consent calendar included the following:

- Approval of Board Meeting Minutes – October 28-29, 2010 as amended
- Time Extension Request: Auburn Environmental Park, City of Auburn, Project #06-1834
- Recognition of Volunteer Evaluators

**Revised Resolution 2011-01 moved by: DREW and seconded by: SPANEL
Resolution APPROVED**

Item 2: Management Report

Director Cottingham noted the high number of audits and the agency's efforts to streamline processes, especially since the budget in the next biennium will mean reduced staff. Chair Chapman asked for additional information about the backup needed on invoices. The director explained the state audit and resulting risk model, and its implications for sponsors. The Recreation and Conservation Office (RCO) has recently started implementing the risk categories for the recreation and conservation side of the agency. Deputy Director Rachael Langen noted that the process is laborious

for staff and sponsors, and staff is working on some sort of electronic billing to make it easier. Member Mayer asked if this was a permanent change. Director Cottingham noted that the approach is permanent, but that sponsors could perform well enough to move to a lower category.

Legislative and Budget Update: Policy Director Steve McLellan provided an update on various pieces of legislation, including consolidation of natural resource agencies, the extension of the invasive species council, fee bills, board and commission elimination, and capital budget restrictions. Of particular interest to the board is a proposed limit of four years for a project. Director Cottingham noted that the bill is structured to give project alternates four years, if they are started within the first four years of the original project. There also would be a mechanism to have projects taken to OFM for certain time extensions (e.g., permit issues). The board discussed the potential effect on sponsors and the number of projects potentially affected.

McLellan then explained the various approaches to the operating budget from the Governor, senate, and House. The anticipated gap is \$5.3 billion in the next 27 months. Both the Senate and House are expected to make across-the-board cuts in the operating budget, including cuts in employees and salaries. He then noted the differing approaches to the capital budget, which also will be cut significantly. He noted that the Office of Financial Management (OFM) created a tool to calculate jobs created. Members noted that looking at jobs created is a major philosophical shift, and expressed a number of concerns, especially with regard to WWRP. Concerns included that it was narrow, not in line with the original program intent, ignored the economic benefit of "green infrastructure", and did not account for the non-state funding leveraged. Members also noted that they have a role in ensuring that the process for grant awards remains fair.

Director Cottingham noted that staff and the board cannot advocate for one approach over another. She noted that Member Spanel would do some outreach after the budget was released. Member Drew suggested a communication from the board about the extent to which projects support other state initiatives such as Puget Sound and Healthy Washington. McLellan noted that such communications might be helpful after they have a budget to respond to, especially if it highlights the priorities and consistency with the Governor's message. The Chair noted appreciation for the points that board members raised, and stated that it was important for the board to come to agreement on the key points for Member Spanel to use.

Policy Report: Policy Director Steve McLellan then noted the SCORP update within the policy update memo. The future of the funding for the Land and Water Conservation Fund (LWCF) is very uncertain; he will update the board at the June meeting. The RCO is hoping to receive LWCF planning money for completing SCORP. Member Larry Fairleigh thanked staff for working on cabin eligibility.

Grant Management Report: There were no questions on the grant management report, so grant management staff moved directly to presentations of closed projects. Kammie Bunes presented information about the Crown S ranch in Okanogan County, and Laura Moxham presented information about the Civic Sports Fields Renovation in Woodinville.

Performance Report: Director Cottingham noted that performance may lag as the agency experiences reductions in staff. The board had no questions about the performance report.

State Agency Partner Reports

Larry Fairleigh, State Parks, noted that they have a new director. He noted that there would be staffing cuts and service reductions. They also will have a possible proposal for the use of St. Edward State Park, but it is contingent on RCO conversion policies. They also have potential conversion issues at Fort Worden. He asked for staff to be able to offer small communities advice on navigating the DAHP and Corps permitting processes. Finally, he discussed the various ideas that will be part of the new state parks strategic plan.

Stephen Saunders, Department of Natural Resources (DNR), noted that the status of their request legislation, including the Puget Sound Corps bill, which would create a WCC type project team. They have 18 bills before the House and Senate, combined.

Dave Brittell, Department of Fish and Wildlife (DFW), gave a brief update on Discover Pass and the partnership to get user fees (SB 5266). He also noted the federal funding situation also is affecting the ability of DFW and DNR to secure grants.

Item 3: Perspectives on Recreational Trails Program Funding and Project Categorization

Greg Lovelady, Recreation Planner, presented the staff overview of the programs' funding and categorization process, as adopted by the board and described in the staff memo. Gary Johnson, representing the Washington Off-Highway Vehicle Alliance, presented his concerns about the board's approach with regard to the compatible use category.

Chair Chapman asked him what he would like to see changed. He asked that that the motorized and nonmotorized category projects equally share the 40 percent of funds required for allocation to the "diversified use" category.

General Public Comment

Robert Meier, Rayonier, followed up on his presentation from the October 2010 meeting regarding use of different appraisal methods. He stated that he has not found similar programs in other states. He noted several Washington state programs, including the school trust land transfer program, which he believes are similar. Mr. Meier provided a handout to all board members.

Member Brittell noted that he appreciates Mr. Meier's efforts and discussions with WDFW. Member Saunders cautioned that one constraint is overlap with federal grant projects, which require use of the federal yellow book appraisal process. Board members and Mr. Meier also discussed the riparian open space program, which compensates timber owners for lost value. Steve McLellan noted that staff is continuing to talk to Mr. Meier, and that they will discuss how to proceed after session.

Board Decisions

Item 4: Proposed Change in Land and Water Conservation Fund Evaluation Criteria

Jim Eychaner, Senior Policy Specialist, explained that the proposed change to question #9 of the LWCF criteria. The change should make it easier for staff to score and clearer for all to understand. The RCO received no public comment on the change.

Board members noted that the case made in the memo was compelling, and had no questions.

Resolution 2011-02 moved by: Saunders and seconded by: Spanel
Resolution APPROVED

Item 5: Proposed Change to Increase Maximum Grant Amount in Firearms and Archery Range Recreation (FARR) Program

Jim Eychaner, Senior Policy Specialist, explained the proposal to increase the grant maximum from \$50,000 to \$100,000 beginning with the current cycle. He stated that public comment was supportive. Board members had no questions.

Resolution 2011-03 moved by: Spanel and seconded by: Brittell
Resolution APPROVED

Chair Chapman congratulated Mr. Eychaner on his National Distinguished Service Award in Recreation Planning.

Item 6: Proposed Change to Biennial Grant Cycle for All Grant Programs

Jim Eychaner, Senior Policy Specialist, presented a proposal that the application process for all board-funded grant programs take place biennially, as described in the staff memo. He noted that the intent is to recognize the need to limit staff work in light of budget and staffing reductions. He addressed the mixed public reaction to the proposal, noting that some of those who had commented were in the audience. Eychaner noted that moving to the new cycle would allow staff to spend more time focusing on active grant management.

Board members expressed concerns about the application to annual federal grants, especially where second year funds may be uncertain. Marguerite Austin, Recreation Section Manager, noted that due to timing, the board already must approve project lists for federal programs before funding becomes available.

Members also discussed whether grant maximums should be increased for the programs that currently have annual awards, noting that doing so could limit the number of recipients and grants. Ms. Austin noted that the greatest concern was with the Recreational Trails Program (RTP) where the primary applicants included nonprofit organizations. The program provides funds for maintenance

activities. She noted that the annual review is time intensive for staff and sponsors, in part because most nonprofits apply for the current maximum each year, often returning with the same request.

Staff explained that increasing the grant maximum could limit the number of recipients, but that staff would move down the list in the second year. Mr. Fairleigh clarified that the limit is being raised only for those programs that are non-capital.

Chair Chapman spoke in support of the resolution and in support of increasing the maximum grant amount for the RTP program. He noted that it is really prorating the current maximum to two years.

PUBLIC COMMENT

Glenn Glover, Evergreen Mountain Bike, said that his organization is now neutral on the change, but thinks that the maximum should be increased. He noted that there needs to be additional flexibility for RTP; the federal funding creates a confusing timing situation. He likes the idea of completing an application for funding to complete a specific task.

Resolution 2011-04 moved by: Drew and seconded by: Saunders

Chair Chapman moved to add the following language: “Be it further resolved that the grant limit for the RTP beginning in January 2012 is set at \$150,000.”

Member Saunders seconded the motion.

Voting in favor of the motion: 7 Voting against: 1 (Member Drew)

Resolution APPROVED unanimously as amended.

Item 7: Delegation of Authority to Director to Resolve 6(f) Boundary Issues at Kah Tai Lagoon Park, Port Townsend

Director Cottingham gave a brief overview of the conversion process and how staff is changing its approach to give the board more opportunity for comment before they are asked for a decision.

Jim Anest, Compliance Specialist, presented background information about Kah Tai Lagoon Park, as described in the staff memo, noting that it is not yet a conversion or compliance issue. He explained that due to the complex nature of the boundary issues, staff was asking the board to delegate authority to the Director to meet with the National Park Service (NPS) and sponsors to help them resolve their differences on the boundary; this approach was recommended by NPS. Mr. Anest noted that RCO staff had worked with the parties for over a year, and they had not been able to resolve their differences.

Mr. Anest also corrected a notation in the staff memo regarding the number of leases at the park location. The RCO file contains only one lease. The sponsors did not inform RCO that two other leases

exist, until after the memo was published. In response to board questions, he also clarified that only one sponsor disputes the NPS interpretation of the boundary. He noted that the situation demonstrates common problems in older grants. This takes considerable time and effort; staff is asking for clarification of the director's role in resolving the matter. Mr. Anest concluded by summarizing some of the key points of the public comments sent to the board.

Member Brittell asked if the decision presupposes a conclusion. Director Cottingham noted that the board makes a recommendation, but that the NPS makes the final decision.

Member Fairleigh asked if the board or director's role influences whether or not the aquatic center would be built. Mr. Anest noted that the steps of a conversion require starting with knowing what property is proposed for conversion; they are still at that point. Mr. Anest stated that the port's position is that there is no conversion because they disagree with the boundary. Ms. Austin noted that LWCF rules allow pools to be covered, so NPS has indicated that the aquatic structure could be either a conversion or compatible use. As a result, staff is trying to keep this focused on the boundary issue.

Member Drew noted concern with the potential that the board would be changing a boundary by resolution. Director Cottingham clarified the issue is not to change the boundary, but to ascertain the facts as they were in 1981. Mr. Anest noted that there is a 20-acre difference in the grant documents. In response to a follow-up question, he clarified that the evidence of the boundary or intent is conflicting and ambiguous.

Mr. Mayer clarified is that they do not have a boundary issue today, but an anticipated boundary issue if the port opts to request a future conversion following the lease expiration.

The Chair noted that the director normally handles disputes for 6(f) boundaries. There is no request to delegate authority to resolve a conversion. The NPS asked the director to help, and this request is simply for clarification of her role. Member Fairleigh concurred, noting that the aquatic center was a local issue that may or may not be conversion. Member Saunders said he saw no reason to deviate from the normal process.

Director Cottingham noted that this is a fact-finding mission, and that it does not need to be a consensus recommendation to the NPS. There is potential for litigation regardless of the resolution.

Member Drew stated that he was more comfortable with the director having authority to set the boundary than he was with the idea of negotiating a boundary. He suggested that the resolution say "determine" rather than negotiate.

PUBLIC COMMENT:

Richard Jahnke, citizen, discussed the public record on Kah Tai Park and his efforts to preserve the historical record. He noted that RCO has tried to figure out the history, and referenced the materials he provided to the board. He believes that the board memo has factual errors and omits critical

contract information. He stated that the city does not disagree with the NPS – the only entity that disputes the boundary is the port. Any boundary that does not include the port lands is inaccurate.

Ron Sikes, citizen, stated that he has been involved with the park since 1977. In 1984, he and other volunteers planted the park based on a map showing all port lands. They believed it was a permanent park. He noted a recent city survey found it was the second most-used park in the city. It is near local schools, and is used as an outdoor classroom. He is asking the RCO to recommend to the NPS that it maintain the 6(f) boundary.

Lang Russel, citizen, stated that the city and the port both signed the contract in 1981 for a permanent park. In 1982, they negotiated a 30-year lease for the 20 acres that the port had pledged for the park. The lease was not intended as match for the acquisition grant and was not a substitute for the port's obligation to transfer title to the 20 acres to the city. The port's stance that their obligation ends with the lease is false, as is the claim that the procedural lapses relieve them of the obligation.

Alea Waters, citizen, gave historical information about volunteer efforts to preserve and maintain the park. The port is now pushing for development, and the aquatic center is only a first step toward more development. She is concerned that the citizens have been left out of the discussion. She asked the board to do three things: (1) recognize that it is inappropriate for the Port's attorney to request to have staff negotiate the boundary, (2) acknowledge the citizen efforts and trust that have gone into the park, and (3) join the citizens, the city, and NPS in formalizing the 78.5-acre boundary.

Jim Todd, citizen, said that he represented Friends of Kah Tai. He noted that over 1,430 people have signed a petition against any project that would diminish the qualities of the park. These people come from all over the county. There is widespread and strong support for keeping the park as it was envisioned in the grant proposal. He believes that the contract was for a wildlife park, and the funds were to achieve that objective. He stated that the evidence is in favor of the boundary supported by Friends of Kah Tai and the city. He urged the board to support the 6(f) boundary in that map.

George Yount, citizen, stated that he is the former manager of the Port of Port Townsend noted that the purpose of the lease was quid pro quo for giving the Port jurisdiction over the road right-of-ways in another location. As a quid pro quo, they leased the property in Kah Tai for park purposes. The intent was to settle the complexities of the land exchange during the 30 year lease.

Carolyn Lake, Port of Port Townsend, noted that the port is a public entity that is charged with protecting the public interest. The port supports the resolution because it is illogical for public boards to expend funds on litigation. She provided her legal analysis for the board to review.

Larry Crockett, Port of Port Townsend, stated that the aquatic center is a separate issue. The property is owned by the entire county, and that the other port commissioners who were sitting at the time of the lease disagree with Mr. Yount's assessment of the intent. He believes that the lease was for match on the grant.

Rosemary Sikes, Admiralty Audubon, stated that it is critical that the board support the 6(f) boundary. It is vital to protect these treasures. She is upset that the lack of oversight and deeds has threatened the park. The park is a key birding places on the Olympic Peninsula. They identified 90 species of birds using the park for nesting and feeding. Volunteers have done considerable work to protect the park for wildlife purposes; it is clear that people love the park.

Mary McDowell, citizen, referred to her letter and the factual errors she found in the memo. She believes that the request for delegation misstates facts. The grant was in 1981, but the lease was later and could not have been for match. She thinks the resolution should be rejected and should include correct statements of fact.

Resolution 2011-05 moved by: Fairleigh and seconded by: Brittell

Chair Chapman noted that staff would correct the “Whereas” statements to reflect the date of the application and status of the dispute.

Member Drew moved to amend the resolution to change the last statement to read “NOW THEREFORE BE IT RESOLVED, that the board hereby delegates authority to the Recreation and Conservation Office director to ascertain and recommend to the National Park Service a 6(f) boundary for project number 81-043A.” Member Fairleigh seconded.

Member Saunders suggested a friendly amendment to reconcile the title to the change in the resolution. Member Drew accepted it.

Member Spanel suggested a friendly amendment to remove the last whereas statement. Member Drew accepted it.

Motion carried.

Resolution APPROVED as amended.

Board Briefings

Item 8A: Sustainability Practices and Policy Development

Jim Eychaner, Senior Policy Specialist, and Lucienne Guyot, Agency Sustainability Coordinator, presented their findings regarding the current use of sustainable practices in board-funded projects. The data were submitted by sponsors during the most recent WWRP grant cycle; respondents represented communities of various sizes statewide. Mr. Eychaner and Ms. Guyot noted that sponsors already are using a number of sustainable practices without direct incentives from the board. Ms. Guyot detailed her conversations about sustainability with the sponsors. They concluded that RCO policies encourage sustainability, sponsors are taking action without incentives, and that further work

should be done when resources become available. Kaleen noted that SCORP would be updated in 2013, and that it would be a good vehicle for incorporating sustainability in planning.

The board discussed its options and role for encouraging sustainability, and the potential effects on sponsors, the environment, green infrastructure, and ability to maintain the investments. There was general agreement that the board could be a clearinghouse for sharing ideas and designs, and for ways to educate the public about sustainability. Specific direction was as follows:

- The application metric question highlighted in the presentation should be revised as a short checklist that asks the sponsor to explain how they met certain elements (e.g., lighting, surfacing, drainage, or maintenance). It should not be a list of approved products or approaches, and should be carefully done so that it does not appear to state preferred approaches. The checklist should include links to reference materials or technical assistance.
- During the grant rounds, staff should highlight "Sustainably Designed Projects of Note" to the board.
- Discussions about sustainability should be incorporated into applicant workshops.
- The RCO web site should include information from the checklist, resources for technical assistance and design, and projects of note.

The board also asked staff to develop a process and revise evaluation questions regarding sustainable practices. The chair noted that past practice has been to implement major policy changes incrementally, and the board agreed to start with one program. Staff will revise the question for WWRP Local Parks to have greater focus on sustainable practices, beginning with the 2012 grant round.

Item 8B: Level of Service Recommendations

Jim Eychaner, Senior Policy Specialist, presented the results of the study and testing of the level of service (LOS) approach to measuring demand for recreation opportunity. Staff recommends that use of the LOS should be recommended but not required as a way to help local communities assess the effectiveness of their park and recreation programs. More work is needed with state agencies.

The board thanked Mr. Eychaner for his work, but had no other comments or questions.

PUBLIC COMMENT

Sharon Claussen, King County Parks, noted that park standards are a challenge because standards do not always fit the many roles that a park department may play. She appreciates the use of a recommendation or guideline rather than a requirement.

Item 8C: Allowable Uses Policy

Dominga Soliz, Policy Specialist, presented information about the proposed policy regarding allowable uses, as described in the staff memo. This new policy will be brought to the board for decision in June 2011. She noted that she did not want a decision today, but that she wanted the board's comments and questions so they could incorporate it in the policy proposal.

Board member comments were as follows:

- Member Drew suggested that the concept of reasonably justified is not strong enough; it needs to show whether every reasonable alternative has been evaluated and rejected on a sound basis.
- Member Mayer asked that staff clarify the policy regarding pre-existing uses or structures, including utilities. Staff cited the various other applicable policies that already exist.
- Member Mayer urged caution in using the term "cell tower" because it can refer to a variety of structures of different sizes and functions.

Item 9: Project Overview and Preview of Upcoming Time Extension, Qwuloolt Estuary Restoration and Interpretive Trail Project, Tulalip Tribe, Project #06-1604D

Elizabeth Butler, Grant Manager, provided an overview of this project, as described in the staff memo. Staff expects the sponsor will need to request a time extension at the June 2011 meeting. Staff is presenting the information at this time so that board questions can be answered as the time extension request is prepared. Kurt Nelson, Tulalip Tribes Environmental Division Manager joined her to answer questions.

Member Saunders asked whether the sponsor would request a time extension if they cannot obtain the permits. Mr. Nelson responded that they will have the local permits by June, and stated that the Corps project manager reported that they are on schedule with the agreement they made last fall.

Item 10: Overview of Upcoming Conversion: Sullivan Park, City of Everett, Project #79-011

Jim Anest, Compliance Specialist, provided an overview of the circumstances surrounding the conversion as described in the memo. Staff expects that the sponsor will request approval of the conversion and replacement property at the June 2011 meeting. This grant includes LWCF funds, so the board will make a recommendation and the NPS will make the final determination. Staff is presenting the information at this time so that board questions or concerns can be addressed before that meeting.

The board asked staff to address the following in the June presentation:

Circumstances of the Conversion

- Why did it take so long for the city to acknowledge the conversion?
- Are there any restrictions on the conversion area, such as fencing?

Access Road

- Was the access road necessary for the fire station?
- What is the history on the road that's in there? Was it added as a connector for the neighborhood adjacent to it? When was the road built, and what was the purpose for the road?

Replacement Property

- What was the city's intent in buying the 15 acres under the waiver of retroactivity?
- What is the intent for the acres that are not being used as replacement?
- If the replacement property will be park property anyway, how is it replacement?
- What is the basis of the value for the replacement property, and how does the zoning (wetland vs. commercial) affect that?
- What are the topographical characteristics of property? How much is wetland?
- What is the history of the property – history of ownership, definition of land when acquired, zoning, acquisition cost?
- Is there a public access gain?

Alternatives

- Could the footprint of the take be reduced at this point? For example, is there an option of removing the road?
- Did they ever seek to segregate the parcel the fire station is on?

General Comments

- What is the open area just above the word "Sullivan" on the graphic? What is the circulation pattern?
- Graphics should be larger, clearer, and more detailed.

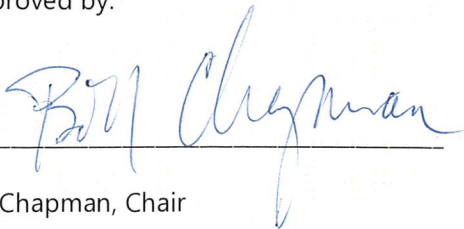
Item 11: Americans with Disabilities Act (ADA): New Requirements for Grant-Funded Projects

Due to staff time restrictions related to the state temporary layoff day on March 28, this agenda item was tabled until the June 2011 meeting.

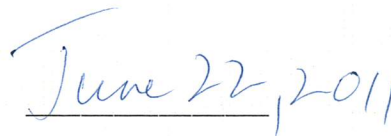
The board asked that the resolutions be provided on paper in the future.

Meeting adjourned at 4:20 p.m.

Approved by:



Bill Chapman, Chair



Date

Recreation and Conservation Funding Board
Resolution #2011-01 REVISED
March 2011 Consent Agenda

BE IT RESOLVED, that the following March 2011 Consent Agenda items are approved:

- a. Recreation and Conservation Funding Board Meeting Minutes – October 28-29, 2010 as amended
- b. Time Extension Request:
 - i. Auburn Environmental Park, City of Auburn, Project #06-1834
- c. Recognition of Volunteer Evaluators and Committee Members

Resolution moved by: Steven Drew

Resolution seconded by: Harriet Spanel

Adopted/Defeated/Deferred (underline one)

Date: March 31, 2011

Recreation and Conservation Funding Board
Resolution #2011-02
Approving Changes to the Land and Water Conservation Fund Evaluation
Criteria

WHEREAS, Chapter 79A.25.130 RCW authorizes the Recreation and Conservation Office (RCO) to participate in or receive aid from any federal program respecting outdoor recreation or conservation; and

WHEREAS, the Land and Water Conservation Fund (LWCF) is a federal program managed by the National Park Service (NPS) that grants funds to the state for recreation purposes; and

WHEREAS, RCO is recognized as the state agency responsible for management of LWCF funds in Washington State; and

WHEREAS, the NPS requires a priority rating system for selection of potential LWCF projects; and

WHEREAS, the priority rating system must include criteria that address a federal priority to reward sponsors for compliance with LWCF rules and regulations; and

WHEREAS, the revised question number nine shown in Attachment A to the Recreation and Conservation Funding Board (board) memo meets the National Park Service requirements; and

WHEREAS, the revision to question nine supports the board's objectives to (1) ensure funded projects are managed efficiently and in conformance with existing legal authorities, and (2) fund the best projects as determined by the evaluation process;

NOW, THEREFORE BE IT RESOLVED, that the board the revised question number nine and directs staff to implement the system for use in the 2011 and future grant rounds.

Resolution moved by: Stephen Saunders

Resolution seconded by: Harriet Spanel

Adopted/Defeated/Deferred (underline one)

Date: March 31, 2011

Recreation and Conservation Funding Board
Resolution #2011-03
Approving an Increase Maximum Grant Amount in the
Firearms and Archery Range Recreation (FARR) Program

WHEREAS, the Firearms and Archery Range Recreation (FARR) program is authorized by RCW 79A.25.210, and

WHEREAS, the Recreation and Conservation Funding Board (board) has the authority to adopt policies to manage the firearms range account, which funds the FARR program, and

WHEREAS, the Recreation and Conservation Office (RCO) has recognized that the cost of the projects funded by FARR grants is increasing due in part to construction and permitting fees, and

WHEREAS, RCO staff proposed increasing the grant limit from \$50,000 per application to \$100,000 per application and received only supportive comments from stakeholders, and

WHEREAS, the board can promotes its goals of making strategic investments and helping partners to develop recreation opportunities by providing a meaningful level of funding to projects selected and evaluated through a competitive process,

NOW THEREFORE BE IT RESOLVED, that the board permanently sets the maximum grant limit for FARR projects at \$100,000 beginning with the 2011 grant cycle.

Resolution moved by: Harriet Spanel

Resolution seconded by: Dave Brittell

Adopted/Defeated/Deferred (underline one)

Date: March 31, 2011

Recreation and Conservation Funding Board
Resolution #2011-04
Approving Biennial Application and Award Cycles for Board-Funded
Grant Programs

WHEREAS, the Recreation and Conservation Funding Board (board) has the authority and responsibility to establish cycles for evaluating project proposals and awarding grants for the programs under its purview, and

WHEREAS, the board has established a variety of annual and biennial cycles over the years, and

WHEREAS, Recreation and Conservation Office (RCO) management has commissioned studies in 2008 and 2009 to improve business processes, and

WHEREAS, both studies recommended streamlining the grant application processes, including the use of a biennial cycle for all programs, and

WHEREAS, the staff assessment found that such a move would improve organizational efficiency and support the agency and board goals to better manage projects and improve long-term project compliance, and

WHEREAS, the staff assessment and public comment also found that a single process would be less time-consuming for applicants and volunteer evaluators, and

WHEREAS, using a single biennial schedule supports the board's goal to achieve a high level of accountability in managing its resources and responsibilities while continuing to provide funding to its partners and award grants through fair, impartial, and open public processes,

NOW THEREFORE BE IT RESOLVED, that the board does hereby authorize the RCO to use a biennial cycle for all grant programs, and to take steps to implement it in a timely manner; and

BE IT FURTHER RESOLVED that the Director is authorized to execute supplemental grant cycles when funding levels or other circumstances warrant; and

BE IT FURTHER RESOLVED, that the grant limit for the Recreational Trails Program, beginning in January 2012, is set at \$150,000.

Resolution moved by: Steven Drew

Resolution seconded by: Stephen Saunders

Adopted/Defeated/Deferred (underline one)

Date: March 31, 2011

Recreation and Conservation Funding Board
Resolution #2011-05

Delegating Authority to the Director to Ascertain and Recommend to the
National Park Service a 6(f) Boundary for Project #81-043A

WHEREAS, In 1981, the City of Port Townsend (City) and the Port of Port Townsend (Port) were awarded a grant to acquire 78.5 acres for Kah Tai Park in Port Townsend; and

WHEREAS, the grant included funding from the Land and Water Conservation Fund (LWCF) , which is funded by the National Park Service (NPS), and is thus subject its rules and determinations regarding boundaries; and

WHEREAS, the NPS makes the final determination regarding the boundary; and

WHEREAS, the Recreation and Conservation Funding Board (board), through the Recreation and Conservation Office (RCO) are responsible for ensuring ongoing compliance with LWCF-funded grants in Washington State; and

WHEREAS, one grant sponsor is now in dispute with the NPS about how the grant-protected boundary of the park is defined; and

WHEREAS, as the grant management agency, RCO has been working with NPS and the sponsors for over a year on this issue;

NOW THEREFORE BE IT RESOLVED, that the board hereby delegates authority to the Recreation and Conservation Office director to ascertain and recommend to the National Park Service a 6f boundary for project number 81-043A.

Resolution moved by: Fairleigh

Resolution seconded by: Brittell

Adopted/Defeated/Deferred (underline one)

Date: March 31, 2011

November 30, 2010

Mr. Bill Chapman
925 4th Ave Ste 2900
Seattle, WA 98014-1158

Dear Bill:

On behalf of the Recreation and Conservation Funding Board and the citizens of Washington, I am writing to express our deep gratitude for your many years of service to the board.

As noted in the enclosed resolution, as both member and chair you have provided the board with valuable insight and excellent advice during your tenure. We appreciate and benefit from your ability to grasp and carefully analyze the issues facing the board, always keeping the "big picture" in sight. Your legacy certainly will include a stronger focus on sustainability in our state's recreation and conservation opportunities.

Thank you for your service to the Recreation and Conservation Funding Board and the citizens of Washington

Sincerely,

Kaleen Cottingham
Director

Enclosure

November 30, 2010

Ms. Karen Daubert
860 Terry Ave N Suite 231
Seattle, WA 98109

Dear Karen:

On behalf of the Recreation and Conservation Funding Board and the citizens of Washington, I am writing to express our deep gratitude for your many years of service to the board.

As noted in the enclosed resolution, your contributions to the board are countless. During your tenure, the board has benefited greatly from your insight and focus as we faced many challenging decisions. Your ability to balance multiple interests with the intent of our grant programs has helped us to establish policies that best meet the needs of Washingtonians across the state. Your dedication to the state's natural resources and recreation opportunities has informed many decisions that promoted sound investments of public funds.

Although we will miss your presence on the board, we wish you well in all of your future endeavors. Thank you for your service to the Recreation and Conservation Funding Board and the citizens of Washington

Sincerely,

Kaleen Cottingham
Director

Enclosure

November 30, 2010

Mr. Jeff Parsons
PO Box 2073
Leavenworth, WA 98826

Dear Jeff:

On behalf of the Recreation and Conservation Funding Board and the citizens of Washington, I am writing to express our deep gratitude for your many years of service to the board.

As noted in the enclosed resolution, you have provided the board with exceptional insight and advice during your term. We appreciated and benefited from the care with which you reviewed policy language, aiming to ensure that the words accurately reflected the intent of the board in a clear manner. Your commitment to integrity and fairness was evident in both your comments and conduct.

We will miss your presence on the board, but wish you well in all of your future endeavors. Thank you for your service to the Recreation and Conservation Funding Board and the citizens of Washington

Sincerely,

Kaleen Cottingham
Director

Enclosure

November 30, 2010

Mr. Rex Derr
Director, Washington State Parks
PO Box 42650
Olympia, WA 98504

Dear Rex:

On behalf of the Recreation and Conservation Funding Board and the citizens of Washington, I am writing to express our deep gratitude for your many years of service to the board. You represented both the State Parks and Recreation Commission and Washingtonians in an exemplary manner.

As noted in the enclosed resolution, your tenure on the board is marked by your insight, invaluable advice, and remarkable ability to see the "big picture." Your dedication to the state's recreational opportunities informed many decisions and promoted sound investments of public funds. Further, the emphasis you placed on linking actions to strategic plans, measuring our progress, and clearly communicating with the public will serve us well for many years to come.

Although we will miss your presence on the board and in the state, we wish you well in all of your future endeavors. Thank you for your service to the Recreation and Conservation Funding Board and the citizens of Washington

Sincerely,

Kaleen Cottingham
Director

Enclosure