

Proposed Agenda & Meeting Materials

January 28-29, 2020



Regular Meeting

Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98501

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

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

Public Comment: To comment at the meeting, please fill out a comment card and provide it to staff. Please be sure to note on the card if you are speaking about a particular agenda topic. The chair will call you to the front at the appropriate time. Public comment will be limited to 3 minutes per person. You may also submit written comments to the board by mailing them to RCO, attn: Wyatt Lundquist, Board Liaison, at the address above or to [wyatt.lundquist@rco.wa.gov](mailto:w Wyatt.lundquist@rco.wa.gov).

Meeting Accommodations: Persons with disabilities needing an accommodation to participate in RCO public meetings are invited to contact us via the following options: 1) Leslie Frank by phone (360) 902-0220 or email leslie.frank@rco.wa.gov; or 2) 711 relay service. Accommodation requests should be received by January 7, 2019 to ensure availability.

Tuesday, January 28, 2020

OPENING AND MANAGEMENT REPORTS

9:00 a.m.	Call to Order A. Roll Call and Determination of Quorum B. Review and Approval of Agenda C. Introduction of New Board Members (if appointed) D. Approval of Recognition <u>Resolution 2020-01</u> E. Remarks of the Chair	<i>Chair Willhite</i>
9:15 a.m.	1. Consent Agenda <i>(Decision)</i> <u>Resolution 2020-02</u> A. Board Meeting Minutes: October 2-3, 2019 B. <u>Time Extensions:</u> <ul style="list-style-type: none"> • Castle Rock, North County Playing Fields Upgrades (RCO 15-1429) • King County, Dockton Park Dock and Moorage Renovation (RCO 12-1952) • Whatcom County, Plantation Indoor Range HVAC Replacement (RCO 14-1127) C. <u>Volunteer Recognitions (24)</u>	<i>Chair Willhite</i>

9:20 a.m.	2. Director's Report <i>(Briefing)</i> <ul style="list-style-type: none"> A. Director's Report <ul style="list-style-type: none"> • TVW Update B. Legislative Update <ul style="list-style-type: none"> • Bills and Budget • Update to 2015 Economic Study • Community Forest Update C. Grant Management Report D. Grant Services Report E. Performance Report F. Key Performance Measures from the RCFB Strategic Plan G. Fiscal Report 	<i>Kaleen Cottingham</i> <i>Wendy Brown</i> <i>Marguerite Austin</i> <i>Kyle Guzlas</i> <i>Brent Hedden</i> <i>Mark Jarasitis</i>
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10:05 a.m. General Public Comment for issues not identified as agenda items. Please limit comments to 3 minutes.

BOARD BUSINESS: DECISIONS

10:10 a.m.	3. Clallam County Dungeness Farmland Conversion (RCO 06-1849) <u>Resolution 2020-03</u> Public comment will occur prior to adopting the resolution. Please limit comments to three minutes.	<i>Kim Sellers</i>
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10:35 a.m.	4. Port of Keyport Boat Ramp Reconstruction Cost Increase (RCO 18-2421) <u>Resolution 2020-04</u> Public comment will occur prior to adopting the resolution. Please limit comments to three minutes.	<i>Kim Sellers</i>
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10:50 a.m. BREAK

BOARD BUSINESS: REQUEST FOR DIRECTION

11:05 a.m.	5. Amendment Request: Spokane County, Sontag Park (RCO 99-1042)	<i>Alison Greene</i>
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BOARD BUSINESS: BRIEFING

11:45 a.m.	6. Policy Waiver Request: Department of Natural Resources, Steptoe Butte Natural Area (RCO 18-1526D)	<i>DeAnn Beck and DNR</i>
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12:10 p.m. LUNCH

BOARD BUSINESS: DECISIONS

- 1:00 p.m. 7. [Applying Pollinator Language to the Remaining WWRP Habitat Categories as required by SB 5552](#) *Ben Donatelle*

Resolution 2020-05

Public comment will occur prior to adopting the resolution.
Please limit comments to three minutes.

- 1:20 pm. 8. [Sustainability Evaluation Criteria](#) *Ben Donatelle*

Applies to the following programs: Boating Facilities Program (BFP), Land and Water Conservation Fund (LWCF), Nonhighway and Off-road Vehicle Activities (NOVA), Recreational Trails Program (RTP), Washington Wildlife and Recreation Program (WWRP)– Local Parks, State Lands Development, Trails, and Water Access categories, Youth Athletic Facilities (YAF).

Resolution 2020-06

Public comment will occur prior to adopting the resolution.
Please limit comments to three minutes.

- 1:50 p.m. 9. [Review of Grant Maximum Policy in the WWRP Forestland Preservation Category for 2020 Grant Cycle](#) *Kim Sellers*

Resolution 2020-07

Public comment will occur prior to adopting the resolution.
Please limit comments to three minutes.

BOARD BUSINESS: BRIEFING

- 2:25 p.m. 10. [Review of the Lack of a Grant Maximum in the WWRP Trails Category Data for 2022 Grant Cycle](#) *Marguerite Austin*

BOARD BUSINESS: REQUEST FOR DIRECTION

- 3:00 p.m. 11. [Review of the Data for the 2018 Match Reduction Policy in the WWRP Local Parks, Water Access and Trails Categories and in the Youth Athletic Facilities Program for 2022](#) *Ben Donatelle and
Brent Hedden*
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BOARD BUSINESS: REPORTS

3:45 p.m.	12. State Agency Partner Reports (5 mins per report) <ul style="list-style-type: none">• Governor’s Office• Department of Natural Resources• State Parks and Recreation Commission• Department of Fish and Wildlife	<i>Jon Snyder</i> <i>Brock Milliern</i> <i>Peter Herzog</i> <i>Joe Stohr</i>
4:15 p.m.	13. Featured Projects <ul style="list-style-type: none">• City of Kent, Lake Meridian Dock Redevelopment (RCO 14-1752D)• Tacoma Metro, The Peninsula at Point Defiance (RCO 12-1555D)• Tacoma Metro, Point Defiance Missing Link (RCO 12-1549D)	<i>DeAnn Beck</i> <i>Beth Auerbach</i> <i>Beth Auerbach</i>
5:00 p.m.	RECESS	

Wednesday, January 29, 2020

Call to Order

9:00 a.m. Call to Order *Chair Willhite*
 A. Roll Call and Determination of Quorum
 B. Remarks from Chair

BOARD BUSINESS: BRIEFINGS

9:10 a.m. 14. [Compliance Program Update](#) *Myra Barker*

10:10 a.m. 15. [Can NOVA-ORV Funds be Used to Address Road Maintenance for Damage Caused by ORVs?](#) *Adam Cole*

11:00 a.m. BREAK

11:15 a.m. 16. [Phasing Out the Gas Tax: Road Usage Charge Pilot Project Report and Recommendations from the Washington State Transportation Commission](#) *Adam Cole*
 • Discussing Impacts to Future Funding
 • Sharing RCO Comments

BOARD BUSINESS: BRIEFING

12:00 p.m. 17. [Update on Kitsap Rifle and Revolver Club Conversion](#) *Scott Robinson and
Kim Sellers*

12:30 p.m. ADJOURN

Next Meeting:

Regular Meeting April 21-22, 2020 – Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98501

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Time Extension Requests

Prepared By: Recreation and Conservation Outdoor Grants Managers

Summary

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

Board Action Requested

This item will be a:

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

Resolution: 2020-02 (Consent Agenda)

Purpose of Resolution: Approve the requested time extensions.

Background

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

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

General considerations for approving time extension requests include:

- Receipt of a written request for the time extension;
- Reimbursements requested and approved;
- Date the board granted funding approval;
- Conditions surrounding the delay;

- Sponsor’s reasons or justification for requesting the extension;
- Likelihood of sponsor completing the project within the extended period;
- Original dates for project completion;
- Current status of activities within the grant;
- Sponsor’s progress on this and other funded projects;

Plan Link

Consideration of these requests supports the board’s goal of helping its partners protect, restore, and develop habitat, working lands, and recreation opportunities that benefit people, fish and wildlife, and ecosystems.

Staff Recommendation

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

Attachments

A. Time Extension Requests for Board Approval

City of Castle Rock

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
15-1429 Development	North County Playing Fields Upgrades	Youth Athletic Facilities (YAF)	\$181,691 (75%)	1/31/2020	11/30/2020

Reasons for Delay and Justification of Request

The City of Castle Rock is requesting a time extension for the completion of the North County Playing Fields project. Once completed, improvements will provide for field lighting and irrigation, improved ADA access, paved pathways and parking, and aluminum bleachers for spectators.

As a supporter of this project, the Castle Rock School District agreed to provide a contribution of \$40,000 in 2017-18. Due to other school district issues (school levy ballot measure) the school district's contribution was delayed until April 2019. There are several tasks that still need to be completed. With this extension this project should be fully completed within the extended time period.

King County Department of Natural Resources and Parks

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
12-1952 Development	Dockton Park – Dock and Moorage Renovation	Boating Facilities Program (BFP)	\$351,969 (94%)	1/31/2020	12/31/2020

Reasons for Delay and Justification of Request

King County Department of Natural Resources and Parks is requesting an extension to complete the dock and moorage renovation as outlined in their grant agreement scope. This includes dock and moorage slip renovations and a new sewer pump station. A large amount of work has been completed with permitting and design, but King County met a number of hurdles that impacted the project timeline.

Progress on this project has been delayed by two main factors. First, King County ran into issues related to permitting and the requirements set forth by the Department of Natural Resources Aquatic Lease. Second, due to a winter storm in early 2019, part of the project area and other areas of the marina are now in need of significant renovations above and beyond the original project scope. King County completed a thorough review of the site and from that developed a two phased approach to completing the project. The first phase of work will include the completion of all the RCO-funded elements. The second phase, outside of RCO's scope, will replace and renovate remaining elements, including a full replacement of the breakwater. King County is working with a consultant on this project and is confident in the timeline and ability to complete the RCO-funded work during the 2020 fish window.

Whatcom County

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
14-1127 Development	Plantation Indoor Range HVAC Replacement	Firearms and Archery Range Recreation (FARR)	\$360,485 100%	1/31/2020	08/31/2020

Reasons for Delay and Justification of Request

Whatcom County owns and operates a shooting facility that has an outdoor pistol and small bore range, 300-yard outdoor rifle range, indoor pistol and small bore range, trap shooting facility, along with classroom space for police training and hunter education. The facility serves over 23,000 shooters a year.

The original project was to replace the 25-year-old heating, ventilation and cooling system (HVAC) at the indoor pistol range. Due to unanticipated roof damage and decay, they discovered upon HVAC inspection, they could not move forward with just an HVAC system replacement without a new roof to support the new equipment. The county applied for and received a second FARR grant in 2016 to help with roof replacement costs. With this scope revision that now included a new roof, there was a delay in securing required permits and bid documents. In addition, the county anticipated construction last summer, but the design/build firm did not provide the construction drawings and bid package in a timely manner. As a result, the county could not solicit bids and award a contract before the weather turned cold and rainy.

This has been complex process for the county. They plan to solicit bids at end of February and award a construction contract in the spring. They want the contractor to be ready to replace the roof and HVAC system this summer as soon as the weather improves.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Recognition of Volunteer Service

Prepared By: Tessa Cencula, Volunteer and Grants Process Coordinator

Summary

This action will recognize the years of service by agency and citizen volunteers on the advisory committees that the Recreation and Conservation Office uses to assist in its grant programs.

Resolution: 2020-02

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

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 reviewing and evaluating 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 2020-02 (consent).

Aquatic Lands Enhancement Account

Name	Position	Years
Thomas Linde	Habitat Representative	8

Boating Programs

Name	Position	Years
Paul Thorpe	Citizen Representative	8

Land and Water Conservation Fund

Name	Position	Years
Steve Starlund	Local Agency Representative	4

Nonhighway and Off-Road Vehicle Activities

Name	Position	Years
Dawn Erickson	Nonmotorized (Hiker) Representative	8
Jim Putman	Motorized (4x4) Representative	8
Aaron Theisen	Nonhighway Road Representative	7

Recreation Trails Program

Name	Position	Years
Ted Jackson	Motorized (ATV) Representative	8
Sandy Sternod	Motorized (Snowmobile) Representative	8

Washington Wildlife and Recreation Program Farmland Preservation

Name	Position	Years
Pat Arnold	Local Agency Representative	9

Washington Wildlife and Recreation Program Forestland Preservation

Name	Position	Years
Cherie Kearney	Nonprofit Organization Representative	4
Rich Weiss	Forest Management Representative	4

Washington Wildlife and Recreation Program Habitat Acquisition

Name	Position	Years
Bill Robinson	Citizen Representative	8
Scott Steltzner	Local Agency Representative	6

Washington Wildlife and Recreation Program Habitat Restoration

Name	Position	Years
Steve Erickson	Citizen Representative	8

Washington Wildlife and Recreation Program State Lands Development

Name	Position	Years
T. Perry Barrett	Local Agency Representative	8
Mary McCluskey	Local Agency Representative	4

Washington Wildlife and Recreation Program State Parks

Name	Position	Years
Rocklynn Culp	Local Agency Representative	6

Washington Wildlife and Recreation Program Trails

Name	Position	Years
Steve Brand	Washington State Parks Representative	2

Tom Eksten	Citizen Representative	8
Jim Harris	Citizen Representative	8
Ed Spilker	Washington Department of Transportation	4
Roger Giebelhaus	Local Agency Representative	7

Washington Wildlife and Recreation Program Water Access

Name	Position	Years
Camron Parker	Local Agency Representative	8
Adam Fyall	Local Agency Representative	4

Attachment

A. Individual Service Resolutions



A Resolution to Recognize the Service of

Thomas Linde

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

WHEREAS, from 2012 to 2019, Thomas Linde served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Aquatic Lands Enhancement Account (ALEA) Advisory Committee; 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 ALEA projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Linde'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 along with a letter of appreciation to Mr. Linde.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Paul Thorpe

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

WHEREAS, from 2012 to 2019, Paul Thorpe served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Boating Programs Advisory Committee; 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 Boating Infrastructure Grant and Boating Facilities Program projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Thorpe'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 along with a letter of appreciation to Mr. Thorpe.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Steve Starlund

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

WHEREAS, from 2016 to 2019, Steve Starlund served the citizens 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, 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 LWCF projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Starlund'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 along with a letter of appreciation to Mr. Starlund.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Dawn Erickson

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

WHEREAS, from 2012 to 2019, Dawn Erickson served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Nonhighway and Off-Road Vehicle Activities (NOVA) Advisory Committee; 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 NOVA projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. Erickson'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 along with a letter of appreciation to Ms. Erickson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Jim Putman

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

WHEREAS, from 2012 to 2019, Jim Putman served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Nonhighway and Off-Road Vehicle Activities (NOVA) Advisory Committee; 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 NOVA projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Putman'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 along with a letter of appreciation to Mr. Putman.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Aaron Theisen

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

WHEREAS, from 2013 to 2019, Aaron Theisen served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Nonhighway and Off-Road Vehicle Activities (NOVA) Advisory Committee; 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 NOVA projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Theisen'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 along with a letter of appreciation to Mr. Theisen.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Ted Jackson

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

WHEREAS, from 2011 to 2019, Ted Jackson served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Recreation Trails Program (RTP) Advisory Committee; 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 RTP projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Jackson'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 along with a letter of appreciation to Mr. Jackson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Sandy Sternod

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

WHEREAS, from 2011 to 2019, Sandy Sternod served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Recreation Trails Program (RTP) Advisory Committee; 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 RTP projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. Sternod'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 along with a letter of appreciation to Ms. Sternod.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Pat Arnold

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

WHEREAS, from 2010 to 2012 and 2014 to 2019, Pat Arnold served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Farmland Preservation Advisory Committee;

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 WWRP Farmland Preservation projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. Arnold'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 along with a letter of appreciation to Ms. Arnold

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Cherie Kearney

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

WHEREAS, from 2016 to 2019, Cherie Kearney served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Forestland Preservation Advisory Committee;

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 WWRP Forestland Preservation projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. Kearney'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 along with a letter of appreciation to Ms. Kearney.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Rich Weiss

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

WHEREAS, from 2016 to 2019, Rich Weiss served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Forestland Preservation Advisory Committee; 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 WWRP Forestland Preservation projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Weiss'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 along with a letter of appreciation to Mr. Weiss.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Bill Robinson

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

WHEREAS, from 2012 to 2019, Bill Robinson served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Habitat Acquisition Advisory Committee; 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 WWRP Habitat Acquisition projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Robinson'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 along with a letter of appreciation to Mr. Robinson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Scott Steltzner

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

WHEREAS, from 2014 to 2019, Scott Steltzner served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Habitat Acquisition Advisory Committee; 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 WWRP Habitat Acquisition projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Steltzner'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 along with a letter of appreciation to Mr. Steltzner.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Steve Erickson

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

WHEREAS, from 2012 to 2019, Steve Erickson served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Habitat Restoration Advisory Committee; 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 WWRP Habitat Restoration projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Erickson'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 along with a letter of appreciation to Mr. Erickson.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

T. Perry Barrett

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

WHEREAS, from 2012 to 2019, T. Perry Barrett served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) State Lands Development Advisory Committee; 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 WWRP State Lands Development projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Barrett'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 along with a letter of appreciation to Mr. Barrett.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Mary McCluskey

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

WHEREAS, from 2016 to 2019, Mary McCluskey served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) State Lands Development Advisory Committee; 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 WWRP State Lands Development projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. McCluskey'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 along with a letter of appreciation to Ms. McCluskey.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Rocklynn Culp

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

WHEREAS, from 2014 to 2019, Rocklynn Culp served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) State Parks Advisory Committee; 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 WWRP State Parks projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Ms. Culp'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 along with a letter of appreciation to Ms. Culp.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Steve Brand

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

WHEREAS, from 2018 to 2019, Steve Brand served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Trails Advisory Committee; 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 WWRP Trails projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Brand'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 along with a letter of appreciation to Mr. Brand.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Tom Eksten

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

WHEREAS, from 2012 to 2019, Tom Eksten served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Trails Advisory Committee; 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 WWRP Trails projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Eksten'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 along with a letter of appreciation to Mr. Eksten.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Jim Harris

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

WHEREAS, from 2012 to 2019, Jim Harris served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Trails Advisory Committee; 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 WWRP Trails projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Harris'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 along with a letter of appreciation to Mr. Harris.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Ed Spilker

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

WHEREAS, from 2016 to 2019, Ed Spilker served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Trails Advisory Committee; 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 WWRP Trails projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Spilker'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 along with a letter of appreciation to Mr. Spilker.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Roger Giebelhaus

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

WHEREAS, from 2012 to 2018, Roger Giebelhaus served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Trails Advisory Committee; 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 WWRP Trails projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Giebelhaus'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 along with a letter of appreciation to Mr. Giebelhaus.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Camron Parker

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

WHEREAS, from 2012 to 2019, Camron Parker served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Water Access Advisory Committee; 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 WWRP Water Access projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Parker'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 along with a letter of appreciation to Mr. Parker.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair



A Resolution to Recognize the Service of

Adam Fyall

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

WHEREAS, from 2016 to 2019, Adam Fyall served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program (WWRP) Water Access Advisory Committee; 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 WWRP Water Access projects for funding;

WHEREAS, members of the Recreation and Conservation Funding Board wish to recognize this support and service,

NOW, THEREFORE BE IT RESOLVED, that in recognition of Mr. Fyall'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 along with a letter of appreciation to Mr. Fyall.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on January 28, 2020

Ted Willhite, Chair

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Director's Report

Prepared By: Kaleen Cottingham, Director

Summary

This memo outlines key agency activities and happenings since the last board meeting.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Agency Updates

Happy Anniversary RCO!

On November 19, RCO celebrated its 55th year as a state agency. With its humble beginnings in 1964 through a citizens' initiative, RCO (then called the Interagency Committee for Outdoor Recreation) had three grants programs and two staff. Today, RCO administers 35 grant categories and has 64 employees. To celebrate, staff gathered for lunch and recognition. The event began with a few words from



Washington's First Lady, Trudi Inslee. We then held a discussion about individual and agency values led by Amy Leneker of Compass Consulting. We closed out the event with a presentation by long-time team members, Marguerite Austin and Scott Chapman, reminding us about what it was like at RCO in the good ol' days, complete with classic stories and old photos. It was nice to have the agency all together in celebration of all our hard work and dedication to the citizens of Washington State.

2019 Annual Director's Awards

Each year, I select one individual for *the Director's Award of Excellence* and one individual or team for the *Director's Achievement Award*. These awards are decided through staff nominations with the finalists selected by the previous year's winners and myself.

Director's Award of Excellence: This award is given to an individual that embodies RCO's core values and competencies and exhibits outstanding leadership in carrying out his/her responsibilities and/or advancing the positive culture of the agency. This year's winner was Myra Barker. Myra became the agency's first compliance specialist in 2013. Since then, she has methodically built up the program and has done an outstanding job working and communicating often complicated policies with grant recipients and agency team members in carrying out her duties. Congratulations Myra!



Director's Achievement Award: This award is given to an individual or team as recognition for outstanding work or completion of a critical project. This award recognizes those that complete work that is above and beyond the normal day-to-day duties of the position or work that is complicated or of special significance to the agency. This year's recipient was Kay Caromile. Kay worked tirelessly for many months in the successful negotiations of the Port Gamble conservation easement. This is one of RCO's most complex easements involving multiple sponsors and multiple funding sources. Congratulations, Kay!



Fresh Look for RCO's Web Sites

RCO launched three new Websites on Nov. 4, with the goal of making RCO's public face more modern, more accessible, and more compatible with different sized electronic devices. RCO last updated the look and functionality of its Web sites ([RCO](#), [Invasive Species Council](#), and [Boating Information Portal](#)) about 10 years ago. In moving to the new sites, RCO combined two invasive species Web sites into one, switched platforms to WordPress, and changed the way the new sites will be maintained. RCO has recruited a cadre of in-house web editors to make sure RCO's content is up-to-date.



National Conference Participation

In October, Marguerite Austin and I attended the annual National Association of State Outdoor Recreation Liaison Officers (NASORLO) Conference in Reno, Nevada. These are the state administrators of the federal Land and Water Conservation Fund. We participated in the celebration of permanent re-authorization of the Land and Water Conservation Fund and a guaranteed share of funds for the states. Conference presenters included National Park Service staff from Washington, D.C. and speakers from across the nation who spoke on inspections, grant applications, program policy issues, and long-term compliance. We provided input on NASORLO's 5-year strategic plan and priorities for modernization of the Land and Water Conservation Fund program. A highlight of the conference was a tour of Nevada's Lake Tahoe State Park and Mormon Station State Historic Park in Genoa, Nevada's first settlement. It was very cold.



RCO to Co-host National SOBA Conference

RCO and the State Parks and Recreation Commission have agreed to host a national conference for the States Organization for Boating Access (SOBA) in the fall of 2022. SOBA provides a forum for organizations interested in acquiring and developing recreational boating access sites and facilities. SOBA's annual conferences generally attract 300 attendees. We will put together a conference planning committee and find a host city and venue.



RCO Staff Outreach and Learning

- **Beth Auerbach, Ben Donatelle, and Jesse Sims** were involved in the kick off of the Southwest Washington Regional Trails Meeting on November 14. This effort is discussing the concept of a contiguous trail through southwest Washington. About 20 people met to talk about next steps, identifying potential RCO grant opportunities, and current trail connections and gaps.

- **DeAnn Beck** and **Allison Dellwo** participated in King County-sponsored grant applicant workshops to hear about the County's Conservation Futures and new Parks Levy grant opportunities. Important sources of match through RCO were identified and explained.



- **Rory Calhoun** provided an Americans with Disabilities Act (ADA) hands-on training for Olympia Parks, Arts, and Recreation Department staff on November 12.

- **Brian Carpenter** attended the 8th annual Washington State Geographic Information Systems (GIS) Day event, including training on use of drones.

- In October, **Recreation and Conservation grants managers** presented a Grants 101 session at the Washington State Trails Coalition Trails Caucus in Issaquah and the Infrastructure Assistance Coordinating Council annual conference in Wenatchee. The presentation touched on everything an applicant needs to know, including all of our basic requirements and eligibility, an overview of the grant programs, advice on selecting projects, and presentation tips. This was part of our work plan to do additional outreach in our "off" year so applicants would be prepared for our next application cycle. There were about 170 people in attendance at the two sessions. At the trails caucus, RCO also participated in a panel titled "Closing Gaps and making connections, working towards a truly statewide trail system," which was presented by multiple state and local agencies.



- **Regional Funding Forum:** In October, **Alison Greene** represented RCO at a regional funding forum in Dayton. There were 10 different state and federal funding programs represented with about 40 people in attendance.

- **Washington Small Ports Seminar:** In October, **Rory Calhoun** and **Allison Dellwo** presented to more than 125 people at the annual Small Ports Seminar in Leavenworth about grants available to ports.



- **Tessa Cencula** and **Kyle Guzlas** presented at the Snohomish County Parks Directors group in December. Topics included Advisory Committee recruitment, the upcoming grant round and compliance inspections.
- **Kyle Guzlas** attended the December King County Play Equity coalition meeting. The King County Play Equity Coalition meets monthly and will be using the findings and recommendations of the [State of Play: Seattle-King County](#) report to guide a collective action process.

Trails Study Launch

RCO's recent study on the economic and health benefits of trail-based activities (hiking, biking, and walking) is complete. Among many other findings, the study concludes that trail-based recreation improves local economies, decreases health care-related costs by improving overall health, and helps protect our wild spaces. That will be one of several key messages the agency will promote when it launches the plan in January. RCO is working on a launch strategy with the Washington Trails Association that will include events and promotions throughout 2020. Some of the interesting things identified in the study include the following:

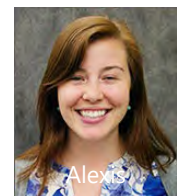
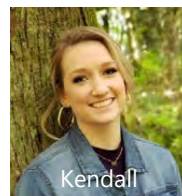


- Trails contribute more than \$8.2 billion to Washington's economy and support more than 81,000 jobs a year.
- Trail use results in more than \$390 million in health savings each year.
- Trail-based activities can improve physical and mental health, especially for children and communities at a higher risk of illness and chronic stress.

In addition to the data, the report provides policy recommendations to build on the current success trails have in Washington communities and to expand the economic, health, and environmental benefits of trails.

Staff Changes

- **Kendall Barrameda** joined the Salmon Section as the administrative assistant in November.
- **Alice Rubin** has been promoted to an outdoor grants manager senior in the Salmon Section, where she will manage the five non-board grant programs administered in the Salmon Section.



- **Alexis Haifley** moved from the Salmon Section to replace outgoing staffer Brianna Widner, as the Washington Invasive Species Council’s community outreach and environmental education specialist.

News from the Boards

- The **Salmon Recovery Funding Board** met in December and approved more than \$26 million in grants for salmon recovery projects across the state, including three projects targeting species nearing recovery. The board also adopted new rules that clarify the roles of lead entities and regional organizations and a revised strategic plan. The board discussed the planned project forecast list and draft criteria for future targeted investments.
- The **Washington Invasive Species Council** held its final meeting of the year December 19 in Olympia. A few of the topics covered included invasive species issues in a time of climate change, the Lake Roosevelt Invasive Mussel Response Exercise, and the year-end summary and the council’s 2020-2025 strategic plan.
- The **Habitat and Recreation Lands Coordinating Group** held its annual Monitoring Forum in October, where it looked at land the state agencies purchased and sold in the past years.

Grant Management Report

Washington State Receives a Legacy Partnership Grant

The National Park Service (NPS) has awarded a \$750,000 Outdoor Recreation Legacy Partnership (ORLP) grant to the State of Washington for the City of Seattle’s South Park Playground, Spray Park, and Playfield ([18-2169D](#)) project. ORLP is the nationally competitive part of the federal Land and Water Conservation Fund that provides grants to improve parks in economically disadvantaged urbanized areas. The focus of this program is to benefit communities that are underserved with respect to parks and outdoor recreation opportunities. NPS awarded \$11.7 million to 18 projects in 16 states.

Seattle will use its grant to install new play structures, a new spray park, an adult fitness zone, and other amenities to enhance visibility and mitigate air and noise pollution. The total cost of this project is \$7.5 million. The board awarded a \$350,000 Youth Athletic Facilities Program grant, in June, to improve the athletic fields in South Park.



2020 Grant Application Webinar

RCO will hold an application webinar on February 13, to introduce and provide information about the 2020 grants cycle for recreation, conservation, farmland, and forestland projects. The webinar will include general information about the application process, grant programs, eligible projects, application due dates and important policy and procedural changes for 2020.

Applications for the following programs are due May 1, 2020.

- Aquatic Lands Enhancement Account
- Boating Infrastructure Grants
- Land and Water Conservation Fund
- Washington Wildlife and Recreation Program
- Youth Athletic Facilities Program



The application due date for the remainder of the grant programs (Boating Facilities, Firearms and Archery Range Recreation, Nonhighway and Off-road Vehicle Activities, and the Recreational Trails Program) is November 1. Individuals may register online for the application webinar. [PRISM Online](#) will open on February 13 for applications due in May and August 1 for applications due in November.

Purchasing Development Rights to Protect Natural Cultural Resources

Kim Sellers and Kay Caromile have worked tirelessly over the past few months to support the Port Gamble S'Klallam Tribe and approve one of RCO's most complex conservation easement. The Tribe will use funds from the Aquatic Lands Enhancement Account, Washington Wildlife and Recreation Program, Estuary and Salmon Restoration Program, along with local appropriations to purchase a conservation easement on 16 acres of upland and 4 acres of adjacent tidelands at Port Gamble Bay



The purchase is the first step in a larger project to restore high quality, near-shore habitat and provide water access and educational opportunities. The bay is home to large herring stocks, surf smelt, sand lance, and multiple species of salmon, trout, and shellfish. The site also is important to indigenous people who lived there for thousands of years

and continue to rely on the water resources.

This project will provide immediate access to the bay for non-motorized boating. The board approved \$2 million in grant funds for this project at its June meeting. The total cost of the project is \$4 million.

Annual Retreat

The Recreation and Conservation grants team held a one-day retreat on November 19. The retreat was designed to focus on team values and setting goals for the 2020 grants cycle. Key outcomes included recognition for work accomplished over the past year, assignments for updating RCO’s online resources for applicants, and implementing process improvements for the next grants cycle.

Using Returned Funds for Alternate and Partially-Funded Projects

The RCO Director recently awarded grants for two alternate projects (Attachment A, Table A-1). The funds are from projects that did not use the full amount of their grant awards. Also, as unused funds have become available from other projects, the Director has approved additional funding for 10 partially funded projects. Attachment A, Table A-2 shows the projects’ original grant award and the total grant funds now approved.

Project Administration

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

Program	Active Projects	Board and Director Approved Projects	Total Funded Projects
Aquatic Lands Enhancement Account (ALEA)	29	3	32
Boating Facilities Program (BFP)	68	4	72
Boating Infrastructure Grant (BIG)	4	0	4
Firearms and Archery Range Recreation (FARR)	11	1	12
Land and Water Conservation Fund (LWCF)	19	1	20
No Child Left Inside (NCLI)	30	0	30
Nonhighway and Off-road Vehicle Activities (NOVA)	151	36	187
Recreation & Conservation Office Recreation Grants (RRG)	6	0	6

Recreational Trails Program (RTP)	50	12	62
Washington Wildlife and Recreation Program (WWRP)	215	25	240
Youth Athletic Facilities (YAF)	50	7	57
Total	633	89	722

Viewing Closed Projects

Attachment B lists projects that closed between September 1, 2019 and December 31, 2019. Click on the project number to view the project description, grant funds awarded, and other information (e.g., photos, maps, reports, etc.).

Grant Services Report

Volunteer Recruitment for Advisory Committees

Grant Services staff have been actively recruiting Advisory Committee members over the past few months to fill approximately 50 spots on the 17 committees that are administered by RCO. These committees are a critical element in the evaluation of grant proposals and with the 2020 grant round right around the corner, these spots need to be filled with representatives very soon. Grant Services and Communications staff first initiated the recruitment campaign with launch of the new RCO website. The [Get Involved](#) webpage has consistently been one of the most visited website pages, especially when the new site went live in early November. This attention was largely due to the social media campaign and posting of the [new recruitment video](#) on RCO's social platforms including [Facebook](#), [Instagram](#), [YouTube](#), [LinkedIn](#), [Twitter](#) and [Flicker](#) accounts. For the first time in RCO history, RCO made a small investment on social media advertisements. This allowed for the recruitment video to reach over 125,000 screens over a four week period. RCO also purchased a subscription to a newsletter service for recruitment and advisory committee communication purposes.

Through each of these techniques we were successful in guiding thousands of new potential committee members to the Advisory Committee webpage and the online application process. This has resulted in over 75 applications submitted by the end of December. Staff will begin reviewing applications in January and will have all appointments completed by the end of March.

Electronic Signature

Grant Services and Information Technology staff explored the potential for utilizing electronic signatures throughout 2019. Annually, RCO produces thousands of signed documents that include contracts, amendments, web based grant and internal forms, etc., all of which are currently completed through a paper driven process.

Grant Services Section Manager, Kyle Guzlas, and Chief Information Officer, Greg Tudor, met with several other agencies that are piloting electronic signature solutions and reviewed their products and internal policies and procedures for E-signatures. Simultaneously, RCO vetted several products that are available for this service. Staff worked through a design review process with the Office of Cyber Security (OCS) for approval to use Adobe Sign for RCO's pilot projects. This product was approved for use by OCS in October 2019.

State agencies are required to put in place, by policy or rule, the methods and process for using or accepting electronic signatures. Also, electronic records and signatures must be consistent with policy, standards, and guidelines provided by Washington's Office of the Chief Information Officer (OCIO). RCO finalized its internal E-Signature Policy at the end of 2019 (Attachment C). This policy is designed to integrate electronic signature and submissions into RCO's business and provide the framework and procedures for implementing these tools across the agency.

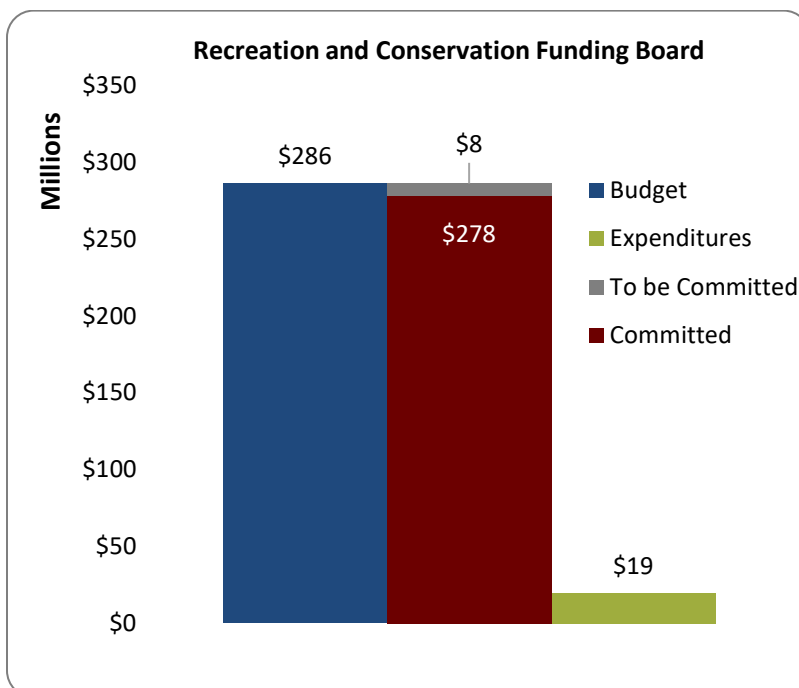
Electronic signatures can increase cost savings, speed of transactions, and client satisfaction. Modernizing the signature process will contribute to lowering the agency's carbon footprint through a decrease in paper consumption, printing, storage and transportation effects associated with a paper driven process.

RCO entered a contract with Adobe Sign for implementation of the agency's pilot projects that will begin in early 2020.

Fiscal Report

For July 1, 2019-June 30, 2020, actuals through December 13, 2019 (Fiscal Month 05). Percentage of biennium reported: 20.8 percent. The "Budget" column shows the state appropriations and any received federal awards.

Grant Program	BUDGET	COMMITTED		TO BE COMMITTED		EXPENDITURES	
	Re-appropriations 2019-2020	Dollars	% of Budget	Dollars	% of Budget	Dollars	% Expended of Committed
Grant Programs							
ALEA	\$17,027,288	\$16,784,262	99%	\$243,026	1%	\$1,936,691	12%
BFP	\$32,120,671	\$29,820,177	93%	\$2,300,494	7%	\$1,417,403	5%
BIG	\$2,885,000	\$2,885,000	100%	\$0	0%	\$639,070	22%
FARR	\$1,432,948	\$1,077,774	75%	\$355,174	25%	\$15,137	1%
LWCF	\$6,542,000	\$6,542,000	100%	\$0	0%	\$676,811	10%
NOVA	\$21,330,670	\$21,306,363	99%	\$24,307	1%	\$848,537	4%
RTP	\$5,285,000	\$5,238,092	99%	\$46,908	1%	\$660,239	13%
WWRP	\$160,689,144	\$157,723,807	98%	\$2,965,337	2%	\$8,379,063	5%
RRG	\$12,711,254	\$11,580,406	91%	\$1,130,848	9%	\$2,322,579	20%
YAF	\$16,533,125	\$15,311,155	93%	\$1,221,970	7%	\$865,033	6%
Subtotal	\$276,557,100	\$268,269,036	97%	\$8,288,064	3%	\$17,760,563	7%
Administration							
General Operating Funds	\$9,722,554	\$9,722,554	100%	\$0	0%	\$1,954,397	20%
Grand Total	\$286,279,654	\$277,991,590	97%	\$8,288,064	3%	\$19,714,960	7%



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

Board Revenue Report

For July 1, 2019-June 30, 2021, actuals through December 13, 2019 (Fiscal Month 05).
Percentage of biennium reported: 20.8%.

Program	Biennial Forecast	Collections	
	Estimate	Actual	% of Estimate
Boating Facilities Program (BFP)	\$20,641,717	\$4,433,095	21.5%
Nonhighway, Off-Road Vehicle Program (NOVA)	\$14,341,149	\$3,085,902	21.5%
Firearms and Archery Range Rec Program (FARR)	\$572,984	\$116,031	20.3%
Total	\$35,555,850	\$7,635,028	21.5%

Revenue Notes:

BFP revenue is from the un-refunded marine gasoline taxes.

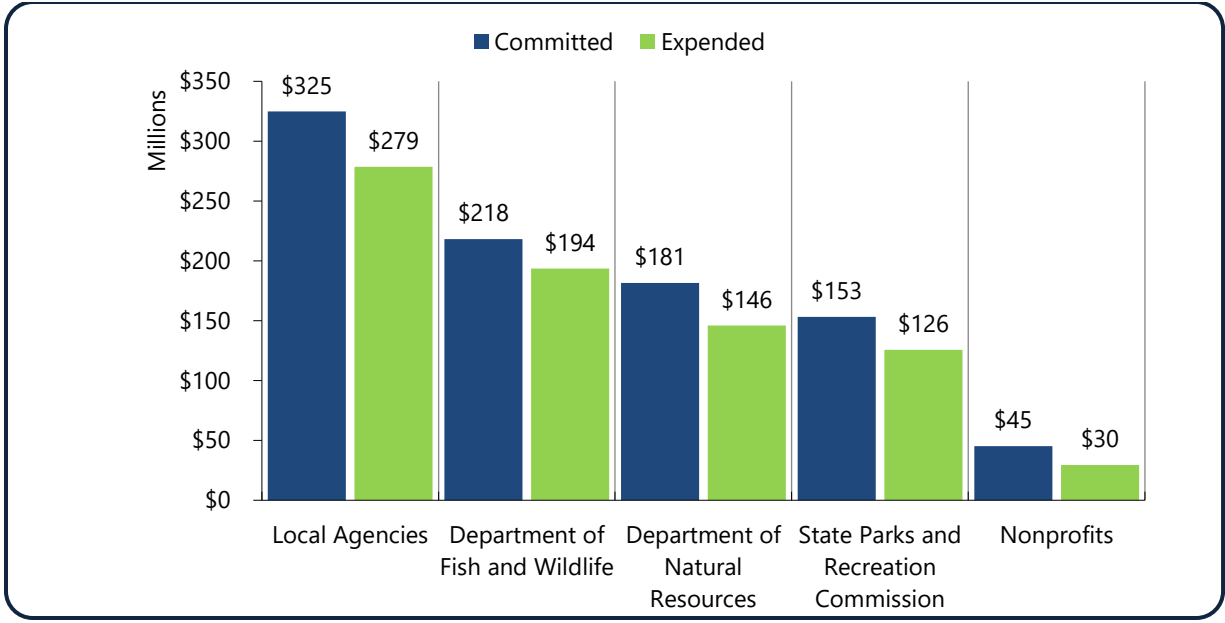
NOVA revenue is from the motor vehicle gasoline tax paid by users of off-road vehicles and nonhighway roads and from the amount paid for by off-road vehicle use permits. NOVA revenue is from the motor vehicle gasoline tax paid by users of off-road vehicles and nonhighway roads and from the amount paid for by off-road vehicle use permits.

FARR revenue is from \$2.16 of each concealed pistol license fee.

This reflects the most recent revenue forecast of November 2019. The next forecast is due in March 2020.

WWRP Expenditure Rate by Organization (1990-Current)

Agency	Committed	Expenditures	% Expended
Local Agencies	\$324,765,491	\$278,524,898	86%
Department of Fish and Wildlife	\$218,222,712	\$193,569,253	89%
Department of Natural Resources	\$181,495,026	\$146,005,596	80%
State Parks and Recreation Commission	\$153,269,497	\$125,542,205	82%
Nonprofits	\$45,262,574	\$29,505,728	65%
Conservation Commission	\$4,570,758	\$469,450	10%
Tribes	\$1,741,411	\$741,411	43%
Other			
Special Projects	\$735,011	\$735,011	100%
Total	\$930,062,479	\$775,093,553	83%



Performance Measures for Fiscal Year 2020

The following performance data are for recreation and conservation projects in fiscal year 2020 (July 1, 2019-June 30, 2020). Data are current as of December 23, 2019.

Recreation and Conservation Funding Board Performance Measures

Measure	Target	Fiscal Year-to-Date	Status	Notes
Grant agreements mailed within 120 days of funding	90%	86%	●	270 of 315 agreements have been mailed within 120 days.
Grants under agreement within 180 days of funding	95%	N/A	●	No agreements have come due this fiscal year
Progress reports responded to within 15 days	90%	91%	●	RCFB staff received 297 progress reports and responded to them in an average of 6 days.
Bills paid in 30 days	100%	100%	●	487 bills have come due and all were paid within 30 days. On average, staff paid bills within 12 days.
Projects closed within 150 days of funding end date	85%	78%	●	40 of 51 projects have closed on time.
Projects in Backlog	5	16	●	There are 16 RCFB projects in the backlog
Compliance inspections done	125	78	●	There have been 78 worksites inspected this fiscal year. Staff have until June 30, 2020 to reach the target.

Funds for Alternate and Partially-Funded Projects

Table A-1: Funds for Alternate Projects

Project Number ⁱ	Project Name	Sponsor	Grant Request	Funds Approved	Grant Program, Category ⁱⁱ
18-1657D	William Shore Warm Water Exercise Pool	William Shore Pool District	\$500,000	\$500,000	Land and Water Conservation Fund
18-2273D	Big 4 Bridge Extension	U.S. Forest Service, Mount Baker-Snoqualmie National Forest, Darrington Ranger District	\$200,000	\$146,317	Nonhighway and Off-road Vehicle Activities, Nonmotorized
18-1662A	Gazzam Nature Preserve Phase 7	Bainbridge Island Land Trust	\$2,448,994	\$968,189	WWRP Urban Wildlife Habitat
18-1759D	Harry Todd Waterfront Improvements Phase 2	Lakewood	\$626,718	\$539,571	WWRP Water Access

Table A-2: Funds for Partially Funded Projects

Project Number ⁱ	Project Name	Sponsor	Grant Request	Original Grant	Current Grant Funding	Grant Program, Category ⁱⁱ
18-2434D	Taylor Mountain Trail Bridge Construction Phase 1	King County	\$200,000	\$127,181	\$200,000	Nonhighway and Off-road Vehicle Activities, Nonmotorized
18-2296M	Statewide Volunteer Trail Maintenance	Washington Trails Association	\$150,000	\$117,000	\$150,000	Recreational Trails Program, General
18-2525M	Lower Lake Chelan Summer and Winter Trails	U.S. Forest Service, Okanogan-Wenatchee National Forest, Chelan Ranger District	\$150,000	\$75,000	\$87,346	Recreational Trails Program, General
19-1535A	Kiera Duffy Forestland	Whatcom County	\$250,000	\$47,690	\$117,361	WWRP Farmland Preservation
18-1754A	Sakai Park	Bainbridge Island Metropolitan Park and Recreation District	\$1,000,000	\$399,807	\$758,165	WWRP Local Parks
18-1612A	Van Gasken Sound View Park	Des Moines	\$684,632	\$273,720	\$519,063	WWRP Local Parks

Project Number ⁱ	Project Name	Sponsor	Grant Request	Original Grant	Current Grant Funding	Grant Program, Category ⁱⁱ
18-1668D	Puyallup Valley Sports Complex Field Improvement	Puyallup	\$461,150	\$414,135	\$461,150	WWRP Local Parks
18-1830R	Wenas Watershed Enhancement	Washington Department of Fish and Wildlife	\$647,950	\$340,582	\$343,886	WWRP State Lands Restoration
16-1471D	South Gorge Trail	Spokane	\$1,100,000	\$486,901	\$490,012	WWRP Trails
16-1834A	Barnum Point Water Access	Island County	\$1,575,000	\$1,523,651	\$1,575,000	WWRP Water Access
18-1945C	California Creek Estuary Park Acquisition	Blaine-Birch Bay Park and Recreation District	\$458,000	\$299,400	\$366,400	WWRP Water Access

ⁱ A=Acquisition, C=Acquisition and Development, D=Development, E=Education/Education and Enforcement, M=Maintenance, O=Operation R=Restoration

ⁱⁱ WWRP = Washington Wildlife and Recreation Program

Projects Completed and Closed from September 1, 2019 to December 31, 2019

Project Number ⁱⁱⁱ	Project Name	Sponsor	Program ^{iv}	Closed On
12-1250D	Discovery Bay Shoreline Restoration and Trail Construction	Jefferson County	Aquatic Lands Enhancement Account	12/20/2019
14-1521D	Waterman Fishing Pier and Seawall Renovation	Port of Waterman	Aquatic Lands Enhancement Account	12/19/2019
16-2083D	Port of Friday Harbor Activity Float	Port of Friday Harbor	Boating Infrastructure Grant, Tier1	12/18/2019
14-1858D	Rock Creek Unit Motorized Trails Improvements	Washington Department of Fish and Wildlife	Nonhighway and Off-road Vehicle Activities, Off-Road Vehicle	12/18/2019
14-1353A	Sound to Olympics North Kitsap Gap	Kitsap County	Recreation and Conservation Office Recreation Grants, Trails	12/4/2019
16-2297E	Cle Elum Winter Trail Patrol 2017-19	U.S. Forest Service, Okanogan-Wenatchee National Forest, Cle Elum Ranger District	Recreational Trails Program, Education	10/17/2019
16-2579M	Okanogan Pacific Northwest Trail Association Youth Crews and Volunteer Crews	Pacific Northwest Trail Association	Recreational Trails Program, General	12/5/2019
17-1144A	Rock Creek Forest	Columbia Land Trust	WWRP Forestland Preservation	9/4/2019
16-1513A	Clark Lake Park Expansion: Walla Acquisition	Kent	WWRP Local Parks	12/16/2019
14-1172D	Oak Creek Tim's Pond Access Development	Washington Department of Fish and Wildlife	WWRP State Lands Development and Renovation	10/8/2019
14-1482R	Coastal Forest Restoration	Washington Department of Natural Resources	WWRP State Lands Restoration and Enhancement	12/18/2019


ⁱⁱⁱ A=Acquisition, C=Acquisition and Development, D=Development, E=Education/Education and Enforcement, M=Maintenance, O=Operation R=Restoration

^{iv} WWRP = Washington Wildlife and Recreation Program



Information Technology 002

E-Signature

POLICY NUMBER:	IT 002
REFERENCE:	FEDERAL LAW: 15 U.S.C. SEC. 7001 ET SEQ. - FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT STATE LAWS: CHAPTER 19.360 RCW ELECTRONIC SIGNATURES AND RECORDS CHAPTER 19.34 RCW WASHINGTON ELECTRONIC AUTHENTICATION ACT EXECUTIVE ORDERS OR POLICIES ELECTRONIC SIGNATURE GUIDELINES, V 1.0, APRIL2016 (WASHINGTON STATE OFFICE OF CHIEF INFORMATION OFFICER (OCIO))
EFFECTIVE DATE:	DECEMBER 30, 2019
SUPERSEDES:	NEW
APPROVED:	

POLICY STATEMENT

To the fullest extent allowed by law, The Recreation and Conservation Office (RCO) encourages electronic transactions and recognizes electronic records and signatures. Implementation of this policy aligns with other agency policies in moving toward both a modern and mobile work force and a paperless office.

The use and acceptance of e-signatures and electronic submissions or records must be consistent with this policy and guidance and requirements put in place by Washington State's Office of the Chief Information Officer (OCIO).

Specific methods shall be approved in advance by the RCO Deputy Director in close consultation with the agency's Chief Information Officer (CIO).

The approval of these methods shall be coordinated through the agency's CIO. The CIO will determine a suitable review and approval process to be used when determining which method(s) are suitable for a particular category of record or transaction. Where appropriate, a team approach shall be used. Approved methods of electronic signature and submittal shall be listed as an addendum to the Electronic Signature Methods Procedure.



Information Technology 002

DISCUSSION

The purpose of this policy and its procedures is to (1) provide reasonable assurance for the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures and submissions are used and accepted; and (2) promote the use of electronic signatures and submissions across the Recreation and Conservation Office.

Unless otherwise provided by law or agency rule, electronic signatures have the same force and effect as that of a handwritten signature. However, all methods and process for using or accepting electronic submissions must adhere to the following:

1. State agencies are required to put in place, by policy or rule, the methods and process for using or accepting electronic submissions or electronic signatures; and
2. Electronic records and signatures must be consistent with policy, standards, and guidelines provided by Washington State's Office of the Chief Information Officer (OCIO).

RCO intends to use electronic signatures and submission whenever possible provided the associated risks are minimal, deemed reasonable or may be mitigated. This policy is designed to integrate electronic signature and submissions into RCO business and provide the framework and procedures for implementing these tools across the agency. Electronic signatures can increase cost savings, speed of transactions, and client satisfaction. Additionally, modernizing the signature process will contribute to lowering the agency's carbon footprint through a decrease in paper consumption, printing, storage and transportation effects associated with a paper driven transaction process.

The agency should consult with its assigned AAG if questions develop related to the recommended electronic signature solution's compliance with applicable laws or in the event other specific contractual questions arise.

DEFINITIONS

Assistant Attorney General (AAG)-Assistant Attorney General, legal counsel for the Recreation and Conservation Office.

Chief Financial Officer (CFO)-The head of RCO's Financial Resources Section or designee.

Chief Information Officer (CIO)-The head of RCO's Information Technology Services Section

Electronic-Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.



Information Technology 002

Electronic signature or e-signature-An electronic sound, symbol, or process attached to, or logically associated with, a contract or other record, and executed or adopted by a person with the intent to sign the record.

Electronic Signature Group (ESG)-A group of RCO employees led by the Grant Services Section Manager and/or CIO to review electronic signature solutions.

E-signature workflow solution-Electronic process for internally and externally routing documents. Turning a manual, paper driven process into an electronic one.

Office of the Chief Information Officer (OCIO)-The office within the Washington State Consolidated Technology Services Agency (WATech) that establishes standards and policies for the consistent and efficient operation of information technology services throughout state government, including the policies, standards, and guidance for the use of electronic signatures under [Chapter 19.360 RCW](#).

PRISM-Project Information System. The RCO grant management database.

Record- Recorded information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, except as otherwise defined for the purpose of RCO record retention, preservation, or disclosure.

Records Officer-Person designated by the RCO director to implement the agency's records retention in accordance with applicable laws and rules per [RCW 40.14.040](#). The agency may have one employee serve as both the Records Officer and the Public Disclosure Officer.

Workflow Lead-Implements e-signature solution. The Workflow Lead is designated by the Deputy Director.

RELATED POLICIES

- [Enterprise Risk Management](#)
- [Cloud Computing](#)
- [Modern Work Support Statement](#)
- [Print Management](#)
- [Records Management](#)



Information Technology 002

PROCEDURES (FOR PILOT PROJECT SOLUTIONS AND WORKFLOWS)

E-SIGNATURES SOLUTIONS PROCEDURE

Action By:	Action:
Electronic Signature Group (Deputy Director, CIO, CFO, Policy Director, Section Managers, and Records Officer)	<p>Conducts an initial business triage and determines if putting an E-Signature Workflow solution in place will likely:</p> <ul style="list-style-type: none"> • Enhance the experience of our internal/external customers; • Provide efficiency benefits • Save costs of doing business (better, faster, cheaper) • Paper reduction • Maintain strong internal controls <p>If the E-Signature Workflow Solution is approved, the Electronic Signature Group conducts a business analysis and risk assessment consistent with the OCIO Electronic Signature Guidelines.</p>
Deputy Director	<p>Assigns a program staff member, the "Workflow Lead", to:</p> <p>Coordinate the development of the e-signature workflow solution and communicate the workflow's business rules and requirements to the CIO.</p>
Workflow Lead (for pilot project this will be the Grant Services Section Manager)	<p>With approval of the Deputy Director, develops an e-signature workflow solution and prepares the request for review by the Electronic Signature Group. Includes the following in their request:</p> <ul style="list-style-type: none"> • A cost/benefit analysis which includes potential costs, quantifiable and unquantifiable, direct and indirect; • A plan for converting a traditional process to an electronic one; <p>Other Considerations to include in request:</p> <ul style="list-style-type: none"> • A communication plan developed in consultation with the agency Communications Office (if appropriate) <p>Records Officer review: In order to proceed, the review must confirm the recommended solution complies with records management requirements;</p> <p>Policy and Rules Manager review: In order to proceed, the policy and rules review must determine if current agency policies, rules, standards, and forms present barriers. Where barriers exist, the review shall include a list of the areas that require change.</p>



Information Technology 002

<p>Electronic Signature Group (Deputy Director, CIO, CFO, Policy Director, Section Managers, Records Officer)</p>	<p>Reviews the proposed workflow and determines:</p> <ul style="list-style-type: none"> • If the level of risk presented is acceptable. If so, <ul style="list-style-type: none"> ○ Are resources available to put the solution in place. ○ If so, determine if the solution fits within the agency's current technological architecture. ○ If not, determine what can or should be changed within the existing architecture to allow for the use of the recommended solution (i.e. PRISM development). • Makes a final determination for implementation
<p>Workflow Lead</p>	<p>Implements new e-signature solution including communication to those effected and providing any necessary staff/partner training.</p>
<p>CIO & Workflow Lead</p>	<p>CIO Shall:</p> <ul style="list-style-type: none"> • In order to provide a single point of access, maintain or link to this policy and Appendix A on RCO's public website. <p>Workflow Lead Shall:</p> <ul style="list-style-type: none"> • Add approved electronic signature to Appendix A, Approved Electronic Signature Methods & Processes.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Conversion Request: Clallam County, Dungeness Farmland
RCO #06-1849

Prepared By: Kim Sellers, Outdoor Grants Manager

Summary

Clallam County is requesting the Recreation and Conservation Funding Board (board) approve a conversion of approximately 24.2 acres of farmland. The conversion is due to a levee setback project along the Dungeness river.

The board was provided a briefing on this conversion in Item 3C at the [June 27, 2019 meeting](#).

Resolution: 2020-03

Board Action Requested

This item will be a:

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

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

The subject of this memo is a proposed conversion of property acquired with a grant from the Washington Wildlife and Recreation Program, Farmland Preservation category. The sponsor, Clallam County, plans to convert approximately 24.2 acres of the 36 acre encumbered property for habitat restoration and relocation of a levee.

The Role of the Board

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

The role of the Recreation and Conservation Funding Board (board) is to evaluate the practical alternatives considered for the conversion and replacement (including avoidance) and to consider whether the replacement meets the requirements set in RCO

administrative rules and policies. The board does not have the authority in statute or rule to levy penalties or dictate the future use of the property or project area being converted.

Applicable Policies and Rules

The state law¹ for the WWRP includes a prohibition against conversion without board approval.

Specifically:

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. The board shall adopt rules and procedures governing the approval of such a conversion.

The board has adopted Washington Administrative Code² and policy that defines when a conversion occurs, the appropriate replacement measures, and the steps that sponsors must take to request approval. The rule that applies to acquisition and development projects is as follows:

The sponsor must:

- Demonstrate the need to convert the project area³ including all efforts to consider practical alternatives, how they were evaluated, and the reasons they were not pursued;
- Provide an opportunity for the public to participate in the identification, development and evaluation of the alternatives, including a minimum public comment period of at least thirty days; and
- Provide another project area to serve as replacement. The replacement must:
 - Be interest in real property of at least equal current market value to the converted property;
 - Be of reasonably equivalent usefulness and location;
 - Be administered by the same sponsor unless otherwise approved by the board;

¹ RCW 79A.15.030 (9)

² WAC 286-13-160; WAC 286-13-170

³ WAC 286-04-010 (19) Project area is a geographic area that delineates a grant assisted site which is subject to application and project agreement requirements.

- Be a new project area with facilities that satisfy need(s) identified in the sponsor’s current plan, or other relevant local or statewide plan;
- Be eligible in the WWRP account or category of the original project unless otherwise approved by the board; and
- Satisfies the conversion without grant assistance from the board.

Background – RCO Projects Impacted

Project Name: Dungeness Farmland		Project #: 06-1849A
Grant Program: Washington Wildlife and Recreation Program, Farmland Preservation Category		Board funded date: 6/7/07
WWRP-Farmland	\$293,471	Original Purpose: The project acquired approximately 36 acres via an agricultural conservation easement.
Project Sponsor Match	\$293,471	
Total Amount:	\$586,942	

In 2007, Clallam County was awarded a grant to acquire an agricultural conservation easement on about 36 acres of prime farmland located just north of Sequim Washington on the Olympic peninsula. The purpose of the easement was to extinguish all unused development rights on the property to allow the land to remain as farmland in perpetuity.

The easement included a 5 acre building envelope that includes the farm’s infrastructure as well as 31 acres of farmland and 2 acres of riparian buffer. (See Attachment B: Dungeness Farmland – Current Easement Boundary)

The property is the home to the Dungeness Valley Creamery, which has been in business since the late 1880s. The proximity of the farm’s infrastructure to the fields is an important factor in the farm’s long-term viability and greatly enhances the probability that the farm will remain productive long into the future.

The Conversion

Early in 2000 Clallam County joined a number of partners on the Dungeness River Estuary Project to restore the mouth of the Dungeness River to its natural floodplain habitat. The project included dike removal along 3,400’ of the west bank of the river, ultimately resulting in 150 acres of functional floodplain at the mouth of the river.

This early work was located about a mile to the north of the Dungeness Creamery. With the estuary project completed, the county is now looking to expand their floodplain restoration efforts further upstream along the Dungeness River. While the initial work

was located about a mile to the north, this latest effort would directly impact the western half of the creamery.

This phase includes reconnection of 0.8 miles of the Dungeness River with 112 acres of its historic floodplain by relocating a portion of the Army Corps of Engineer's east bank levee. The levee relocation will happen all the way to the north boundary of Dungeness Valley Creamery, where it abruptly stops. In order to protect the Creamery, a new section of spur levee will connect the existing levee on the west boundary of the Creamery property to the new levee near their NE corner.

The proposed action is to sell the western portion of the Creamery, about 24.2 acres or roughly half of the farmland easement, to the Jamestown S'Klallam Tribe to be used for the future levee setback. The eastern portion of the property will be retained for farmland. The county will then buy replacement farmland equaling the value of the property converted to mitigate for the loss.

Analysis

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

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

Evaluation of Practical Alternatives for Conversion

Not converting the Dungeness Valley Creamery would mean that the levee setback would not occur on that section of the river. However, the setback would still occur to the north and the south, which would result in there being a narrowing of the channel migration zone at the Creamery. To protect the Creamery, an expensive spur levee would need to be constructed to the north. See Attachment D.

Performing restoration to the South and North of the Creamery provides important habitat benefits on their own but without including some of the Creamery property, the restoration work above and below will be much more difficult and more costly. Also and more importantly, the constriction caused by the dike at the Creamery will impair river

processes that are critical to maintain a healthy river and ecosystem. As long as the levee constriction remains, it will degrade salmon habitat, degrade river health, and increase flood risk.

Including part of the Creamery in the restoration is critical to salmon recovery and critical for long-term farm protection. The trend in this area is for farmland to get wetter and less productive over time. By relocating some of the Creamery from some very low ground to higher ground will be a benefit to the farm operation. Setting the levee back in the area currently owned by the Creamery will have multiple benefits to farming, fish and wildlife habitat, public access, and public safety.

Evaluation of Practical Alternatives Considered for Replacement Property and Development

The County is proposing three (3) alternatives for this site:

Alternative 1. No Action. This alternative would mean that the farm would remain intact and no alteration would be made to the easement area. The result of this alternative would result levee setbacks would proceed to the north and south of the project with the Dungeness Valley Creamery restricting the river in the middle. To protect the Creamery, an expensive spur levee would need to be constructed to the north. This additional expense would be avoided by proceeding with the conversion of the western half of the Creamery.

Alternative 2. Preferred Alternative. This alternative would mean that the levee setback work would be completed as planned and would convert the western 18 acres of the Dungeness Creamery. The replacement property would be the farmland located immediately to the south of the current Creamery, thereby maintaining the connectivity of the farm to pastureland. Further the proposed replacement property is at a slightly higher elevation, which renders the fields drier and therefore more productive than the original pasture. The current landowner of the replacement property has indicated an interest in selling their property and the county is eager to acquire this property before it goes on the open market and is purchased by another buyer.

Alternative 3. Alternative Replacement Properties. There are two other properties located short distances away from the Creamery that were considered as potential replacement properties. These are as follows:

1. 35 acres of farmland for sale on Old Olympic Highway and Dorothy Hunt Lane.
2. 80-acres of farmland at the intersection of Towne Road and Woodcock Road.

Although these properties were considered, they were determined to not be good options for replacement property because the grazing pasture is not located directly adjacent to the farm’s infrastructure. This would necessitate the farmer trucking their cows in order to pasture them. Thus, it was determined that for one of these alternatives to work it would require that the entire Dungeness Creamery, including its entire infrastructure, to be relocated to a new location. The cost for this option would be prohibitive.

Evaluation of Fair Market Value

A current appraisal of the area to be converted found the value to be \$190,000. This is the value of the replacement property that is needed in order to satisfy the conversion. The per acre value of the replacement property was appraised at a slightly lower than the value of the converted property, thus 25.4 acres of property is needed to replace the 24.2 acres of the converted area.

Evaluation of Reasonably Equivalent Location

The preferred alternative is to purchase the property directly to the south of the existing Creamery as the replacement property. This location maintains the connectivity to the farm’s infrastructure, which is important to the long-term viability of the farm. For example, without this connectivity, the farmer would need to truck his cows to a location away from his main operation.

Evaluation of Reasonably Equivalent Usefulness

The soils are equal to or better than the soils in the converted area and the land is less prone to being flooded from the river. Additionally, the trend for areas along the river is for them to become wetter and less productive over time. By relocating some of the Creamery from some very low ground to higher ground will be a benefit to the farm operation.

Evaluation of Public Participation

A public comment period was conducted from October 15, 2019, through November 15, 2019, which meets the required comment period. A public notice was posted on the North Olympic Land Trust’s website, on social media, and through email distribution to individuals who have expressed interest in land use activities in Clallam County.

Method of Advertising	Date(s)	Number	Comments
North Olympic Land Trust Website	October 15- November 15	Unknown	None
Email Notification	October 15	-815 unique opens* -57 clicks on link to pdf.	None

Facebook Post	October 15 – November 15	-420 clicks on posting -25 clicks on link to ad	-27 likes/loves -3 commenters
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*The land trust tracked the number of times the document was opened for the first time and they subtracted the number of times the document was opened multiple times by the same person. There was a total of 1,492 total opens including users who opened the post more than once.

A total of three comments were received from the public. There were no negative comments received on this proposal. Of the three comments received, one was in support of the proposal. The other two commenters asked if the owners of the creamery were pleased with the proposal. Responses were sent to these commenters informing the owners are in favor of the conversion.

Other Basic Requirements Met

Same Project Sponsor.

Yes, the sponsor will remain the same. Additionally, the landowner will also remain the same.

Satisfy Needs in Adopted Plan.

Agricultural resources land goals are included in 31.02.120 of Clallam’s County Wide Comprehensive Plan. Specifically, item 31.02.120 (4) states, “Clallam County should ensure that public actions are managed to minimize disruption of agricultural activity. When permanent conservation of a parcel of farmland is assured, utilities and transportation should be designed to minimize conflicts with farming.” Further, the county has incorporated a right-to-farm provision and describes the county’s goal of preserving farmland through programs that include the purchase of development rights.

The Dungeness Creamery and the potential replacement property are both within the County’s designated Agricultural Retention zone that includes over 6,000 acres of prime farmland located within the Sequim-Dungeness Planning Region⁴.

Eligible in the Funding Program

In order for land to be eligible in the Farmland Preservation Program, the land must be either currently designated or eligible as farmland consistent with the County’s Open Space Tax Code⁵. The proposed replacement property consists of 5 parcels, all of which

⁴ Section 31.02.115 (2) of the Clallam County-Wide Comprehensive Plan

⁵ Revised Code of Washington 84.34.020

are currently designated as farmland under the County’s Open Space program and is currently in a farmable condition, operating as a working farm.

Details of Proposed Replacement Property

Location / Property Characteristics. The county proposes the McLane-Wallacker property as replacement for the converted property. Both properties are of equal farmland value, with the McLane-Wallacker property being of slightly better quality due to a slightly higher elevation and drier soils. The McLane-Wallacker property is located directly adjacent to the existing Dungeness Farmland Easement and allows the family to retain usage of the existing dairy infrastructure.

Attachment C shows the configuration of the proposed replacement property. The McLane-Wallacker property includes many more acres of farmland than is needed to satisfy the conversion. However, the county has identified a portion of this property, based on appraised value, which matches the value of the area to be converted from the existing easement. The owners of the Creamery are currently working with the owners of the McLane-Wallacker property to purchase the rest of the property through a separate transaction.

Evaluation of Fair Market Value

The conversion area and replacement property has been appraised for an agricultural conservation interest that meeting board policy.

	Conversion Property	Replacement Property	Difference
Market Value	\$190,000	\$190,000	\$0
Acres	24.2	25.4	+1.2 acres

Evaluation of Reasonably Equivalent Location

The replacement property is located directly adjacent to the conversion area.

Evaluation of Reasonably Equivalent Usefulness

The replacement property is slightly superior farmland to the property being converted. It consists of similar soils but has the added advantage of being slightly further away from the river and at a slightly higher elevation so it is not as likely to flood.

Conversion Policy Requirements Met

RCO staff have reviewed the sponsor’s conversion documentation and verify that all requirements are met.

Staff Recommendation

Staff recommend approval of the conversion and replacement property as described and illustrated in the memorandum.

Next Steps

Should the board approve the conversion and replacement, staff will execute all necessary amendments to the project agreement, as directed.

Attachments

- A. Location Map
- B. Map of the Current Easement
- C. Preferred Alternative – Replacement Property
- D. Location for Levee Setbacks – with Optional Spur Levee
- E. Map of Alternative Replacement Properties
- F. Site Photos
- G. Resolution 2020-03



Attachment A- Location Map

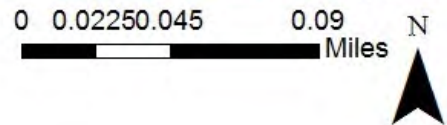
Location Map – Dungeness Creamery



Attachment B- Map of the Current Easement



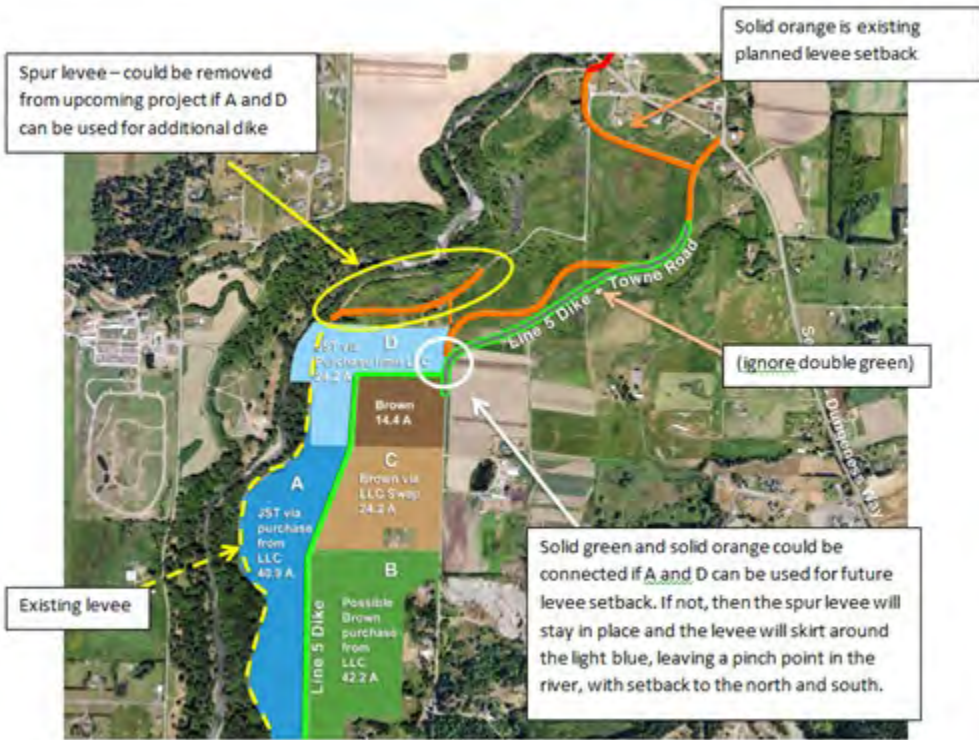
-  Dungeness Valley Creamery
-  5-acre Building Envelope



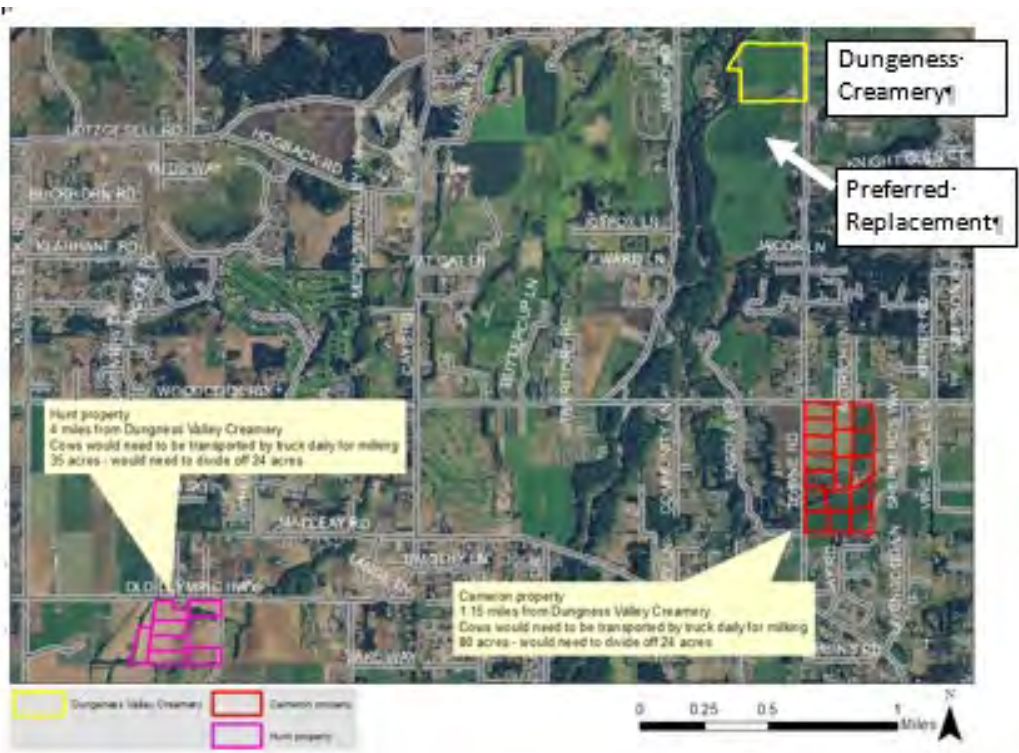
Attachment C- Preferred Alternative – Replacement Property



Attachment D- Location for Levee Setbacks - with Optional Spur Levee



Attachment E- Map of Alternative Replacement Properties



Attachment F- Site Photos

Area to be removed from conservation easement (western portion - levee and river on left)



Area to be removed from conservation easement SW corner (levee and river in background)



Photo of levee on property, looking north



Area to be removed from conservation easement, wet area, north boundary (levee and river in background)



Photos of the proposed replacement property



**Recreation and Conservation Funding Board
Resolution 2020-03
Conversion Request: Dungeness Valley Creamery
RCO #06-1849A**

WHEREAS, that Clallam County used a grant from the Washington Wildlife and Recreation Program – Farmland Preservation Account (WWRP-FPA) to acquire an agricultural conservation easement; and

WHEREAS, the County in partnership with the Jamestown S’Klallam Tribe, and the North Olympic Land Trust, desires to convert a portion of the easement area acquired to support a diking project that will restore the hydrological function of the Dungeness River and reduce flooding to private properties in the area; and

WHEREAS, that as a result of this conversion, portions of the easement area no longer satisfies the conditions of the RCO grant; and

WHEREAS, the County is asking for Recreation and Conservation Funding Board (board) approval to replace the converted easement area; and

WHEREAS, the proposed replacement property is adjacent to the easement being converted, has an appraised value equal to that of the converted area, has similar agricultural value and is of greater acreage than the converted area; and

WHEREAS, the proposed replacement property would continue to support the infrastructure of the Dungeness Valley Creamery; and

WHEREAS, the replacement property is supported in the Clallam County Wide Comprehensive Plan which describes the importance of protecting agricultural activities in the County; and

WHEREAS, that the sponsor sought public comment on the conversion and replacement, thereby supporting the board’s strategy to regularly seek public feedback in policy and funding decisions.

NOW, THEREFORE BE IT RESOLVED, that the Recreation and Conservation Funding Board hereby approves the conversion; and

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

Resolution moved by:

Resolution seconded by:

Adopted/Defeated/Deferred (underline one)

Date:



Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Cost Increase Request:
Port of Keyport Boat Ramp Reconstruction

Prepared By: Kim Sellers, Outdoor Grants Manager

Summary

The Port of Keyport is asking the Recreation and Conservation Funding Board to approve a cost increase for the Port of Keyport Boat Ramp Reconstruction, RCO #18-2421D. The cost increase is needed because a recently completed engineering study indicated that the site contains unstable soils, which requires a substantially more elaborate design than was originally planned.

The requested cost increase exceeds ten percent of the total project costs; therefore, staff is presenting this cost increase request to the board for consideration.

Board Action Requested

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

Resolution #: 2020-04

Purpose of Resolution: Approve a cost increase for the Port of Keyport’s Boat Ramp Reconstruction project.

Background

In 2018 the Port of Keyport (Port) applied for a development grant in the Boating Facilities Program (BFP) to renovate their boat launch and associated floats and gangway along with their restroom (Port of Keyport Boat Ramp Reconstruction, RCO #18-2421D). The Recreation and Conservation Funding Board approved the final ranked list of BFP projects at its June 2019 meeting and the project ultimately received funding through the 2019 state capital budget.

The project design included in the Port’s original application was based on soil stability that is considered normal for the shoreline in the area. However, during the permitting process, an engineering study showed that the soils underneath the existing boat launch are less stable than expected, indicating that at some point prior to the construction of the original launch fill material was dumped on the site. This required the Port to redesign their planned renovations. The original design included a raised launch that allows sediment transport under the launch. The new design will retain this feature, but will also include more substantial supports that are deeper and are spaced more closely together to provide added structural stability.

Project Status

The Port of Keyport designed their project in November of 2017, well before the board awarded a grant in 2019. The Port wanted to begin construction in August 2019. Because of the delays caused by permitting, the construction is now planned for the January through February 2020 “fish window”. This delay also resulted in cost overages associated with inflation.

Request and Analysis

The Port estimates that they will need an additional \$280,771 to complete their development project. If the cost increase is denied, the Port will need to either reduce the quality of the materials installed or they would need to reduce the scope of the project and remove essential project elements.

The original project application included a request for \$520,650 in grant funds. This combined with a sponsor match of \$173,550 (25 percent) made up a total project cost of \$694,200. The new total project cost is expected to be \$974,971. This would require an additional \$210,578 in BFP grant funds and an additional \$70,193 in sponsor match. This will preserve the original match ratio and address the cost increase. This cost increase is about 40% of the total project cost. This cost increase amount appears in the table below:

Cost Increase for the Port of Keyport #18-2421

RCO #18-2421	Original Project Agreement	Cost Increase Request	Proposed Project Agreement
BFP Grant (75%)	\$520,650	\$210,578	\$731,228
Sponsor Match (25%)	\$173,550	\$70,193	\$243,743
Total Project Cost	\$694,200	\$280,771	\$974,971

Cost Increase Policy

The board's policy on cost increases is outlined in Manual 4, page 29: *Development Projects*.

The Recreation and Conservation Funding Board may consider a cost increase in some grant programs if funds are available and the grant recipient submits a written request. The director may approve requests for increases up to 10 percent of the total project cost and the board may approve increases above 10 percent. The project's total approved cost is the basis for such cost increases which must meet the following criteria:

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

Additionally, Manual 9, *Boating Facilities Program*, further defines the cost increase policy for requests within the BFP program on pages 3 and 29.

A project cost increase of more than 10 percent of the total in the project agreement must be approved by the board.

Analysis

The capital budget appropriation for the 2019-21 biennium provided \$8.9 million for local agency boating projects. The board awarded a total of \$7.6 million to all eighteen projects submitted for funding consideration. There are no projects on the list waiting for funding. BFP has enough uncommitted funds available to fully fund this cost increase request. This request exceeds 10 percent of the total project costs and thus requires board consideration.

Alternatives Considered

The Port's request includes their preferred alternative. They have considered installing less sturdy materials that would not be expected to last for as long. This is not the preferred alternative because it would cause the launch and boarding float to need to be replaced sooner, thereby costing more in the long run.

The Port has also considered removing scope items from the project, such as the restroom, informational kiosk, and the parking and staging area. The costs of these

items alone are not enough to make up for the construction of the new design. Therefore, it is not considered to be a viable alternative.

The Port has also considered returning the grant funds they currently have and applying for grant funds again in 2020. Unfortunately, the boat launch is in such disrepair that it currently poses a safety risk. If the Port is not able to replace the boat launch as planned, they will be forced to close the launch. In addition, the Port has secured the required permits and do not want to take the risk of a delay that could impact the existing permits.

Conditions Causing the Overrun

The sponsor had little control over the conditions causing the cost increase. The engineering study completed as part of the permitting process identified soils on the site that are less stable than those in the general area. This is not something the Port could have known without this study.

Elements in the Agreement

If approved, the increased budget will pay for all of the scope items included in the grant agreement. Other than the improved project design that accommodates the unstable soils on the site, there are no new scope items planned for the site.

Strategic Plan Link

Consideration of this request supports the board's strategy to provide funding to protect, preserve, restore, and enhance recreation opportunities statewide.

Staff Recommendation

Staff recommends approval of the cost increase as requested.

Next Steps

If the board approves the cost increase request, RCO staff will execute the necessary amendment to the project agreement.

Attachment

- A. Resolution 2020-04, Cost Increase for the Port of Keyport Boat Ramp Reconstruction.

**Recreation and Conservation Funding Board
Resolution #2020-04
Approval of a Cost Increase for the Port of Keyport Boat Ramp Reconstruction,
RCO #18-2421D**

WHEREAS, the Recreation and Conservation Funding Board has awarded a grant to the Port of Keyport (Port) for redevelopment of boating access facilities; and

WHEREAS, the Boating Programs Advisory Committee reviews projects to ensure consistency with the objectives of the Boating Facilities Program; and

WHEREAS, this assessment by the committee promotes the board's objectives to conduct its work with integrity and in an open manner; and

WHEREAS, the Port needs additional funds to reconstruct the facility in a manner that reduces impacts to the environment and provides improved access for boaters; and

WHEREAS, the Port has resources to match any approved cost increase; and

WHEREAS, funds are available in the Recreation Resources Account; and

WHEREAS, consideration of a cost increase supports the board's strategy to provide funding to protect, preserve, restore, and enhance recreation opportunities statewide;

NOW, THEREFORE BE IT RESOLVED, that the Recreation and Conservation Funding Board approves a cost increase of 40 percent in Boating Facilities Program grant funds for the Port of Keyport Boat Ramp Reconstruction, RCO #18-2421D, which is an increase of \$210,578 for a total grant of \$731,228, and

BE IT FURTHER RESOLVED, that the board authorizes RCO's Director to execute the amendment necessary to facilitate implementation.

Resolution moved by:

Resolution seconded by:

Adopted/Defeated/Deferred (underline one)

Date:

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Amendment Request: Spokane County Parks, Recreation, and Golf, Sontag Park, RCO #99-1024D

Prepared By: Alison Greene, Outdoor Grants Manager

Summary

This memo summarizes a request received from Spokane County Parks, Recreation, and Golf to amend the terms of their project agreement for Sontag Park. The current agreement has perpetual long-term obligations, and their request would change that to a 20-year period. Staff is asking for guidance and direction to assist the director in making a decision.

RCFB Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

The Recreation and Conservation Funding Board awarded a grant to Spokane County as summarized in the table below.

Project Name: Sontag Park	RCO Project #: 99-1042D
Grant Program: Youth Athletic Facilities, Maintaining Category	Funded Date: July 16, 1999
Grant Amount: \$61,389	Original Purpose: Renovation of one little league field, including irrigation, seeding, bases, backstop, perimeter fencing, bleachers, and benches.
Sponsor Match: <u>\$61,388</u>	
Total Amount: \$122,777	

On July 10, 2019, the Recreation and Conservation Office (RCO) received a request from Spokane County Parks, Recreation, and Golf Department to amend the terms of their agreement by changing the long-term obligations from perpetual to 20 years. The

director has authority to make this decision, but due to the potential implications this decision has for other grant agreements, the director wants to gather input from the board.

Spokane County applied for funding in 1999 for renovation of the athletic field at Sontag Park. The project involved improving an existing site. Spokane County does not own the property, but instead has a perpetual lease from State Parks and Recreation Commission which owns the property. The RCO project agreement spells out the long-term obligations for this grant. Section C: Terms of Agreement states:

“The Sponsor’s ongoing obligation for the above project is perpetual unless otherwise identified in this agreement.”

The board-adopted 1999 YAF policy manual set a minimum long-term obligation period as 20 years. Page 5 of RCO Manual 17 states:

“An applicant must have sufficient control of the land or facility it wishes to develop, improve, or maintain to assure that its proposal will actually be implemented and benefit the public. This control or tenure is demonstrated by a written agreement that the land or facility will be available for public youth or community athletic use for a minimum of 20 years. Further, each applicant must demonstrate how it will ensure that the land or facility will be available for the originally-intended athletic uses (type of sport or sports, age of participants) throughout this 20-year period. An applicant may implement a project on land or on a facility it does not own, but must have written permission from the land or facility owner prior to application, in addition to a commitment that the land or facility will be available for public youth or community athletic use for a minimum of 20 years.”

In 1999, 91 of 95 (96 percent) of the YAF agreements for development were written for a 20-year period. It is unclear why the term is perpetual for the remaining agreements, instead of 20 years as required by the YAF policy manual. However, staff did find that there were at least two different agreement formats issued for YAF projects that year. Neither RCO staff nor Spokane County staff could find documentation as to why a perpetual agreement was written instead of 20 years. It is clear that the perpetual agreements issued were the same ones used for other board programs where there is a perpetual obligation. Staff began using a new agreement, designed specifically for YAF projects, soon after the funding meeting.

As far as staff can recall, RCO has never amended the Terms of Agreement section of the project agreement. Staff believes this is because this section is the heart of the long-term obligation.

Discussion

This request is unique for a few reasons. First, most YAF development or renovation grant agreements from 1999 were written for a 20-year term. Second, it is not standard operating procedure for RCO to write a perpetual obligation when the control and tenure provided for the site is not fee simple ownership. However, in this case, the lease with State Parks was perpetual. Third, when the future use for the site is to remain available for public outdoor recreation, RCO and the Sponsor typically would try to find another qualified agency or organization to take over the long-term obligations so that a conversion is not triggered. In this case, however, neither the School District nor State Parks are eligible to receive YAF funding. Only cities, counties, and non-profit organizations are eligible recipients of YAF grants. While State Parks and Recreation Commission and Nine Mile Falls School District are interested in long term obligations of the site, neither are eligible to take over the YAF agreement. Lastly, RCO staff does not believe that the board or director has ever modified the long-term obligations section of a project agreement after the project was completed. This is a serious decision and is the heart of RCO's long-term obligations to the people of Washington.

The request for an amendment was accompanied by letters of support from both State Parks and Nine Mile Falls School District. All parties involved are interested in dissolving the perpetual lease between State Parks and Spokane County and transferring the site to the adjacent school district for management purposes.

In 2018, State Parks completed the Riverside State Park Classification and Management Plan (CAMP) update, which includes the area of Sontag Park. State Parks prepares a CAMP through multi-staged, public participation-based planning processes that culminate with Commission consideration and adoption of land classifications and long-term park boundaries. These plans also include a park management element that is adopted by the State Parks Director, which allows periodic updates as conditions change.

For each planning project, the agency forms a planning team. The team includes park planners, resource stewards, and park staff. As necessary, the planning team also calls upon the expertise of resource and facility specialists from within and outside the agency.

Over the course of the Riverside planning process, State Parks held nine public meetings following the standard sequence for all CAMP efforts and included:

- Stage One: Identification of issues and concerns (May 2017)
- Stage Two: Exploration of alternative approaches (Jan/Feb 2018)
- Stage Three: Preparation of preliminary recommendations (May 2018)

- Stage Four: Preparation of the final recommendations (June 2018)

Public meeting attendance varied from 35 to 60 people throughout the stages. Staff also met separately with park stakeholders and neighbors to hear their concerns and to provide additional information about park planning, development, and management. Staff provided a report to the Commission at its May 2018 meeting outlining the planning process, key issues, and staff recommendations.

Here is a [link](#) to the full CAMP document. Pages 10 and 15 reference Sontag Park. In summary, State Parks staff recommended that a portion of Sontag Park, including the project site be transferred to the adjacent school district, with a restriction requiring the site to remain open and available for public use as it currently is today.

Options under Consideration

RCO staff has outlined three options for your consideration. Following are details for each option, including benefits and drawbacks to each. The director seeks your input to guide her decision on this request.

Option 1: Approve Request

This option would approve Spokane County’s request and amend the agreement to require a 20-year compliance period instead of perpetual.

Benefits	Drawbacks
Meets the requirements outlined in the 1999 YAF manual.	Precedent-setting action, as this section of the agreement, to our knowledge, has never been amended for any project.
Aligns with the majority of other YAF agreements issued the same year.	No contractual guarantee that the site will remain open and available to the public in perpetuity, since State Parks and Nine Mile Falls School District are not eligible sponsors for YAF funding.
Allows all parties (State Parks, Nine Mile Falls School District, and Spokane County) to move forward with what is outlined in their plans developed and adopted through a public involvement process.	

Likely no changes in usability for the public.	
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Option 2: Deny Request

This option would deny the request submitted by Spokane County, and hold them to the perpetual obligation to keep the site open and available for outdoor public recreation.

Benefits	Drawbacks
Upholds the agreement terms.	If the County decides to move forward with what is outlined in the CAMP, RCO would deem this a conversion even though loss of recreational utility is unlikely.
Site would remain open and available to the public, otherwise a replacement site would need to be established via RCO's conversion policies.	Sets a higher standard for this agreement compared to most other YAF agreements that are 20-year terms.
	Decision could be challenged.

Option 3: Approve Request with Conditions

Option 3 is a conditional approval of Spokane County's request. An example of approval with condition could be: "RCO will approve the request to reduce the term of the agreement to 20 years once a legally enforceable interagency agreement has been signed by all three parties (Spokane County, State Parks and Nine Mile Falls School District) ensuring the site will continue to be used in perpetuity for public outdoor recreation."

Benefits	Drawbacks
Gives additional assurance to RCFB and the public that the site will remain open and available for public use.	May cause enforceability challenges, as RCO has no authority over the area once the agreement is amended and the 20 years expires.
Supports all parties' intent for the property.	Conditional approval may take additional staff time and resources from all

	organizations in order to draft an acceptable interagency agreement.
No change in public availability compared to current use.	Obligates the county to continued involvement in managing a site that it no longer manages.

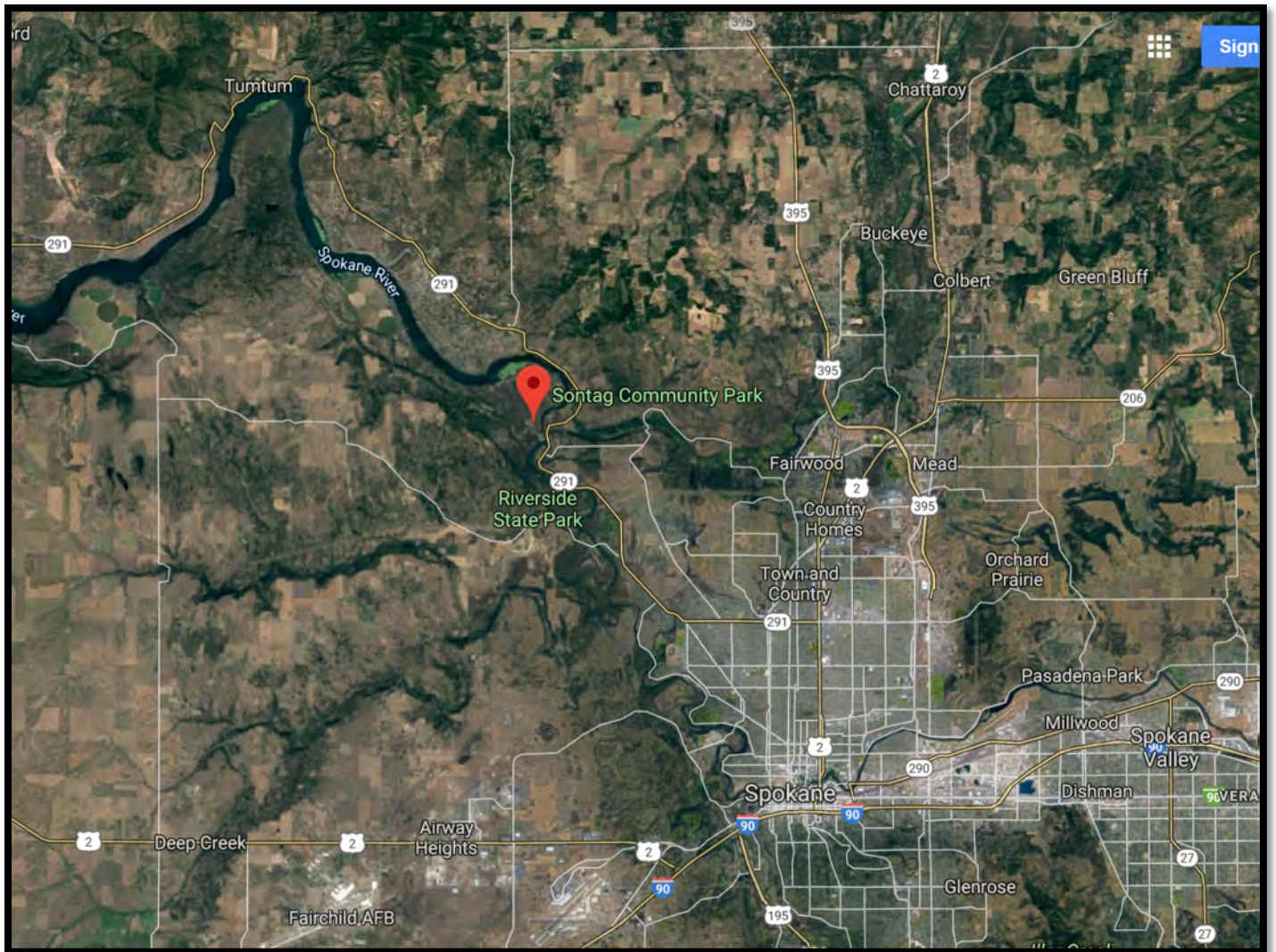
Conclusion

This request is unique for many reasons as outlined above. There are benefits and drawbacks to each option under consideration. The director has authority to make the final decision and requests board guidance and direction as she considers these options.

Attachments

- A. Sontag Park Location Map
- B. Sontag Park Site Plan
- C. Spokane County’s Request for Sontag Park

Location Map



SONTAG PARK

SPOKANE COUNTY PARKS AND RECREATION DEPARTMENT

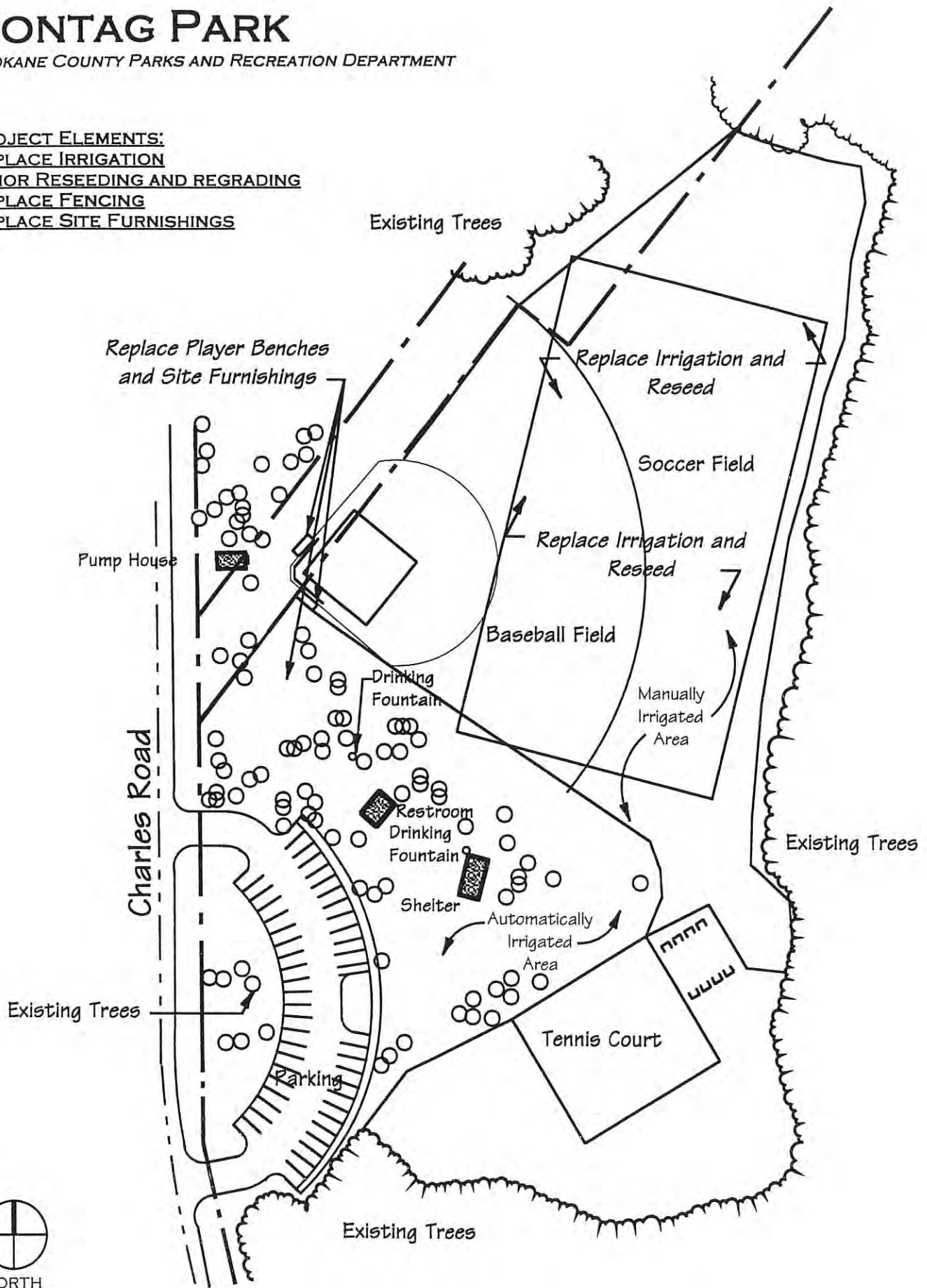
PROJECT ELEMENTS:

REPLACE IRRIGATION

MINOR RESEEDING AND REGRADING

REPLACE FENCING

REPLACE SITE FURNISHINGS





Spokane County

PARKS, RECREATION AND GOLF

Kaleen Cottingham, Director
 Recreation and Conservation Office
 PO Box 40917
 Olympia, WA 98504 - 0917

July 10th, 2019

RE: Amending RCO Grant Agreement 99-1042D - Sontag Park

Dear Ms. Cottingham

I am writing you to formally request that our Youth Athletic Facility (YAF) grant agreement (“Agreement”), 99-1042D, be amended to reduce the term from perpetual to the “standard” 20-year term that encumbers a majority of YAF-funded renovation projects. Amending the term as requested will allow the Agreement to expire in 2021. This action is critical for implementing a win-win land transfer concept between Washington State Parks & Recreation Commission (“State Parks”) and Nine Mile Falls School District (“School District”). As described below, this concept will also benefit Spokane County and the public, including the Nine Mile Falls community.

About Sontag Park: Sontag Community Park, located in Nine Mile Falls, Washington, is a 64-acre property owned by the Washington State Parks and Recreation Commission (“State Parks”) that has been maintained and operated by Spokane County for “park and recreation purposes” via a perpetual lease since 1967. Classified as a “community park” in the 2014 Park Plan, Sontag Park includes an area of developed parkland with irrigation, playground, Little League field, tennis courts, a picnic shelter and gravel parking lot. A majority of the 64-acre park is “unimproved.” It is not actively programmed by Spokane County Parks, but receives some use by special events including annual dog and car shows (e.g. Dukes Car Club Annual Picnic).

In addition to serving as a community park, Sontag Park is regularly utilized as an extension of the Nine Mile Elementary School grounds, where as recently as 2008, there was an agreement in place with the School District to share in the maintenance of the park. The park is also used regularly as a trailhead for accessing the Centennial Trail.

What’s being proposed: The win-win land transfer concept being proposed is to: (1) terminate the 1967 Sontag Park lease between Spokane County and the Washington State Parks and Recreation Commission (“State Parks”), (2) State Parks would then transfer a portion of the improved park land to Nine Mile Falls School District (“School District”), which includes the playground, remaining portion of baseball field, irrigated turf, and tennis courts; and (3) State Parks would resume maintenance and operations of the remaining portions of Sontag Park, including the parking lot, picnic shelter and restrooms as an official Centennial Trail trailhead.

This is considered by many as a “win-win” scenario because public use of Sontag Park would, for the most part, continue as it is today, with the new park “managers” being located directly adjacent to the park for quicker response times (the **Public** wins), Nine Mile Falls School District would expand their grounds to allow additional school programming (the **School District** wins) and State Parks will retain ownership and resume responsibility for the parking lot, picnic shelter and restroom as an official Centennial Trail trailhead, imposing discover pass requirement for vehicles to park, consistent with every other trailhead in surrounding Riverside State Park (**State Parks** wins). This concept has been vetted by State Parks through a public planning process where significant positive community input was received for the proposal. *See attached for map showing the proposed State Parks / School District land transfer concept.*

Background on the land transfer concept: In 2017-2018, State Parks updated Riverside State Park's CAMP (Classification and Management Plan), which was approved by the Washington State Parks and Recreation Commission in July, 2018. Citing positive public input, State Parks staff recommended the exclusion of the "improved" portion of Sontag Park from Riverside State Park's long-term boundary. This was seen as the first step towards a potential land transfer concept that would entail: (1) termination of the 1967 Sontag Park lease with Spokane County, and (2), transfer of that excluded portion of Sontag Park to School District ownership.

With this recommendation approved by the Washington State Parks & Recreation Commission, State Parks staff approached Spokane County Parks and the School District. After having some exploratory discussions with the two entities, staff from all three parties are supportive of this concept for the following reasons:

1. **As proposed, this land transfer would allow Sontag Park to continue to be enjoyed by the public as it is today.** Through the CAMP recommendation, a portion of Sontag Park would be transferred to School District-ownership with a deed restriction that would "...protect and promote continued public use of the property." The School District intends to continue operating this portion of Sontag Park as it has been: as a community park. *See attached letter from Brian Talbott, Superintendent, Nine Mile Falls School District.*
2. **This concept would create operational efficiencies.** Spokane County Parks' operational facility (Plante's Ferry) is on average a 45-minute drive (one-way) from the park. Riverside State Park's Headquarters is located across the street from the park and the School District's main office is adjacent to the park. These two entities are better positioned to respond to customer concerns and do so without having to drive 1.5 hours round trip.
3. **This concept would allow resources to be directed towards other parks.** Staff estimates that the lease termination will save Spokane County Parks' Operational Budget \$35,312.00 annually, allowing that funding to be redirected towards maintaining the recently expanded Prairie View Park, not to mention the upcoming 15-acre expansion of Bidwell Park (to be completed 2020-2021) - both projects funded recently through RCO grants.

Request to RCO: As stated above, Spokane County is requesting that the term section language in YAF Grant Agreement 99-1042D be replaced with standard YAF term section language as follows:

"The Project Sponsor must insure that the facility developed, improved, and/or maintained through the Youth Athletic Facilities Account funding identified in the Project Agreement is made available for public youth and/or community athletics for a minimum of twenty (20) years from the date of project completion."

Spokane County accepted a Youth Athletic Facility (YAF) grant in 1999 for \$61,000 to renovate the Little League field at the park. Per the current terms of the grant agreement with RCO, Spokane County is obligated to operate and maintain the ballfield "in perpetuity." This term language is at odds with the standard term length for YAF project agreements (20 years), inconsistent with other YAF funded projects that year (4 out of 96 projects funded that year had a perpetuity clause) and not in line with the typical "life span" of a renovation project (e.g. an irrigation system has a life span of approximately 20 years. Reducing the term length to 20 years would allow the parties involved to execute the win-win scenario described.

RCO staff and Spokane County Parks staff have researched historic files to determine if there was a specific justification for the perpetual term on this grant agreement and to date, have not discovered anything to support or explain the current term length.

Enclosed with this written request are the following documents:

- **Map** depicting the proposed land transfer concept;
- **YAF Grant Agreement** for Sontag Park;
- **Letter of Support** from Nine Mile Falls School District; and
- **Letter of Support** from Washington State Parks & Recreation Commission.

If you have any questions, please feel free to contact me at any time. Thank you for considering this important request for our community.

Best Regards,

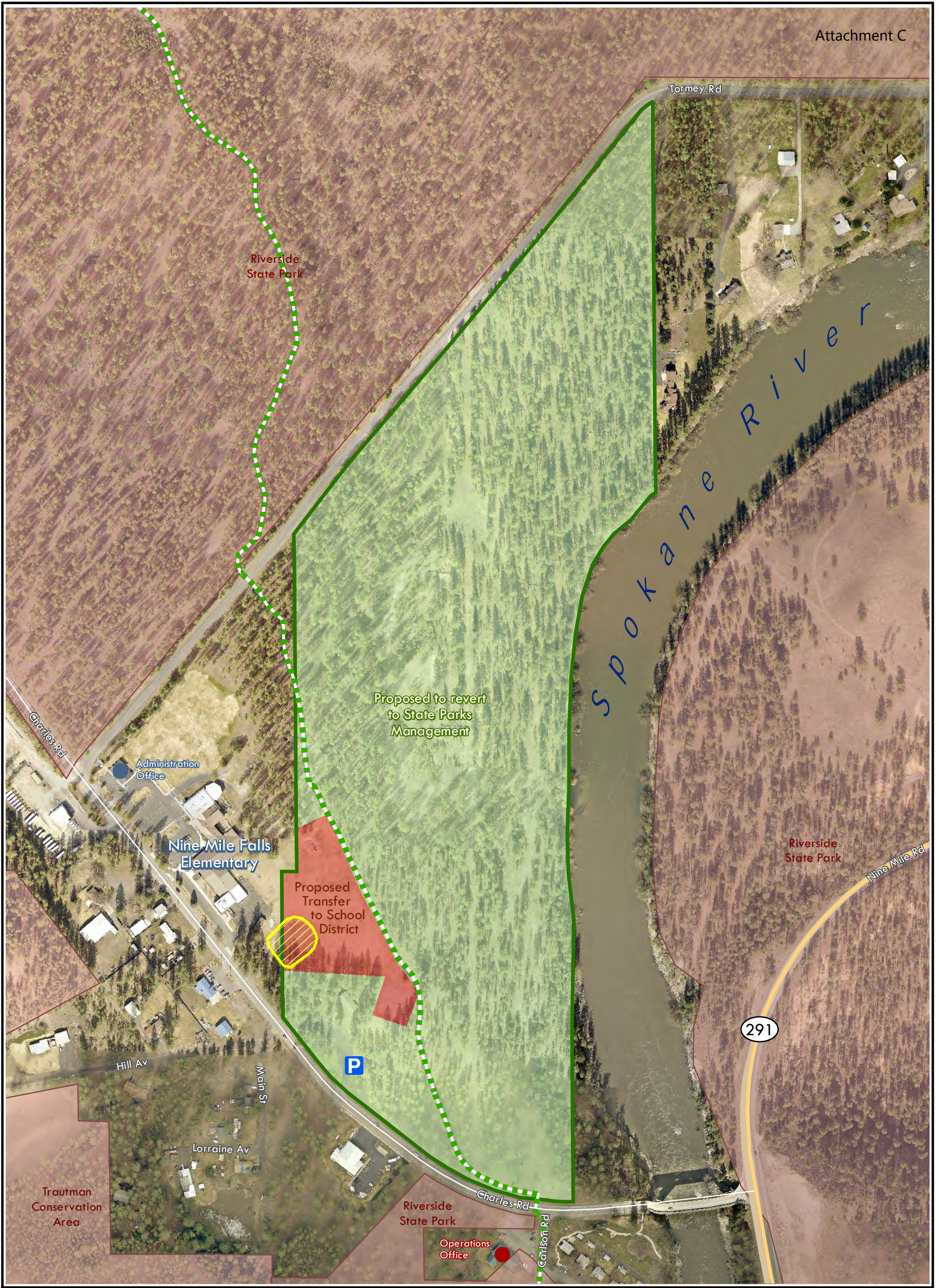


Doug Chase, Director

Spokane County Parks, Recreation & Golf

404 N. Havana St., Spokane, WA 99202

(509) 477-2720 | dchase@spokanecounty.org

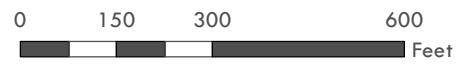


- Sontag Park (Lease)
- Proposed to revert to State Parks Management
- Proposed Transfer to School District
- YAF Grant Agreement
- Riverside State Park

- Centennial Trail
- Nine Mile Falls School District Administration Office
- Riverside State Parks Operations Office
- P Parking

Sontag Park Concept

Spokane County
Geographic Information Systems
Map Produced: June 2019



Note: This is a GIS map showing base layers rendered for "best fit" with digital orthophotography. While every attempt is made to ensure the accuracy of this information, no warranty accompanies this map. If you have any additional questions, please contact the Spokane County Parks department at: 509-477-4730.





YAF Project Agreement

99 0731 Youth Athletic Facility Grant Account

Project Sponsor: Spokane County Parks & Rec
Project Title: Sontag Park

Project Number: 99-1042D
IAC Approval Date: 7/16/1999

A. Purpose of Agreement

This Agreement sets out the terms and conditions by which a grant is made from the Youth Athletic Facility Grant Account of the State of Washington's General Fund. The grant is made by the Interagency Committee for Outdoor Recreation (IAC) to the Project Sponsor, for the project named above.

B. Description of Project

The subject project is described on the attached Project Summary.

C. Terms of Agreement

The Sponsor's ongoing obligation for the above project is perpetual unless otherwise identified in this Agreement.

D. Implementation Period

The Project reimbursement period shall begin on August 1, 1999 and end on May 1, 2000. Unless otherwise provided, no expenditure made before or after this period is eligible for reimbursement unless incorporated by written amendment into this Agreement.

E. Project Funding

	Percentage	Dollar Amount
IAC - YAF - MAINT	50%	61,389
Project Sponsor	50%	61,388
Total Project Cost	100%	122,777

F. Additional Provisions or Modifications of the General Provisions (Special Conditions)

(none)

G. Compliance with Applicable Statutes, Rules, and IAC Policies

This Agreement is governed by, and the Sponsor shall comply with, all applicable provisions of Chapter 43.51 RCW, Chapter 286 WAC, and published IAC policies, which are incorporated herein by this reference as if fully set forth.

H. Rights and Obligations

All rights and obligations of the parties to this Agreement are subject to this Agreement and its attachments, including the Sponsor's application, Project Summary, Eligible Reimbursement Activities Report, and the General Provisions.

Except as provided herein, no alteration of any of the terms or conditions of this Agreement will be effective unless provided in writing. All such alterations except those concerning the implementation period, must be signed by both parties. Implementation period extensions need only be signed by IAC's Director.

I. Notices

All written communications sent to the Sponsor under this Agreement will be addressed and delivered to:

Name: Steve Horobiowski
Title: Parks Planner
Address: 404 N. Havana
Spokane, WA 99202

All written communications sent to the IAC under this Agreement will be addressed and delivered to:

Interagency Committee for Outdoor Recreation
Natural Resources Building
PO Box 40917
Olympia, Washington 98504-0917

These addresses shall be effective until receipt by one party from the other of a written notice of any change.

State of Washington
Interagency Committee for Outdoor Recreation

BY: Laura Eckert Johnson
Laura Eckert Johnson, Director

DATE: July 23, 1999

Project Sponsor

BY: W. Kathleen Kasl
TITLE: Chair, Spokane County BOCC

DATE: 8-10-99

Pre-approved as to form by the state Assistant Attorney General



NINE MILE FALLS SCHOOL DISTRICT 325/179

10110 West Charles Road • Nine Mile Falls, WA 99026
(509) 340-4300 FAX (509) 340-4301

Board of Directors

Greg Flemming
Bill McBride
Mac Mikkelsen
Debbie Williams
Kyle Yancey

Brian L. Talbott, Superintendent

June 24, 2019

Paul Knowles
Parks Special Projects Manager
Spokane County Parks, Recreation & Golf

Dear Mr. Knowles,

Thank you for your work and continued dialogue regarding Sontag Park. At this point, the Nine Mile Falls School District (NMFSD) remains very interested in partnering with Spokane County and Washington State Parks in a land transfer of Sontag Park.

From the onset of this discussion, the NMFSD Board of Directors has been supportive of this endeavor. That being said, I do not speak for them; final approval of the transfer would be their decision based upon the finality of the terms and conditions by and between all three entities. Additionally, I would like you to know that the District's intent would be to keep the park as a community park. There are several annual events that we would like to see continue. I anticipate that those would be approved provided that the proper insurance and facilities use documentation is included.

Again, thank you. If there is anything else that you need from me or the NMFSD, please let me know.

Sincerely,

Brian L. Talbott,
Superintendent
(509) 688.7814 - cell

Don Hoch
Director



STATE OF WASHINGTON
WASHINGTON STATE

PARKS AND RECREATION

COMMISSION

EASTERN REGION CAPITAL PROGRAM
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www.parks.wa.gov

June 24, 2019

Recreation and Conservation Office
PO Box 40917
Olympia, WA 98504 - 0917

RE: Amending RCO Grant Agreement 99-1042D - Sontag Park

This correspondence is being sent to relay support on behalf of Spokane County Parks and Recreation regarding Sontag Park and the request they are submitting for a change in Recreation Conservation Office grant agreement language. Spokane County Parks and Recreation has managed this property owned by Washington State Parks and Recreation since 1967 under a perpetual easement agreement.

This property is currently serving as a day use park and sports fields being utilized by Nine Mile Falls School District. In recent years, Washington State Parks has moved the local State Park area office and maintenance shop across the street from Sontag Park. Additionally, the Centennial Trail State Park has been extended along Sontag Park all the way to the Lake Spokane Recreation site. These transitions have opened opportunity for Sontag Park to become an integral part of the State Park recreational offerings in that area. Sontag Park would serve as a key trail access point for the Centennial trail while also allowing Nine Mile Falls School District to own the Sports Field portion of the property to continue their activities. The goal is for this to be done by deed transfer with restrictions allowing for property reversion to State Parks if the School District ceases to use the property in its current form, thus assuring the property remains managed for recreational activities.

State Parks has worked collaboratively with Spokane County Parks and Recreation for decades and continues to share similar objectives and strategies to enhance recreation in this area.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Layton".

Ryan Layton
Eastern Region Manager
270 9th St Suite 200
East Wenatchee, WA 98802
1 (509)665-4313

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Briefing on Policy Waiver Request: Department of Natural Resources, Steptoe Butte Proposed Natural Area, RCO #18-1526A

Prepared By: DeAnn Beck, Outdoor Grants Manager

Summary

The Department of Natural Resources (DNR) will brief the Recreation and Conservation Funding Board on its policy waiver request to allow an ineligible income-producing structure (communication site) to remain in its Washington Wildlife and Recreation Program, Natural Areas Category acquisition project. Staff will ask for board comments and questions at the January meeting in order to prepare for a board decision in April.

Board Action Requested

This item will be a:

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

Background

Grant Proposal and Natural Area Designation

In 2018, the Department of Natural Resources (DNR), with the Washington State Parks and Recreation Commission as a secondary sponsor, applied for a Washington Wildlife and Recreation Program (WWRP), Natural Areas Category grant for the Steptoe Butte Proposed Natural Area ([RCO #18-1526A](#)). This acquisition project ranked #2 and was fully funded at \$1,238,510. DNR will use this grant to purchase approximately 437 acres to create a new natural area preserve adjacent to Steptoe Butte State Park in Whitman County. See Attachments A and B.

This property was identified for acquisition because it will conserve the largest remaining occurrence of Palouse prairie in Washington. This site has at least three rare plants (including federally threatened Spalding's catchfly and state endangered broad-fruit mariposa-lily), four priority plant communities, and one rare species of earthworm

listed as a Species of Greatest Conservation Concern. The primary purpose of this grant is to provide long-term conservation of Palouse prairie ecosystems and secondarily to provide recreation opportunities.

On June 14, 2018, the Washington Natural Heritage Advisory Committee (NHAC) passed the following motion: "The NHAC recognizes that the lands within the boundary of the Steptoe Butte Prairie Reserve and Steptoe Butte State Park meet the standards for a Natural Area Preserve. The NHAC recommends the site be approved as a natural area, with designation as an NAP or NRCA or a combination of the two, to be determined through a management planning process involving State Parks and stakeholders."

On June 25, 2018, the Commissioner of Public Lands signed Commissioner's Order No. 201811, which ordered and directed that Steptoe Butte Natural Area be designated as a Natural Area under RCW 79.70 or RCW 79.71, or a combination of both, having the characteristics for conservation lands described in the Acts. The Order further directed that DNR work with landowners and State Parks to determine the timing and procedures for acquisition of the privately owned lands at Steptoe Butte by the State of Washington and with interested parties in determining future land designation and management within the site boundary. The final designation of the site is pending an open management planning process, which will detail recreation opportunities.

Existing Structures

As part of its WWRP Natural Areas application, DNR disclosed that the Steptoe Butte grant proposal included a communication site with associated structures located within an approximate 1-acre footprint (Attachment C). In its application, DNR acknowledged that it could not use WWRP funds under this category to acquire and retain the communication site and outlined three options that were under consideration:

1. DNR or State Parks acquires everything within the project boundary, except the towers, associated structures and the footprint on which they stand.
2. DNR or State Parks acquires everything within the project boundary, including the towers, structures and footprint, but transfers ownership of the towers, structures and their footprint to a third party within three years.
3. DNR or State Parks acquires everything within the project boundary, including the towers, structures and footprint, but removes the towers and structures from the site.

DNR has determined that none of the three options described above are its preferred alternative and instead wants to pursue a fourth option, which would be to retain the

communication site and associated structures, and use the income generated from communication leases to maintain the natural area. DNR offers the following additional information:

1. The communication site and associated structures are located on a small footprint (less than one acre) and there are no plans for expansion.
2. The communication site currently generates revenue (around \$22,000 to \$23,000 annually). If the communication site were retained, this amount would not be enough to purchase the site, however, the amount could help defray the cost of maintenance and ongoing stewardship.
3. State Parks has communication towers on neighboring Steptoe Butte State Park. [RCW 79A.05.080](#) gives specific authority for leasing for television stations at this park. In addition, State Parks has leasing authorities under RCWs 79A.05.025, 79A.05.030(5), 79A.05.085 and 79.05.215.
4. The Whitman County Commissioners voiced support for the proposed acquisition and stated that the towers located on the butte are important for emergency communications.

Since DNR's preferred alternative is not allowed under current board policy, DNR requested approval to brief the board at this meeting in advance of making a request to waive current board policy.

Applicable Rules and Policies

Definition of Natural Areas Category and DNR's Natural Area Designations

As defined under RCW 79A.15.010(6), natural areas means areas that have, to a significant degree, retained their natural character and are important in preserving rare or vanishing flora, fauna, geological, natural, historical, or similar features of scientific or educational value.

As referenced above, DNR manages its natural areas under two different categories: Natural Area Preserves (NAP) (RCW 79.70) and Natural Resources Conservation Areas (NRCA) (RCW 79.71) and sometimes, a combination of both, such as proposed for this acquisition. Both designations protect native plants, plant communities and animals, and both are used as outdoor classrooms for environmental education and scientific research. NAPs protect the highest quality native ecosystems and generally host more sensitive or rare species. NRCAs often include significant geologic features, archaeological resources or scenic attributes. NRCAs often have developed public access

facilities, while some of the more sensitive NAPs have limited, or guided, access to protect resources.

RCO Manual 10b, WWRP Habitat Conservation Account: Natural Areas Category

Board adopted policies for the Habitat Conservation Account are outlined in Manual 10b. Section 2, Policies, describes the categories and grants offered. Here are key policies for this category:

Natural Areas Category

These grants provide funding to acquire areas set aside to protect high quality, representative, native ecosystems; unique plant or animal communities; habitat for endangered, threatened, or sensitive species; rare geological features; or features of significant scientific or educational value.

- Must have retained most of their natural character.
- Must be managed primarily for resource preservation, protection, and study.
- May include limited development of public facilities, such as trails, roads, parking, restrooms, signs and kiosks, and fences.
- Must be accessible for public recreation and outdoor education. See the board's public access policy for allowed limitations to public access.
- May include costs for developing stewardship plans.
- Does not allow for habitat creation, enhancement, or restoration
- Does not allow renovation of facilities.

Section 2 further states under Developing Facilities that the Habitat Conservation Account allows for limited development of passive public outdoor access facilities in most categories. Additional guidelines for development projects are found in Manual 4, *Development Projects*. Eligible project elements include fences, interpretive kiosks and signs, park furniture such as benches and tables, parking, paths, restrooms, roads and viewing shelters.

There are no policies under Manual 10b that would allow the proposed structure retention and second party use. Additional guidance regarding the eligibility of structures is included in Manual 3, *Acquisition Policies* and Manual 4, *Development Policies*. See Attachment D, *Additional Policies Related to the Waiver Request*

Next Steps

Pending submittal of a formal waiver request, RCO staff will work with the Department of Natural Resources and the State Parks and Recreation Commission to prepare the appropriate decision packet for board consideration at its next meeting.

Attachments

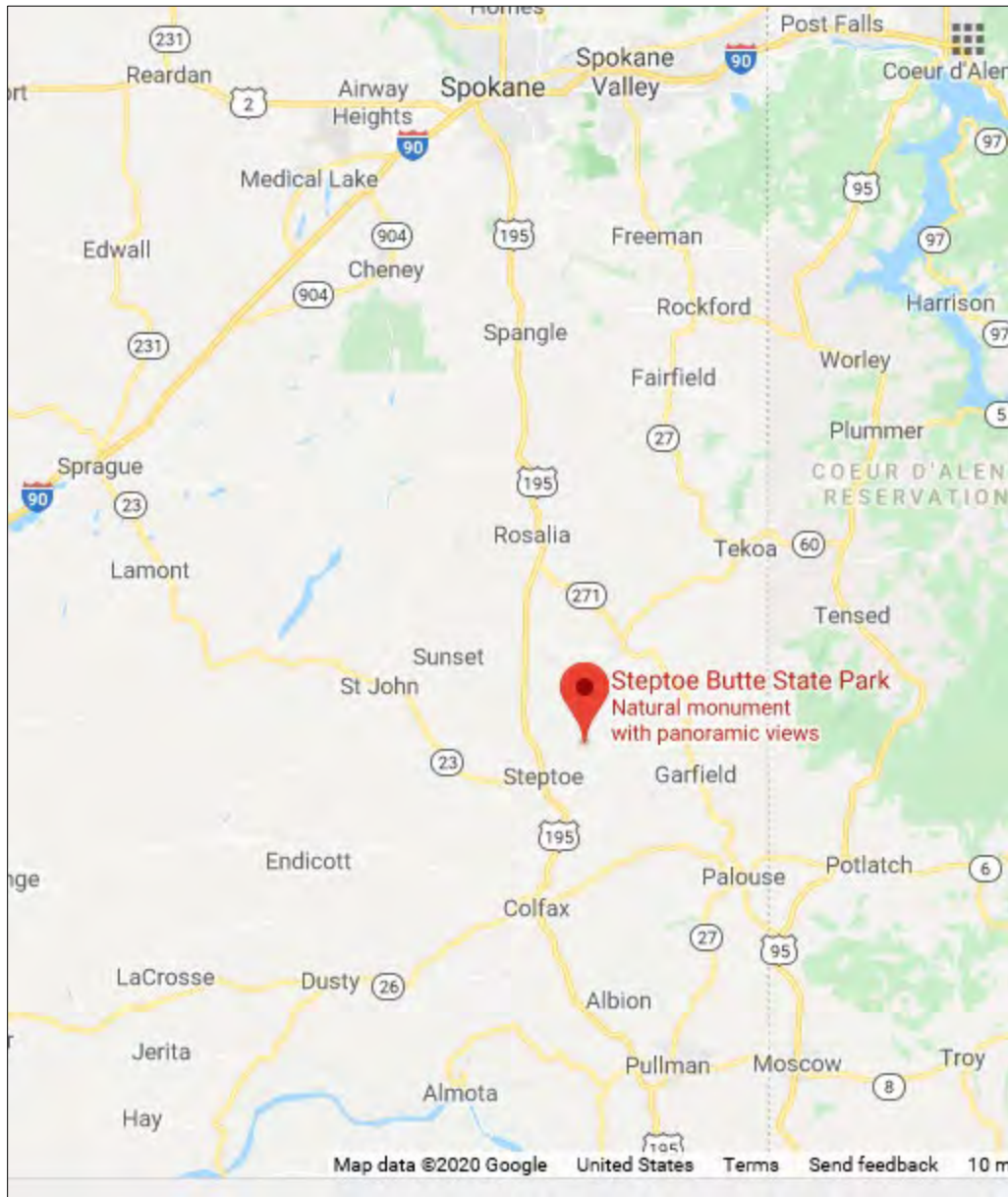
Attachment A: Steptoe Butte Location Map

Attachment B: Steptoe Butte Parcel Map

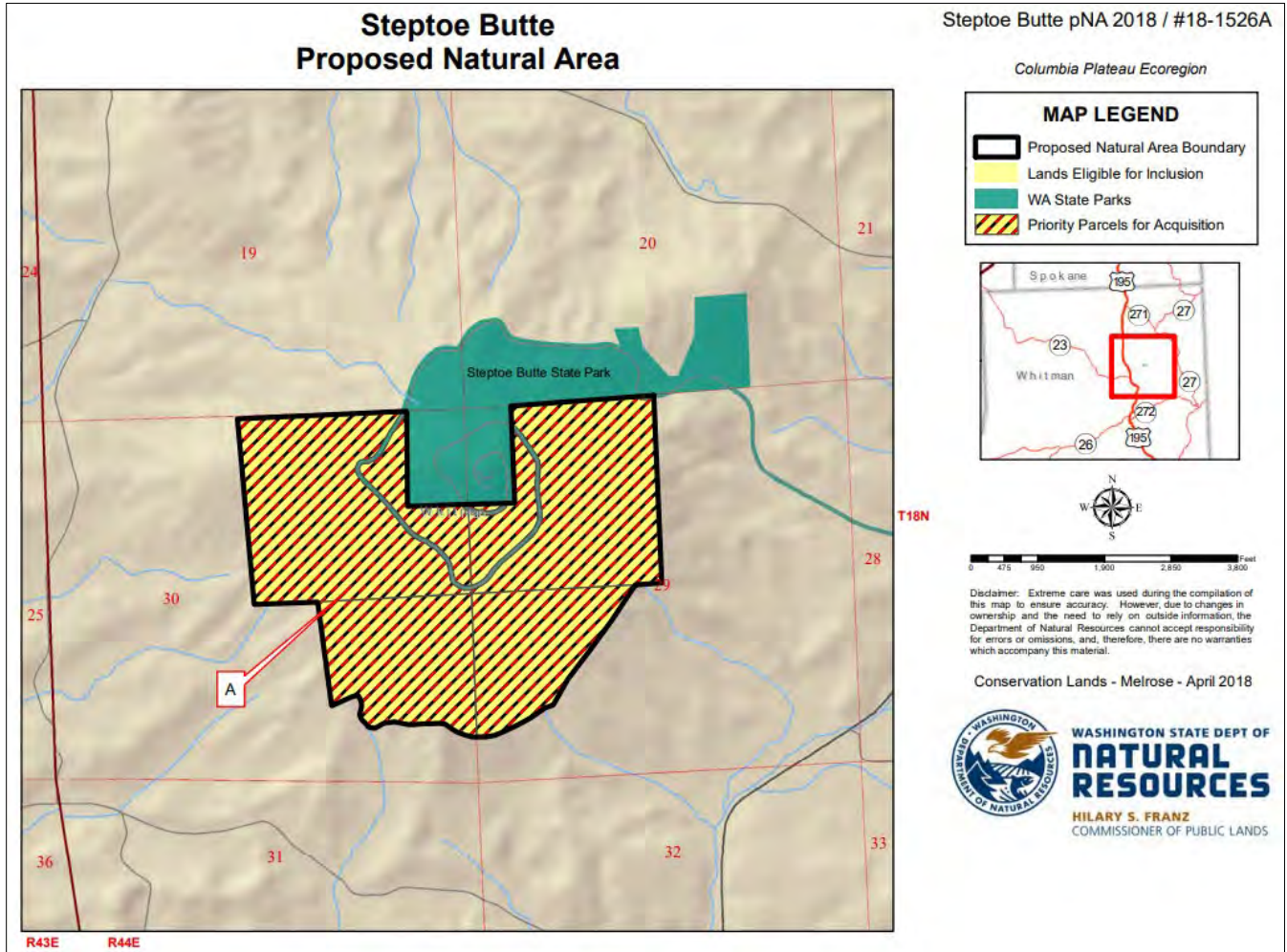
Attachment C: Steptoe Butte Communication Site Photos

Attachment D: Additional Policies Related to the Waiver Request

Step toe Butte Location Map



Step toe Butte Parcel Map



Step toe Butte Communication Site Photos

The communication site in foreground, looking northwest, communication towers further upslope are located on Step toe Butte State Park.



Subject communication site, looking northwest from the paved access road.



Additional Policies Related to the Waiver Request

RCO Manual 3, Acquisition Projects

The key policy that is at the heart of DNR's anticipated request is that retaining structures and allowing for long-term second party uses is not allowed under the Natural Areas category.

Section 2, Existing Structures, states: "All structures on property acquired with RCO grants must be removed or demolished unless RCO determines the structure is allowed by program policy and will support the intended uses at the site." And, "If a project sponsor wishes to retain a structure that is not eligible for RCO grant funding, then the structure and associated land and support facilities must be excluded from the grant proposal."

Section 2, Interim Land Uses, Pre-Existing Second Party Use, states that "a secondary party use is a use that was occurring on the land before the property was acquired by the project sponsor and the landowner or lessee wishes to continue that use after the property is acquired with RCO grants. The secondary party may be the landowner who sold the property to the project sponsor or another party with existing rights. RCO may approve a second party use when all of the following conditions are met:

- The use is a *continuing* second party use. The use already is occurring on the land at the time the property is acquired.
- The use does not unreasonably limit public use or the achievement of the purpose of the RCO project agreement or RCO funding program.
- The second party's use will be phased out within 3 years of the date of acquisition. If the use will proceed longer than 3 years, it must be reviewed under the compatible use policy in this manual.
- Use of any income derived from the second party use is consistent with the RCO income policy in *Manual 7: Long-Term Obligations*.

Section 2, Ineligible Projects, states that grants may not be used to acquire "Land with sufficient revenue producing potential to finance the project's cost." The Use of Income policy provides guidance on how a sponsor may use any income generated from a project site. The policy states:

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

- The sponsor's matching funds.
- The project's total cost.
- The expense of operation, maintenance, stewardship, monitoring, or repair of the facility or program assisted by the funding board grant.
- The expense of operation, maintenance, stewardship, monitoring, or repair of other similar units in the sponsor's system.
- Capital expenses for similar acquisition, development, or restoration.

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

RCO Manual 4, Development Projects

While some board programs and grant categories allow support structures such as administration, maintenance, and storage facilities, the Habitat Conservation Account does not. However, there are development policies that may be relevant such as Section 3, Project Preparation and Design Policies which addresses overhead utility lines stating that "Sponsors must take reasonable steps to lessen the impact of overhead lines, including communication, power, or other wires. This policy is not meant to discourage projects; rather, it is intended to lessen any impact that the lines might have on area safety, activities, and aesthetics."

Board policy does provide for granting some utility permits. To be eligible, the sponsor must determine "that the pipe or power line will have no adverse effect on present and future public recreation or habitat use of a project site." Policy further states that any permit issued must do the following:

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

The boards Allowable Uses Framework, which is included in Manuals 3 and 4, states that “Uses of project sites must have no overall impairment to the habitat conservation, outdoor recreation, or salmon habitat resource funded by RCO.” The policy goes on to say:

To be in compliance with the grant, uses of grant-funded project sites must be identified in the project agreement, allowed by RCO policy, or approved by RCO or the funding board. For the use to be approved by RCO or the funding board it must meet all of the following criteria:

- The use must be consistent with the essential purposes of the grant (i.e. consistent with the grant agreement and grant program).
- All practical alternatives to the use, including the option of no action, must have been considered and rejected on a sound basis.
- The use must achieve its intended purpose with the least possible impact to the habitat, outdoor recreation, or salmon habitat resource. If the use impacts the type of resource the grant is designed to protect (habitat, outdoor recreation, or salmon habitat), it also must provide at least equivalent benefits to that type of resource so there is no overall impairment.
- An approved use of a project site must continue in the way it was approved to remain in compliance with the grant. This policy does not modify other RCO policies, such as cultural resource policies.
- Income generated on the project site must be managed in accordance with RCO policies on income and income use.

Permitted Use Under the Local Parks Category: Manual 10a, WWRP Outdoor Recreation Account

Although DNR’s project was funded under the WWRP Habitat Conservation Account, Natural Areas Category, the board does have a policy that allows telecommunications facilities only for WWRP Local Parks Category projects, as described in Section 2, Policies:

“Telecommunications facilities^[1] and equipment cabinets are allowed on funded project sites provided that their placement, construction, modification, or servicing

^[1]Telecommunications facility is defined by Federal Standard 1037C at www.its.bldrdoc.gov/fs-1037/fs-1037c.htm.

does not diminish the essential purposes of the grant and all of the following criteria are satisfied:

- The antenna^[2] is attached to a new or existing building or structure that furthers the outdoor recreation purposes of the grant, such as a utility pole, sign, or restroom rooftop.
- The footprint of the equipment cabinet is the minimum necessary.
- The facility and equipment cabinet are placed, constructed, and modified to have the least impairments, including cumulative impairments, to outdoor recreation opportunities. Concealed or camouflaged facilities and equipment cabinets are preferred.
- Servicing does not interfere with the recreational use of the project area.
- The building or structure to which the facility is attached is not damaged by the facility.
- Facilities and equipment cabinets no longer in use or determined to be obsolete are removed within 12 months of the cessation of use.

Leases or permits issued by the grant recipient for telecommunications facilities are allowed in this grant category. Leases must be equivalent to market rate and managed in accordance with RCO policies on "Concessions and Leases" in Manuals 3 and 4.

^[2]Antenna is defined by Federal Standard 1037C at www.its.bldrdoc.gov/fs-1037/fs-1037c.htm.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Applying Pollinator Language to the Remaining WWRP Habitat Categories as Required by SB 5552

Prepared By: Ben Donatelle, Natural Resources Policy Specialist

Summary

This memo summarizes adding the Pollinator Habitat evaluation question to the Washington Wildlife and Recreation Program's Critical Habitat and Natural Areas categories to satisfy requirements of Substitute Senate Bill 5552. The staff recommendation to approve changes to the evaluation criteria for the Critical Habitat and Natural Areas categories is set forth in [Resolution 2020-05](#).

Resolution: [2020-05](#)

Board Action Requested

This item will be a:

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

Pollinator Habitat Evaluation Question

During the 2018 legislative session, Substitute Senate Bill 5552 was enacted into law. The law added a requirement to RCW 79A.15.060 that the Recreation and Conservation Funding Board consider the benefit to pollinator habitat of projects funded by several categories in the Washington Wildlife and Recreation Program. In particular, it focuses on the following categories: Critical Habitat, Natural Areas, Riparian Protection and Urban Wildlife Habitat.

While updating the Riparian Protection and Urban Wildlife Habitat policies and criteria in 2019, RCO staff worked with the advisory committee members to recommend adding a question to the evaluation criteria that satisfied the requirement of SSB 5552. The question is included as part of the *Acquisition Benefits* criterion in the Riparian Protection category and the *Biological and Ecological Benefits* criterion in the Urban Wildlife Habitat category. The question states:

How does the site support the feeding, nesting and reproduction of pollinator species (e.g. bees, butterflies, hummingbirds, etc.)?

The question also includes a footnote that explains:

Consideration of pollinator habitat required by passage of 2019 Session Laws, Chapter 353; codified RCW 79A.15.060(5)(c)(x).

To fully comply with SSB 5552, this question also needs to be added to the evaluation criteria for the Critical Habitat and Natural Areas categories.

RCO staff proposes to replicate the question developed for Riparian Protection and Urban Wildlife as a consideration in the *Species and Communities with Special Status* criterion in both the Critical Habitat and Natural Areas categories. Together, the entire criterion would appear as follows, with the new language in red:

2. Species or Communities with Special Status

What is the significance of each species or community listed on your species and communities status table (see Appendix A)?¹

This question's intent is to determine the significance of the species or communities with special status and how they may benefit from your project. Some special status species or communities may benefit on a more passive basis, while others may benefit directly. *In the interest of space, you may want to address only the species or communities that benefit the most from this project.*

Applicants must complete and submit the "Species or Communities with Special Status" table in Appendix A. This is a required part of the application. Staff may verify the information and evaluators will be given a copy of the table along with the other project materials.

Threat to the Species/Communities

Describe the immediacy of threat to the species or community (e.g., imminent danger of extinction or extirpation; threatened in the foreseeable future, or concern because of current trends; population stable, but catastrophic event could threaten; no foreseeable threat).

¹Revised Code of Washington 79A.15.060 (6)(a)(iv, ix, xiii)

Importance of Acquisition(s)

- Describe how this acquisition contributes to the conservation of these species or communities with special status.
- Describe the distribution or range and, if known, the abundance of the species or community.
- Identify any recovery plans, conservation strategies, or similar plans that include reference to this site.
- How does this project assist with recovery efforts for endangered, threatened, or sensitive species?

Ecological Roles

How will these communities or species benefit from this project?

- Describe how this project will provide ecological support for the communities or species with special status.

Taxonomic Distinctiveness

How evolutionarily distinct is the species in question (is it recognized as the only species in its genus, is it one of ten species in the genus, is it only recognized at the subspecies level, i.e., as a variety or subspecies)?

Example: Water howellia (*Howellia aquatilis*) is the only recognized species in the genus *Howellia*, whereas Buxbaum's sedge (*Carex buxbaumii*) is a member of a very large genus, consisting of more than 1,000 recognized species. Presumably, the genetic material of water howellia is more distinctive from all other living species than is Buxbaum's sedge. Some scientists believe that more evolutionarily distinct organisms should have a higher priority for protection. Based on this assumption, if all else is equal, it would be more important to conserve water howellia than Buxbaum's sedge.

Pollinator Habitat

Describe how the site supports the feeding, nesting and reproduction of pollinator species (e.g. bees, butterflies, hummingbirds, etc.)?²

▲ Point Range: 0-10 points

² Consideration of pollinator habitat required by passage of 2019 Session Laws, Chapter 353; codified RCW 79A.15.060 (5)(a)(xvii).

Recommendation

RCO staff recommends adoption of the proposed changes as set forth in this memo and resolution 2020-05.

Next Steps

Pending the Board's Decision, RCO staff will edit *Manual 10B* to include the Pollinator Habitat question as stated above for the 2020 grant cycle.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2019

Title: Sustainability Evaluation Criteria

Prepared By: Ben Donatelle, Natural Resources Policy Specialist

Summary

This memo summarizes the final proposed revisions to the Sustainability Evaluation Criterion.

Resolution: 2020-06

Board Action Requested

This item will be a:

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

Background

In October 2019, the Recreation and Conservation Funding Board (Board) directed Recreation and Conservation Office (RCO) staff to revise the Sustainability and Environmental Stewardship evaluation criteria question as it applies to the following programs:

- Boating Facilities Program (BFP)
- Land and Water Conservation Fund (LWCF)
- Non-highway Off-road Vehicle Activities (NOVA)
- Recreational Trails Program (RTP)
- Washington Wildlife and Recreation Program (WWRP) – Local Parks, State Lands, Trails, and Water Access categories
- Youth Athletic Facilities (YAF)

For more information on the current Sustainability policy and evaluation questions, please see [Item 4 of the October 2019 materials](#) to the Recreation and Conservation Funding Board.

Since October, RCO staff solicited feedback from members of the citizen advisory committees for each of the listed programs and other outside stakeholders who routinely apply for funding. Given this feedback, RCO staff revised the Sustainability criterion to address the following goals:

1. Encourage innovative designs that increase energy efficiency, reduce greenhouse gas footprint, and reduce impacts to the natural environment.
2. Encourage projects that buffer the anticipated impacts of climate change or other natural disasters.
3. Ensure that the site's public benefits are maintained for the long term.
4. Encourage projects that contribute to vibrant local economies.
5. Encourage projects that provide positive and equitable social, cultural, and health benefits.

Beginning with the 2020 grant cycle, RCO staff proposes to replace the existing evaluation question with the revised question in all the programs listed above. The final proposed evaluation question and two options for applying it are detailed below.

Final Proposed Sustainability Evaluation Criterion

The Recreation and Conservation Funding Board encourages projects that advance local sustainability goals. Sustainability reflects choices made to balance the desired benefits and potential impacts of a project on the surrounding landscape and community. Please discuss how your project's location or design supports your organization's sustainability plan or how you considered the ecological, economic, and social benefits and impacts in the project plan. Examples of sustainability factors that could be part of a project or maintenance plan are provided below for consideration but are not all-inclusive and should act as a guide, not a checklist.

Ecological Factors

- Minimizes impacts to or improves ecological function of surrounding lands
- Includes low-impact design or other green building techniques that reduce water, energy, or resource consumption, or greenhouse gas footprint
- Provides a buffer to future natural disasters or anticipated climate impacts
- Landscaping supports native species and/or pollinator habitat

Social Factors

- Addresses an identified disparity in social or environmental services
- Encourages access via multi-modal and active transportation choices
- Promotes opportunities for physical activity, social and cultural connections, or community education

Economic Factors

- Materials are chosen because they support local producers, are recycled or recyclable, increase the project's anticipated lifespan, or reduce future maintenance costs
- Creates efficiency in the provision of public services (i.e. stormwater infiltration, increased tree canopy, carbon sequestration, etc.)
- Maximizes lifespan, reduces future costs, or reduces future resource consumption
- Supports or is an identified element in a local economic development initiative

Staff is also proposing two additional options for the board to consider in applying the revised question:

Option 1: Scoring

Staff asked the public whether to score the criterion at:

- 1a. 5 points
- 1b. 10 points
- 1c. Other value?

The board's direction is to use sustainability as a lens for project evaluations. Stakeholder feedback indicated strong support for weighting the Sustainability criterion between 5 and 10 percent of the overall project score. Such a value would maintain an influential role but not be overly determinant as an evaluation criterion. Currently the criterion is worth between 6 and 18 percent of the overall project score depending on the program.

Therefore, staff recommends Option 1a: set the value of the criterion at 5 points for all programs and project types. Setting the value at 5 points for all programs will achieve a weighting of between 5 and 10 percent. For example, with the Sustainability score set at 5 points, if the total possible project score is 50 points, the criterion would be worth 10 percent of the overall score in that program. However, if in another program, the total

possible score is 80 points, then the criterion would be worth 6.25 percent of the overall score. Table 1, below, shows the current and proposed scores and the percent of total score for all programs.

Table 1: Current and Proposed Point Values						
Program Name	Current Point Value	Current Total Project Score	Current Percent of Total	NEW Point Value	NEW Total Project Score	NEW Percent of Total
Boating Facilities Program (BFP)	-	-	-	-	-	-
State	5	73	6.8%	5	73	6.8%
Local	5	76	6.5%	5	76	6.5%
Land and Water Conservation Fund (LWCF)	10	58	17.2%	5	53	9.4%
Non-Highway Off-Road Vehicle Activities (NOVA)	-	-	-	-	-	-
Non-Motorized	5	77	6.5%	5	77	6.5%
Non-Highway Road	5	77	6.5%	5	77	6.5%
Off-Road Vehicle	5	72	6.9%	5	72	6.9%
Recreational Trails Program (RTP)	10	85	11.8%	5	80	6.3%
Washington Wildlife and Recreation Program (WWRP)	-	-	-	-	-	-
Local Parks	10	78	12.8%	5	73	6.8%
State Lands D/R	10	66	15.2%	5	61	8.2%
Trails	10	88	11.4%	5	83	6.0%
Water Access	10	73	13.7%	5	68	7.4%
Youth Athletic Facilities (YAF)	3	52	5.8%	5	54	9.3%

Option 2: Project Types

RCO staff asked the public whether the sustainability criterion should be applied to:

- 2a. Development/Renovation and Planning projects only
- 2b. Development/Renovation, Planning and Acquisition projects
- 2c. All project types (Acquisition, Development/Renovation, Planning, and Maintenance)

In 2014, the Sustainability criterion was expanded from the pilot program and applied to all project types – Acquisition, Development/Renovation, Maintenance, and Planning. Project evaluation scoring data shows that the question has the most variance, and therefore best distinguishes between projects for Development/ Renovation project types. All other project types generally score within one to two points of each other.

RCO Staff recommends the board adopt Option 2a: Apply “Sustainability” only to “Development/Renovation” and “Planning” project types.

Public Comment Summary

Public Comments were requested on the proposed evaluation question and on options 1 and 2. The proposed changes were posted on RCO’s website, and notice was sent to an email distribution list of over 4000 individual addresses. Public comments were accepted between November 27 and December 15, 2019.

In total, RCO received 10 public comments. All were in support of the proposed changes except one. Most comments made general suggestions to help clarify the changes.

With respect to option 1, the public comments were mixed. Of those that specifically commented on the scoring, two supported 5 points, two supported 10 points, and two supported a score greater than 10 points.

Public comments were also mixed for option 2. Of those that specifically commented on the applying the criterion to project types, two commenters supported Option 2a: Development/ Renovation and Planning projects only; one supported Option 2b: Development/Renovation, Planning and Acquisition projects; and one supported Option 2c: All project types.

The complete record of public comments received and RCO staff’s response are compiled in Attachment A.

Staff Recommendation

Staff recommends the board approve Resolution 2020-06, which adopts the revised Sustainability evaluation criterion, sets the value at 5 points for all programs (Option 1a), and applies it to Development/Renovation and Planning project types (Option 2a).

Next Steps

Subject to the board's decision, RCO staff will revise the program manuals and evaluation criteria with the adopted Sustainability criterion and scoring.

Attachment A: Public Comments

Committer Info	Comment Received	Date Received	Staff Response	Response Date
<p>J.C. Kennedy Parks, Recreation & Community Services Director City of Airway Heights Phone: (509) 244-4845 jkennedy@cawh.org</p>	<p>This has been one of the criteria that we haven't scored as well as I had thought we should for the past couple of grant cycles. Our project utilizes reclaimed water solely for irrigation of the site. The City made a significant investment to run reclaimed water to the site for this purpose. I don't understand what could be more environmentally friendly than utilizing reclaimed water and preserving potable water. It seems like this would score very well yet it has not. Projects that utilize reclaimed water solely for irrigation purposes should score high if there are any other projects in the state that do.</p>	12/2/2019	<p>Thank you for your comments. The revised criteria specifically references design elements that reduce water resource consumption.</p>	12/2/2019
<p>Brent Kubalek, CRRP City of Pasco Recreation Services Manager 525 N. 3rd Ave Pasco, WA 99301 (509)545-3456 kubalekb@pasco-wa.gov</p>	<p>Here is my feedback:</p> <ul style="list-style-type: none"> • Option 1: Scoring = <u>1a</u> • Option 2: Project Types = <u>2a</u> <p>I think you need to watch so that you are not getting so tight and specific on all the different aspects of environmental sustainability that you will be preventing communities from developing needed parks and facilities that will not only improve the quality of life but also spur economic development within the communities.</p>	12/2/2019	<p>Thank you for your comments. This revision is intended to both broaden the issue of sustainability and allow applicants to be creative with their answers. The question provides the opportunity for a community's own sustainability plan to be the benchmark, or to use the RCO's suggested sustainability factors as guidance.</p>	12/2/2019
<p>Reed Waite reed@w8s.org</p>	<p>I would like to submit one comment on sustainability goals and my recommendations, as an Advisory Committee citizen evaluator, on the two options.</p>	12/2/2019	<p>Thank you for your feedback. The question provides the opportunity for an applicant to discuss their sustainability plan, if they have one, or provides suggested sustainability factors to be considered if</p>	12/2/2019

	<p>I am unsure if all applicants will have sustainability plans, and if they were to have one, that the plan reflects most current science, laws, and regulation. Climate change is global. Project efforts should reflect both local needs and those of a greater natural ecosystem and broader societal function. For this reason I would ask that applicants might refer to sustainability PLANS: their own (if existing or current) and/or sustainability plans of a higher level (for instance state, federal, regional, such as those of the Puget Sound Partnership if a project was in the Puget watershed, LEED, or those listed in the October 2, 2019 Item 4 Briefing Memo on Sustainability and Environmental Stewardship Scoping).</p> <p>Option 1: Scoring At least 15% of project!!! Climate change is perhaps our greatest challenge as a species. Scoring (which may have different multipliers/points depending on the grant program being scored) should yield 15% of total score for every program. Options 1a-c should be in terms of percent (%) not points.</p> <p>Option 2: Project Types - definitely 2c. applying to ALL. While there may have been slight variances in the past in some programs, there will be now much better definition of sustainability criteria. There may be greater/lesser variances in the future but this cannot be foretold with any accuracy: it should be evaluated after a few grant cycles and be data driven, not opined.</p> <p>Please note that the reason this issue is being considered is that Advisory Committee members</p>		<p>they do not. Both should be considered to be equally competitive.</p>	
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	<p>across programs have been requesting better definition and guidance on sustainability ever since it became part of RCO grant programs. I applaud RCO for including this criterion in grant applications and trust that this further development of evaluation elements will result in better use of tax dollars for state residents, neighbors and visitors and produce superior sustainable projects.</p>			
<p>Nicole Sedgwick BCHW Executive Director 360-640-1495 sedgwick715@gmail.com</p>	<p>This is much better and easier for the applicants to address and for us to score. I liked that the sustainability was only worth 5 points. It gives it credit, however, in some situations, sustainability is too difficult to reach and should not greatly count against them for not being able to do so.</p>	12/2/2019	Thank you for your comments.	12/2/2019
<p>Larry Leveen 360.357.3871 larryleeven@gmail.com</p>	<p>The Economic Factors could include the likelihood of economic stimulus to rural areas and rural cities/towns or at least economic stimulus to lower income communities.</p> <p>Regarding Option 1, I am tempted to suggest "1C" with a higher point value in mind. I don't have a specific value that I think is ideal, but generally think that sustainability should be highly weighted/valued.</p>	12/2/2019	Thank you for your feedback. RCO staff incorporated a reference to economic contribution/impact in the final proposed criterion.	12/3/2019
<p>Brian Shay City Administrator City of Hoquiam 360-538-3983 bshay@cityofhoquiam.com</p>	<p>To Whom it May Concern,</p> <p>I read the information highlighted sent out by RCO below. While I doubt that my comments will have any impact on the proposed changes, <u>I am not in support.</u></p> <p>RCO should continue to focus on promoting outdoor recreation, not social or environmental policy. Creating scoring criteria that focuses on social or environmental policy gets away from what should be the primary focus of the grants from</p>		Thank you for your comments. Sustainability continues to be a priority issue for the Recreation and Conservation Funding Board.	

	RCO. RCO should focus solely on projects that get youth and adults outdoors being active and healthy playing in parks, walking on trails, enjoying the water, and playing sports etc. -Brian			
Darrell Wallace dlwallace700@gmail.com	Should the Sustainability score be set at: 1b. 10 points Option 2: Project Types 2b. Apply to Development/Renovation, Planning and Acquisition projects		Thank you for your comments.	
Laura Hoggatt Resource Development Coordinator / Planner II Public Works Parks & Lands Division 4700 NE 78th Street Vancouver, WA 98665 564-397-1659 Laura.Hoggatt@clark.wa.gov	Good afternoon; I am responding to Doug Levy's email from 10/29/19: <ul style="list-style-type: none"> I spoke with our team and we are comfortable with the 5% as proposed within the topic of "Points" in Doug's email below. We also agree with the suggestions that were brought up within the meeting. Sustainability Plan: <ul style="list-style-type: none"> Sustainability is built into the County Comprehensive Growth Management Plan. During Park Planning, it is our practice to utilize low impact development as a part of infrastructure. It is better for both the environment and budgets to use sustainable plantings and design. There are several programs that help to support sustainability education within local communities. 	11/14/2019	Thank you for your comments. The revised question references sustainability plans and other factors including Low-Impact Design, native plantings, community education, protect ecological function, and conserve natural resources.	11/15/2019

	<ul style="list-style-type: none"> As you are aware, much of the work we do helps to preserve and protect greenspace, local habitat, water and air. <p>Thank you for the opportunity to listen and learn. Thank you also for the great work you are doing on behalf of all park jurisdictions within Washington State.</p>			
<p>Leah Dobey Statewide Recreation Manager Conservation, Recreation & Transactions Division Washington State Department of Natural Resources 360-902-1624 leah.dobey@dnr.wa.gov</p>	<p>Thank you for the opportunity to provide comment on the proposed changes to the sustainability and environmental stewardship criterion for RCO administered grant programs. The Department of Natural Resources (DNR) receives a significant amount of funding through these programs for recreation and conservation related projects statewide. DNR values the criteria against which projects are evaluated, and understands the need for topics and questions that are varied, allow for objective scoring, and prompt meaningful responses from sponsors.</p> <p>As currently proposed, the updated sustainability question allows sponsors to highlight characteristic(s) which are most applicable to a project (sustainability plan/ecological/economic/social benefits). Due to the wide range in projects across the state, this flexibility is beneficial, however it could make judging projects consistently more challenging. The example factors provided also contain concepts for which varying amounts of data are available in different areas of Washington. A particular concept may be quantitative in one county, but qualitative in another county, due to a lack of available data. Review panels should be aware of this difference when scoring.</p>	<p>12/15/2019</p>	<p>Thank you for your comments. RCO Staff recognizes that such a broad range of characteristics could be difficult to score consistently. Staff is committed to working the Advisory Committees to continue addressing concerns and questions around scoring guidance for this and all evaluation criteria questions.</p>	<p>12/16/2019</p>

	<p>Option 1: Scoring Ideally a question regarding sustainability should be weighted equally across all categories, and account for no more than 10% of the total score.</p> <p>Option 2: Project Types Several project types such as acquisition or planning can elicit sustainability responses that are conceptual, vague, or general, leading to similarly ranked responses. Additionally, maintenance projects have a limited way to address sustainability, given the nature of the project category. Detailed differences pertaining to sustainability and project impacts are able to be most accurately described in development projects, therefore the sustainability criterion should be used to score projects in the Development/Renovation category only.</p>			
<p>Doug Levy, Owner Outcomes By Levy, LLC (425)922-3999 – Office/Cell Doug@outcomesbylevy.onmicrosoft.com (Work) Levy4@msn.com; Levydtzc@outlook.com (Personal)</p>	<ul style="list-style-type: none"> • We appreciate RCO staff re-examining this and being will to look introspectively at what it is designed to achieve and how to make it clearer; • We felt that the current criterion ended up being too subjective and lacked clear definitions an standards; • We believe sustainability should be a lens and screening tool, vs. determining winners and losers; • WRPA feels the 10-point weighting in programs such as WWRP is problematic. One project could be superior to the one next to it in all areas except a subjective “sustainability” question, and it could end up below the line while the one with the ‘sustainability’ definition that evaluators like could be above the line; • Applying the ‘sustainability’ criteria is even more difficult with certain types of projects like 	<p>12/17/2019</p>	<p>Thank you for your comments. The major goals of this revision are to clarify sustainability factors yet enable the broad array of project applicants to be creative in how they incorporate sustainability into their different project types and programs. Based on feedback from WRPA members and other stakeholders, RCO staff recommends lowering the point value to 5 points for all programs to maintain consistency. RCO Staff also recommends applying sustainability criteria to development/renovation and planning projects only. In RCO staff’s view, sport courts and playgrounds could still compete well in the social sustainability factors highlighted in the revised criterion. The instructions to evaluators and applicants</p>	<p>12/17/2019</p>

	<p>maintenance and acquisition, as well as things like neighborhood parks where it may be as simple as replacing sport courts or basketball courts and there's not a lot of 'sustainability' criteria to analyze;</p> <ul style="list-style-type: none"> • WRPA appreciates the direction RCO staff has been heading – focusing on a menu of ways to point to sustainability, and a scale of 0-5 points, and potentially exempting maintenance/ acquisition; • With a menu of nine to 10 items, WRPA hopes there can be assurances that an applicant doesn't get 'dinged' if he/she demonstrates how a project meets sustainability in a couple areas but not in others. This should be a menu, not a 'meet all listed provisions' exercise; • In some of the draft criteria, RCO staff used "above and beyond" verbiage. WRPA has <i>concerns</i> with this language. In some cases, meeting permit requirements and regulations (<i>such as in King County with stormwater</i>) means meeting a very high and stringent standard and going 'above and beyond' would mean significant additional time and cost. 		<p>clearly state to consider the identified factors as examples, not as a checklist. Finally, based on feedback from the Recreation and Conservation Funding Board, WRPA, and other stakeholders, the language requiring applicants to go, "above and beyond permits or regulations..." has been removed.</p>	
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Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Whether to increase the grant maximum in the Forestland Preservation Category.

Prepared By: Kim Sellers, Outdoor Grants Manager

Summary

Staff are requesting the board consider adopting an increase to the grant limit for the Forestland Preservation Category in the Washington Wildlife and Recreation Program (WWRP).

Board Action Requested

This item will be a:

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

Resolution: 2020-07

Purpose for Resolution:

Background

The Legislature expanded the Washington Wildlife and Recreation Program (WWRP) in 2016 to include a new Forestland Preservation category. The primary focus of this grant category is to acquire development rights on working forestland in Washington to ensure the land remains available for timber production. A secondary goal is to support other benefits of preserving forestland, such as jobs, recreation, protection of water and soil resources, carbon sequestration, habitat for wildlife, and scenic beauty.

The Forestland Preservation category receives ten percent of the funds allocated to the WWRP Farm and Forest Account (Attachment A) or essentially one percent of the total WWRP allocation.¹ The remaining ninety percent of the funds in the Farm and Forest Account go to projects in the Farmland Preservation category.

In October 2019, staff briefed the board on outreach being conducted to try to increase the

¹ Revised Code of Washington 79A.15.040(1)(b)

awareness about this category in hopes of bringing in more applications. Specifically, the Recreation and Conservation Office (RCO) contracted with John Mankowski of Mankowski Environmental, LLC to help with this effort. Mr. Mankowski reached out to land trust organizations through the Washington Association of Land Trusts, the Washington State Conservation Commission, and county governments largely through the Washington State Association of Counties. He conducted numerous meetings and held discussions with industrial and non-industrial forest owners, individually and in small groups. These efforts took place over the course of about six months and culminated in a final report² detailing his findings.

Because of his outreach efforts, RCO received inquiries from several organizations who had not previously expressed interest in the program. These included land trusts, local governments, and the Washington State Conservation Commission. Additionally, Mr. Mankowski and RCO staff held a webinar in spring of 2019 and will hold another workshop in March of this year to target landowners and sponsors who may want to participate in the 2020 grant cycle.

At the board's October 2018 meeting, staff identified two recommendations from Mr. Mankowski's report that would help eliminate barriers to participation:

1. Modify the grant maximum limit by increasing or removing the current cap, and
2. Expand the easement options by allowing term easements (50, 75, or 100 years) in addition to perpetual easements.

The board reaffirmed its desire to continue to require perpetual easements rather than opting for term easements. The board then directed staff to bring options for the grant maximum limit to the January 2020 meeting so that the board can decide whether to change the grant maximum in time for the 2020 grant round.

Forestland Preservation Category Requirements

The current grant limit for the Forestland Preservation category is \$350,000. Except for the Washington Conservation Commission, which is exempt from the match requirement, applicants must include a 50% match. This means that if the applicant requests \$350,000 in grant funds, they must also bring \$350,000 in matching resources for a total project cost of \$700,000.

The grant funds for the Forestland Preservation category go toward the purchase of development rights and cannot be used to purchase fee title to a property. Additionally, to be eligible in this grant category, applicants must include the removal of any fish passage barriers that exist on the property at the time of application. Sometimes removal of a barrier can be \$100,000 or more.

² Increasing Use of Washington State's Forestland Preservation Program (Attachment B)

Eligible Applicants	Cities, counties, qualified nonprofit nature conservancies, and the Washington State Conservation Commission
Eligible Project Types	<ul style="list-style-type: none"> • Acquisition of property interest (development rights). • Combination projects involving both acquisition and restoration or habitat enhancement.
Funding Limits	<ul style="list-style-type: none"> • The maximum request limit is \$350,000. • Maximum cost for a forest management plan is \$10,000. • Restoration or enhancement totals are limited to no more than half of the total acquisition costs, including match towards acquisition.
Match Requirements	<ul style="list-style-type: none"> • Cities, counties and nonprofit nature conservancies must provide a minimum 1:1 matching share. • No match required for the Washington State Conservation Commission.
Public Access	<ul style="list-style-type: none"> • Although public access is not required, it is allowed if explicitly provided for in the conservation easement.
Other Program Characteristics	<ul style="list-style-type: none"> • Each parcel proposed for protection must be classified as either timberland or forestland under county property tax definitions (Revised Codes of Washington 84.34.020(3)) and 84.33.035(5). • Applicants must submit a county approved timber management plan if required by the county's tax program. • Development of a forest management plan as part of an acquisition is allowed. • Projects must include correcting all fish passage barriers on property owned by a private, small forest landowner.

History of the Forestland Preservation Category

The first year grant applications were accepted in the Forestland Preservation category was 2017. To date the RCO has offered one regular grant round (2018) and two supplemental rounds (2017 and 2019). As sometimes happens when a grant program is new, the Forestland Preservation category received only a few grant applications each grant round and several of the proposed projects dropped out after evaluations and ranking. For various reasons, there is only one application from the first two grant rounds that is still viable.

Forestland Grant Requests per Grant Cycle

Application Year	Number of Applications	Total Amount Requested	Number of Applications Funded	Number of Applications Currently Viable
2017	4	\$1,050,000	3	1
2018	2	\$593,000	2	0
2019	5	\$1,352,320	5	5

In 2017, there were initially four applications, each requesting the maximum grant funds of \$350,000. Three applicants withdrew their applications for various reasons, leaving only one viable project. Later it was discovered that the one application did not have sufficient funding and needed to reduce the acreage in their application to be successful.

Two applications were submitted in 2018. One applicant withdrew their application before an agreement could be written because they needed to close quickly and the forestland grant was only a small portion of the nearly \$2 million project total. The second applicant withdrew their application because they ultimately decided to use alternative funds for the acquisition.

The board directed RCO staff to run a supplemental grant round in 2019 to use available funds. Applicants submitted five grant proposals in 2019, however one applicant withdrew their application shortly after receiving a grant. This was because the total cost of the project was over \$2 million and the applicant was not able to come up with the remaining funds necessary to complete the project.

The most common reason staff has seen for an application being withdrawn by an applicant is because they don't have enough funds to implement the project. RCO staff has heard from several sources that they have not submitted applications in the Forestland Preservation category because the maximum grant limit is a very small amount compared to the cost of purchasing development rights on forested land.

Alternatives

Staff provides the following four alternatives regarding the maximum grant limit for the Forestland Preservation category for board consideration. The number of projects that could be funded at each level would depend largely on the amount of funds allocated to WWRP by the legislature. The Forestland Preservation category received \$767,040 for the 2017-19 biennium and \$815,660 for the 2019-21 biennium.

Alternative 1. No action alternative. The grant limit stays at \$350,000.

Alternative 2. The grant limit is raised to \$500,000.

Alternative 3. The grant limit is raised to \$750,000

Alternative 4. The grant limit is raised to \$1,000,000.

At this time, RCO staff support Alternative 2 as the preferred alternative. Raising the maximum grant limit to \$500,000 allows additional funding to more fully cover the costs of easements on forestland properties. It also creates the balance that allows more than one application to receive funding in a given grant cycle.

Strategic Plan Link

Consideration of these grant proposals supports the board's goal to help its partners protect, restore, and develop opportunities that benefit people, wildlife, and ecosystems.

The grant process supports the board's strategy to conduct its work in a fair and open manner, as well as its goal to deliver successful projects by using broad public participation. The criteria for selecting projects support the board's goal of making strategic investments of state funds.

Public Input

If the board elects to raise the grant limit for the Forestland Preservation category, staff intends to begin implementing this change during the 2020 grant round that will begin in February of this year. This allows very little time to solicit public input. To save time, staff elected to solicit public input in a two-step process that included informal discussions with key stakeholders followed by a more formal outreach to the public. Initial discussions indicate general support for increasing the grant limit. However, stakeholders are also in favor of maintaining a healthy balance between a higher grant limit and keeping the limit low enough to allow funding for more than one application.

Staff are still working to gather public comments and will provide a summary of the comments at the board's January meeting.

Staff Recommendation

Staff recommends that the board approve Resolution #2020-07. This resolution would formally adopt Alternative 2 and raise the maximum grant limit for the Forestland Preservation category from \$350,000 to \$500,000. This increase will allow additional funding to acquire forestland easements while still providing an opportunity for more than one application to be funded per grant round.

Next Steps

If approved by the board, staff will work to update policy manuals and website information to reflect the new grant limit. Staff will also work to notify the public of the change and will begin implementation starting with the 2020 grant round. Additionally, staff will continue to work with the consultant, Mankowski Environmental, LLC, to hold a workshop in March to continue to solicit applicants.

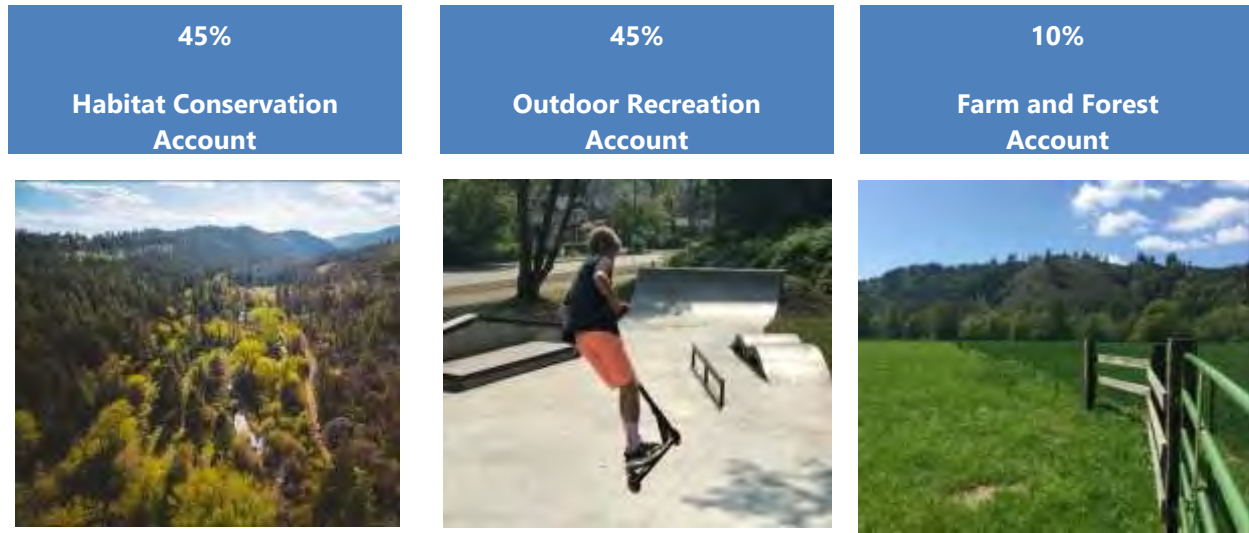
Attachments

Attachment A – Allocation of Washington Wildlife and Recreation Program Funds

Attachment B – Increasing Use of Washington State’s Forestland Preservation Program

Attachment C – Resolution 2020-07

Allocation by Account and Category (Set by Statute 79A.15)



Categories

<p>35% Critical Habitat 25% Natural Areas 15% Riparian Protection 10%* State Lands Restoration and Enhancement 15% Urban Wildlife Habitat *or \$3 million, whichever is less</p>	<p>30% Local Parks <i>40%-50% must be acquisition</i> 10%* State Lands Development and Renovation 30% State Parks <i>40%-50% must be acquisition</i> 20% Trails 10% Water Access <i>75% must be acquisition</i></p>	<p>90% Farmland Preservation Category 10% Forestland Preservatio n Category</p>
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INCREASING USE OF WASHINGTON STATE'S FORESTLAND PRESERVATION PROGRAM



August 2019

A report produced for the Recreation and Conservation Office in fulfillment of Contract #18-2620
by:



MANKOWSKI
ENVIRONMENTAL LLC

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EXECUTIVE SUMMARY

The Forestland Preservation Program provides funding for conservation easements to conserve working forests in Washington. It also funds optional habitat enhancement activities on these lands. This program provides compensation to forest owners in exchange for development rights, ensuring the lands continued use as working forest into the future.

A program like this has long been viewed as an important tool to help avoid fragmentation and parcellation of forest lands in the face of increasing population growth pressures. Yet, since the program's creation in 2016, relatively few grant applications have been submitted by project sponsors (land trusts, WA State Conservation Commission, and local governments).

This project was initiated to 1) explore the reasons behind the underutilization of this program, 2) conduct outreach efforts to forest owner and project sponsor communities, and 3) develop recommendations to increase use of this program.

Through a series of roundtable discussions, interviews, and a survey, several obstacles were identified that are limiting this program's use by forest owners and project sponsors.

Forest owners are largely unaware of this program's existence and have suggested several approaches to increase exposure within their communication networks. Successful grant applications require a close partnership between forest owners and project sponsors, and there is not a long history of collaboration between some forest owner and sponsor organizations. Both entities recognize this and see benefits to creating and sustaining these collaborative relationships. Within sponsor organizations, land trusts are most actively involved in promoting the program while the WA State Conservation Commission (WSCC) and local governments see potential for increased roles, with adequate capacity and training. Lastly, several operational and structural improvements to the program have been identified that will likely lead to increased use in future grant cycles.

Near term recommended action items:

- Aggressively promote awareness of this program within forest owner and sponsor communities, through targeted communication venues, in time for 2020 grant cycle
- Clarify program name, intent, evaluation criteria to ensure clear consistent messaging
- Seek opportunities to build relationship bridges between sponsors and forest owners
- Explore value in hosting practitioners' workshop

Longer term recommended action items:

- Explore value of using landscape assessments to target program application

- Consider adjusting program cap limits to increase participation
- Continue building collaborative relationship bridges between sponsors and forest owners
- Seek opportunities to streamline program to reduce transaction costs for forest owners and sponsors

A. PROGRAM SYNOPSIS

The Washington Wildlife and Recreation Program

The Washington State Legislature created the Washington Wildlife and Recreation Program (WWRP) in 1990 to accomplish two goals: Acquire valuable recreation and habitat lands before they were lost to other uses and develop recreation areas for a growing population.¹ The WWRP provides funding for a range of projects that conserve wildlife habitat, preserve working farms and forests, buy lands for parks and trails, and develop outdoor recreational facilities..

Forestland Preservation Grant Program

One of the categories under the Farm and Forest Account of WWRP is the **Forestland Preservation Grant Program**. This program provides funding to purchase development rights (also called conservation easements) from willing forest owners to ensure that those lands remain available as working forests into the future. This program was created in 2016, when the state Legislature expanded the Washington Wildlife and Recreation Program to include a policy goal of preserving working forestlands, in response to a 2015 program review.² This program has the unique policy goal of supporting working forests along with their associated ecosystem services such as clean water, wildlife habitat, landscape connectivity, and other public benefits.

Typical projects funded by this program include conservation easements on forest lands threatened with development. In conjunction with a conservation easement, funds from this program can also cover activities that enhance and restore habitat conditions such as protecting stream corridors to support clean water and fish habitat.

Funding for this program comes from the sale of state general obligation bonds.

Forest lands eligible for this program include industrial forest lands, non-industrial or family forest lands, community forests, tribally owned forest lands, and some publicly owned forests. The land must be devoted primarily to timber production and enrolled in a county's open space or forestland property tax program.

Project sponsors (or applicants) include cities, counties, nonprofit nature conservancies (land trusts), and the Washington State Conservation Commission.

Match requirements can be required. Cities, counties, and land trusts must provide a one-to-one matching share. There is no match requirement if the Washington State Conservation Commission

¹Revised Code of Washington 79A.15

²Washington Wildlife and Recreation Program Review, 2015, Recreation and Conservation Office

is the applicant. Match requirements are broad and can include cash, bonds, land, labor, equipment, materials, federal/state/local/private grants.

Grant Caps. The maximum grant request amount is \$350,000. There is no minimum grant amount.

Eligible projects are principally acquisition of permanent development rights through easements or leases (required for all projects). In addition to development right acquisition, projects can also include optional habitat enhancement or restoration. These enhancement activities must further the ecological functions of the forestland. Examples of these activities include installing fences to protect riparian and wetland habitats, controlling invasive species, replanting native vegetation, and, in some cases, replacing fish migration barriers with fish-passable culverts and bridges.

There are limits on the activities covered by this program. A list of ineligible projects and activities can be found on the Recreation and Conservation Office (RCO) website for this program.³

The Grant Evaluation Process takes about one year from application to final award of funding. The sponsor/applicant works with the forest owners to craft an agreement, then the applicant submits an online application and makes an in-person presentation. Applications are reviewed and scored by RCO staff and a panel of experts, then a ranked list is presented to the Recreation and Conservation Funding Board for consideration. The Board sends an approved list of projects to the Governor's Office for inclusion in the capital budget request to the state Legislature. After the Legislature approves a budget and a list of projects, the Board makes final funding awards for projects approved by the Legislature.

B. PROBLEM STATEMENT

The forest industry is important to Washington State's culture, environment, and economy - providing about \$28 billion in revenue and 101,000 family-wage jobs.⁴ With Washington's population at 7.6 million, up from 6.7 million in 2009, and expected to be 8.4 million in 2029,⁵ there are unrelenting pressures to convert forest lands to development or other non-forest uses.

During a recent community meeting on conservation and working lands, a panel of industrial and family forest landowners outlined a list of threats to the long-term viability of their tree farms, that includes regulatory impacts, population increases, and lack of funds for incentives/easements/ecosystem services.⁶ In 2009 a comprehensive look at the future of Washington's forests pointed to parcellation and fragmentation of forest lands as key threats. That

³ RCO Forestland Preservation Program web site, <https://rco.wa.gov/grants/ForestlandPreservation.shtml>

⁴Washington Forest Protection Association web site: wfpa.org, taken July 10, 2019

⁵Office of Financial Management, 2019, [report](#)

⁶Working Lands and Conservation Community Meeting, 2018, [report](#)

report⁷ cited the need for several actions including using public funds to conserve working forests by purchasing development rights. So, the need for resources to purchase development rights to protect working forests from development - and compensate landowners for giving up those rights - is clear and has been in discussion for at least the past 10 years.

While the Forestland Preservation Program squarely addresses this longstanding need, since the program was created in 2016, only a small number of applications were received and approved in 2017 and 2018. This led to the Recreation and Conservation Funding Board approving a supplemental grant round in 2019 to utilize potential unobligated funds.

In January 2019, this project was initiated to 1) explore the reasons behind the underutilization of this program, 2) conduct outreach efforts to the forest owner and project sponsor communities, and 3) develop recommendations on how to increase use of this program. The aim was to conduct an outreach strategy with key entities and organizations to maximize understanding and use of the Forest Land Preservation Grant Program in advance of a supplemental grant round in 2019, for the regular grant round in 2020, and lay groundwork for long term support.

C. APPROACH

Summary of Methodology

<i>Task 1 – Conduct program research</i>	Reviewed Forestland Preservation Grant Program to understand its history, strengths, weaknesses; created a small project team with key RCO staff; developed outreach workplan.
<i>Task 2 – Develop and improve outreach tools</i>	Reviewed/updated program information materials; worked with RCO staff to create new outreach products (brochure, Power Point presentations, and webinars).
<i>Task 3 – Conduct roundtable briefings with eligible projects sponsors</i>	Held meetings with a cross section of entities/organizations meeting the definition of project sponsors. Presented program overview, facilitated conversations with past and potential project sponsors, encouraged them to share information about the program within their networks and submit grant applications for 2019 grant cycle and beyond. Lastly, contacts were encouraged to complete an on-line survey to capture additional thoughts and recommendations.

⁷UW College of Forest Resources, Retention of High-Valued Forest Lands at Risk of Conversion to Non-Forest Uses in Washington State, 2009, [report](#)

Project sponsors contacted included:

1. Lands trusts – In-person and phone interviews were conducted with individual land trusts working in forested environments that were interested in conservation easements for working forests. Presentations and interviews were also conducted with the WA Association of Land Trusts.
2. WA State Conservation Commission – Agency leadership and key staff were briefed on the program and interviewed about engagement opportunities. Explored roles of promoting the program through Conservation Districts and serving as potential project sponsor.⁸
3. County Governments – Presentations and meetings were held with the Washington State Association of Counties and representatives of Washington’s 29 timber counties.

Task 4 – Conduct roundtable briefings with forest owners

Through individual and group conversations, provided program overview, discussed interest, identified outreach options and potential improvements. Held conversations with past and potential recipients of the program funds. Encouraged forest owners to share information about the program within their networks and have interested parties connect with prospective project sponsors for 2019 grant cycle and beyond. Lastly, contacts were encouraged to complete an on-line survey to capture additional thoughts and recommendations.

- Industrial forest owners – Contacts were made with leadership and staff at the Washington Forest Protection Association, past recipients of grant funds, and a panel of commercial forest owners that recently participated in a conservation and working lands community meeting.⁹
- Non-industrial forest owners
 - Interviews were conducted with leadership from the Washington Farm Forestry Association (WFFA).
 - A 2-hour web-based meeting was conducted with a seven-member panel of non-industrial forest owners

⁸ WSCC plays a unique role in this program in that there is no requirement for grant match for projects they sponsor.

⁹ Working Lands and Conservation Community Meeting, 2018, [report](#)

Task 5 – Document findings and recommendations in a report to the RCO.

<p>representing a cross section from WFFA, WA Tree Farm Program, a member of the RCO Forestland Advisory Committee, and others.</p> <ul style="list-style-type: none">○ Delivered presentation and distributed brochures at WFFA’s Annual Meeting in May, with over 200 attendees.
<p>Provided summary report on outreach strategy with recommendations on building and sustaining support for this program.</p>

An on-line survey was created as a tool to capture additional feedback from forest owners and project sponsors on program use, outreach opportunities, and improvements. The survey questions can be found in Appendix A.

E. FINDINGS AND RECOMMENDATIONS

SURVEY RESULTS

Figure 1: Results of Forestland Preservation Program Survey

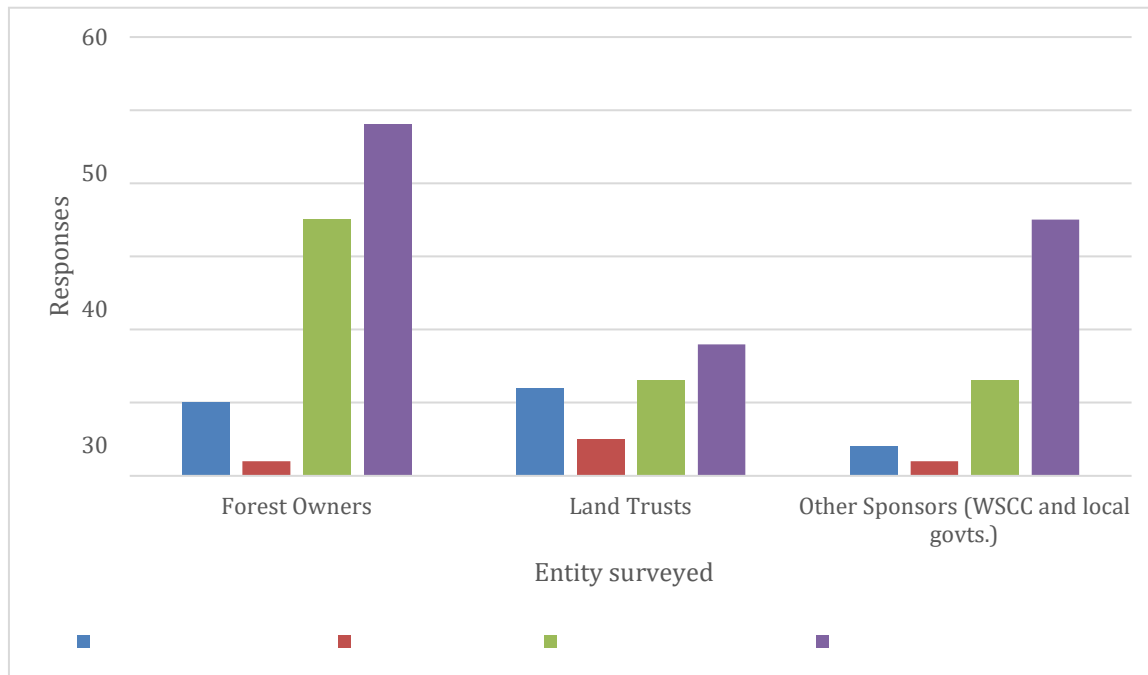


Figure 1 displays the results to four questions from the survey. Of the 113 respondents, about half represented forest owners. Very few **forest owners** responding to the survey were familiar with the program or used it in the past, although a fairly large proportion indicated an interest in potentially using it in the future and obtaining more information. Respondents from **land trusts** showed comparatively higher levels of familiarity with the program and the highest level of use between the three entities surveyed. Other sponsors (WSCC and local governments) showed the least amount of familiarity with the program and a relatively high level of interest in learning more about it, mostly coming from counties with forest lands and active conservation programs.

FOREST OWNERS

1. **Forest owners do not have a high level of knowledge of this program.** This was borne out

in the survey results and through interviews. Despite RCO's efforts to conduct outreach prior to grant cycles, and some outreach conducted by sponsor organizations at local scales, the message isn't connecting with information networks commonly used by forest owner

communities. Upon learning more about the program there is a general perception that this program would be of interest to both industrial and non-industrial forest owners, as a tool in the toolbox to help keep tree farms profitable and productive. There is a high level of interest in learning more about this program, especially how it might apply to individual ownerships. Landowners were interested in opportunities to have informal conversations with RCO program staff and prospective sponsors to determine if the program fit their long-term goals.

2. **Opportunities for sustained and targeted outreach.** The primary limiting factor to generating and sustaining interest in this program from forest owners is lack of exposure to potentially interested parties. Forest owners recommend RCO and sponsor organizations create and distribute information about the program through already-existing information flow networks. To have an impact, it was suggested that sponsors and RCO needed to reach out to forest owners, especially family forest owners, to share program information and build trust between forest owners and project sponsor organizations. Seven primary opportunities were identified by forest owners.
 - WFPA can distribute information within their in-house communication networks.
 - WFFA hosts a large annual meeting and suggested that representatives from RCO and project sponsors staff one of the many information tables frequented by the meeting's 200+ attendees.
 - Include promotional information in WFFA's web site and newsletters, including:
 - *Northwest Woodlands* - a magazine mailed quarterly to WFFA members
 - *Landowner News* – a quarterly newsletter sent to WFFA members via mail or e-mail
 - *Stewards of the Land* – a bimonthly e-news letter sent to subscribers
 - There are 16 WFFA chapters across the state that provide members with opportunities to attend education program and tours in their local area. Presentations on this program by locally based sponsor organizations or RCO staff was identified as a good opportunity to generate interest and build trust between forest owners and sponsor organizations.
 - The WA Tree Farm Program is a voluntary certification program and provides educational webinars, seminars and field days for forest owners, providing additional opportunities to share information about the forestland preservation program to forest owners.
 - WSU extension works with many non-industrial forest owners and expressed in interest in promoting information about the Forestland Preservation Program in

their work.

- Provide program information materials and briefings to other organizations working with landowners including Department of Natural Resources Small Forest Landowner Office and Forest Stewardship program, Washington Department of Fish and Wildlife's Farm Bill and Landowner Incentive program, US Fish and Wildlife Services' Partners Program, and state salmon and watershed enhancement entities.
3. **Forest owners, especially family forest owners, do not have history and experience working with RCO, and sponsor organizations like land trusts or WSCC.** Because this program requires a trusting relationship between forest owners and sponsors, the need was identified to find ways to build collaborative relationships between these entities to facilitate greater program use. Encouraging representatives from sponsor organizations and RCO to become engaged in the outreach processes identified in #2 above would help build and sustain these important relationships. Forest owners expressed their interests in building collaborative relationships with new organizations and felt this program may provide an important bridge-building opportunity.
 4. **Funding cap and overall program resources.** Some forest owners expressed concern that the cap of \$350,000 per project may be too low to attract owners of larger acreages. Some suggested the cap be raised to \$500,000. It was also noted by some forest owners that the overall program funding of about \$1,000,000 per grant cycle may be inadequate to make a difference in the forest conversion rate at a large scale but would be meaningful for individual landowners or specific geographic priorities. This comment was not meant to disparage the overall program, and many noted that full use of the grant funds could help demonstrate the need for additional resources over time.
 5. **Permanent easement requirement.** This program requires permanent divestiture of development rights for lands covered in the easement. While this may work for some forest owners, others believe this could prove to be a barrier and suggested that consideration be given to 50- or 100-year term easements as an alternative. It was also suggested that a buyback option be allowed allowing landowners the option to re-purchase forgone development rights at some point in the future if needed or desired.
 4. **Program title and potentially conflicting evaluation criteria.** Forest owners suggested the title of this program - Forestland Preservation - is somewhat of a misnomer in that the term "preservation" can imply no forest management, like national parks. If sustaining working forest lands remains the goal of this program, it was suggested the program title be clarified

accordingly. One survey respondent suggested a title of Working Forest Protection Program. Similarly, there are potential contradictions in the Evaluation Criteria between the high scores based on a project's value for commercial timber production versus high scores awarded for stewardship practices. Sometimes these dual purposes of the program can run counter to each other leading to confusion about program purpose and how to develop competitive applications. It was recommended that RCO work with the Forestland Advisory Panel to clarify the program title, intent (including evaluation criteria) and develop consistent messaging.

5. **A landscape assessment would help maximize effectiveness.** Some forest owners suggested that a watershed or landscape assessment should be conducted to identify lands of high conservation value with high conversion pressures. Landowners in these priority areas could be approached and offered the benefits of this program. Such an assessment and targeted approach would maximize the impact of these limited investments of public dollars.

PROJECT SPONSORS

1. **Land trusts have high awareness of this program; WSCC and county governments expressed interest in potentially increasing their roles.** Survey results and interviews confirmed that land trusts as a group have the greatest awareness of this program and experience submitting applications. This awareness and experience is uneven, however between individual land trusts, with some expressing an interest in learning more and potentially serving as sponsors. Staff at WSCC are aware of the program, see opportunities to help promote the program with forest owners through Conservation District staff, and are considering a more active role as potential applicants. County governments are largely unaware of this program with a few exceptions and want to learn more. There is general support for this program's unique focus on sustaining working tree farms and participants appreciate that this program is not highly prescriptive. Survey feedback suggest that the greatest bottlenecks to greater use of this program are lack of awareness by local governments and forest owners.
2. **Opportunities for increased outreach.** Project sponsors have a key role in actively promoting this program as they interact with forest owner communities. They suggested several ways they could share information and promote wider use.
 - a. **WSCC** – The Conservation Commission's Office of Farmland Preservation can

include program promotional information in the monthly *Farmland Preservation*

Newsletter. In addition, joint messaging from the Commission and ROC should be conducted through press releases and public announcements prior to grant cycles.

- b. WA State Association of Counties** can include information on this program in future meetings of their Timber Counties group, and their newsletter: *Insider*.
 - c. Land Trusts** – Land trusts and the WA Association of Land Trusts expressed a willingness to actively promote this program through local and regional outreach opportunities with forest landowners, including the WFFA’s Annual Meeting and local Chapter meetings. They also offered to promote the program on land trust web sites, newsletters, and public events.
- 3. Value in increasing WSCC and county engagement.** Advocates of this program expressed a desire to see WSCC and county governments becoming more involved in sponsorship roles, especially in areas where land trusts were not working with this program. It was acknowledged that some investment in training and increased capacity would be needed for those entities to become more involved. See #9 below.
 - 4. Clarify program purpose, title, and evaluation criteria** – Like #5 in the Forest Owner list above, some in the land trust community also expressed the need to review and clarify the program title, intent, and resolve potentially conflicting evaluation criteria (timber production vs enhanced conservation).
 - 5. Funding limits.** Like finding #4 under Forest Owners, some in the land trust community encourage consideration of increasing the \$350,000 cap to \$500,000.
 - 6. Match requirement.** Some in the land trust community find it challenging to meet the 50% match requirement; others did not have problems meeting match requirements. It was also mentioned that funds used to meet the match requirements come with expectations that can sometimes run counter to “working forest” theme of this program.
 - 7. Build collaborative relationships between sponsor organizations and forest owners.** Many in the sponsor community noted the relationship gaps that exist between them and forest owner organizations and saw this program as an avenue build important bridges that can lead to larger wins with forest owners.
 - 8. Program efficiencies should be explored.** Some land trusts are moving away from easements like these citing relatively large transactional costs for limited conservation value

on smaller acreages. These easements require resources for long-term management and monitoring, which are not funded by program grant funds.

- 9. Sponsor Practitioners' Workshop** – Some in the land trust community and WSCC suggested the idea of a practitioner's workshop to foster peer-to-peer exchange and learning about the program with participants from land trusts, WSCC, and local governments. This workshop would help get sponsor organization working together to enhance program use, while ensuring high performance standards are maintained. See details of this concept in Attachment B.

NEAR TERM ACTIONS

Promote program awareness within forest owner and sponsor communities in time for 2020 grant cycle. This top priority involves creating custom outreach materials, sharing them through established venues, and sustaining this effort across multiple years.

Clarify program name, intent, evaluation criteria to ensure clear consistent messaging.

Seek opportunities to build relationship bridges between sponsors and forest owners.

Explore value in hosting practitioners' workshop.

LONGER TERM ACTIONS

Seek opportunities to streamline program to reduce transaction costs for forest owners and sponsors.

Consider adjusting program cap limits to increase participation.

Explore value of using landscape assessments to target program application.

Continue building collaborative relationship bridges between sponsors and forest owners.

On-line Survey Questions
Forestland Preservation Program

1. Have you heard about this program? If so, what do you know about it? How did you learn of it?
2. Are you affiliated with a forest owner, project sponsor (either land trust, local government, or WSCC), or neither?
3. Have you used it?
4. If not, is it the type program you might consider using in the future?
5. Can you see others in your community using it?
6. What features are attractive?
7. What are the biggest barriers?
8. What would make it more attractive?
9. What opportunities do you see to share information about this program with your peers?
10. Are you interested in learning more about this program?
11. Additional comments?

Forestland Preservation Program

Practitioner’s Workshop

DRAFT

Idea:

Plan and host a **Forestland Preservation Program Practitioners Workshop** to increase the understanding and promote the use of the WWRP Forestland Preservation Program with key staff from sponsor organizations.

The Need:

The Forestland Preservation Program is uniquely designed to preserve working forests (and the ecosystem services they provide). This program also offers the option of funding additional habitat enhancements on those working forests.

Forest owners often cite the need for a state-funded program like this to help compensate them for unused development rights as an important tool to keep their tree farms intact and profitable for future generations. Yet this program has seen relatively few applications for a couple of reasons:

First, few forest owners are aware of the program.

Second, forest owners need to partner with a project sponsor such as land trusts, WA State Conservation Commission, or local governments which adds some complexity (which can be overcome).

Thirdly, many potential project sponsors do not have sufficient understanding of the program or have experience developing applications with forest owners and submitting applications for funding. This is especially applicable for WSCC, local governments, and some land trust staff.

This **Forestland Preservation Program Practitioners Workshop** will address this third barrier.

Workshop Design:

- Plan and host a facilitated one-day workshop for practitioners from interested project sponsor organizations (land trusts, WSCC, county and city governments)
- Facilitate peer-to-peer learning - learn from those experienced in developing projects with forest owners and successfully applying for grants
- Get in the weeds - discuss ways to create a competitive application, meet match requirements, conduct oversight, etc.

- Review successes, list best practices, develop ideas for program improvement
- Identify opportunities to engage forest owners

Participants:

- RCO, land trusts, local governments, WSCC
- Forest owner guest to offer their perspective

When:

Winter 2019, in time for 2020 grant cycle

Workshop support:

- Jointly sponsored by RCO, WALT, and others
- Secure event planner/facilitator
- Identify and prepare workshop venue
- Prepare pre-workshop training/references materials (workshop notebook with program description, guidelines, case studies, peer contact information)

**Recreation and Conservation Funding Board
Resolution #2020-07**

**Washington Wildlife and Recreation Program, Forestland Preservation Category
Approval of Maximum Grant Funding Level**

WHEREAS, the Legislature expanded the Washington Wildlife and Recreation Program (WWRP) to include the Forestland Preservation Category to protect working forestland in the state of Washington (RCW 79A.15.130); and

WHEREAS, only eleven applications have been received in this grant category over the last three grant cycles; and

WHEREAS, public comments have demonstrated that the grant funding limit is a barrier to applications in this category; and

WHEREAS, RCO staff proposed increasing the grant limit from \$350,000 to \$500,000 and received supportive comments from the public; and

WHEREAS, the board promotes its goals of making strategic investments and helping partners to acquire essential conservation lands by providing a meaningful level of funding to applications selected and evaluated through a competitive process,

NOW, THEREFORE BE IT RESOLVED, that the board permanently sets the maximum grant limit for the Forestland Preservation Category at \$500,000 beginning with the 2020 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Review of the Lack of a Grant Maximum in the WWRP Trails Category Data for 2022 Grant Cycle

Prepared By: Marguerite Austin, Recreation and Conservation Section Manager

Summary

In September 2019, the Recreation and Conservation Funding Board received a letter asking it to impose a grant maximum in the Washington Wildlife and Recreation Program Trails Category. This memo analyzes data from the Trails Category and shows the results of a survey regarding whether the board should consider imposing a grant maximum for this category. Staff will share the survey results and other data regarding this category and ask for board guidance on the next steps.

Board Action Requested

This item will be a:

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

Background

The Washington Wildlife and Recreation Program’s (WWRP) Trails Category provides funds for creating a system of community and regional pedestrian, bicycle, equestrian, or cross-country ski trails that provide linkages between communities and other trails. Funds may be used to acquire, develop, or renovate trails and trailhead facilities including parking areas, restrooms, informational kiosks, and viewpoints. The Trails category is one of five categories in the Outdoor Recreation Account. The Recreation and Conservation Funding Board established grant limits for the Local Parks and State Lands Development categories, however, there are no grant limits for the State Parks, Trails, or Water Access categories.

After reviewing a citizen’s request to consider imposing a grant maximum for the Trails Category (Attachment A), the board asked staff to provide some background information to support an informed discussion about grant limits.

History

WWRP was created in 1990 with the passage of Senate Bill 6412. The Legislature approved \$53 million for projects in the seven original categories, which included Trails, during the 1990 legislative session.

At its March 1992 meeting, the board, while creating policies for this new WWRP grant program, established grant limits for the WWRP Local Parks Category. This would be the most oversubscribed WWRP category and advocates for local governments encouraged and supported setting limits to more widely distribute funds to communities across the state. At that same meeting, the board made the decision to not set limits for the Trails and Water Access categories. Over the years, the board has upheld that decision for several reasons, including the following:

- The Washington Wildlife and Recreation Coalition (coalition), a key WWRP stakeholder, made a plea that the board not set limits in some WWRP categories to help demonstrate the need for WWRP funds. The coalition asked that the board remove caps in other categories when they learned the legislature was considering \$100 million for WWRP in 2006.
- The board and the coalition wanted to ensure that all available funds were distributed to grant recipients. It should be noted that the Trails category has and continues to be an oversubscribed category, which means there are almost always alternates or unfunded projects on the approved Trails list.
- The board recognized that the cost of building regional trails in communities across the state varied and they wanted to make sure they provided enough dollars to complete viable phases.

To date, the board has awarded 179 grants in the Trails category totaling nearly \$95 million. With matching resources this represents a total investment of more than \$219 million.¹

Consideration

The question raised by the concerned citizen, provides a good opportunity for the board to consider its overall goal for funding projects in the Trails category.

¹This includes nine projects funded with \$8.9 million in Recreation and Conservation Office Grants, a special Legislative appropriation of funds for WWRP local agency alternate projects in 2015.

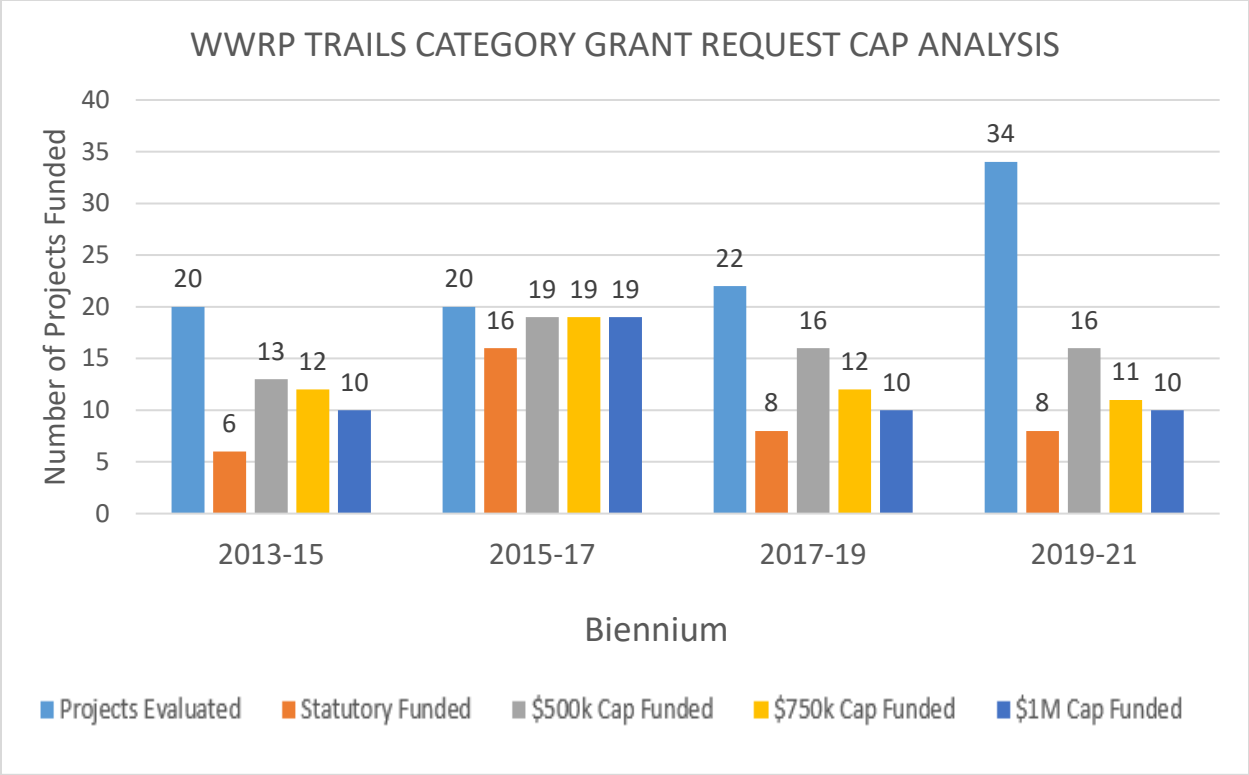
Here are the questions for the board to discuss:

- Is the goal of this program to distribute funds to high priority regional trails in proximity to urban populations?
- Is the goal to more widely distribute funds to agencies across the state?
- Is the goal to provide more funding to small or rural communities?
- Is the goal to fund a greater number of projects?
- Is the goal to ensure funds are dispersed equally to small vs. large projects?

Advisory committee members rank projects, using board-adopted evaluation criteria, and create a prioritize list for consideration. The number of projects funded each biennium, is limited by the legislative appropriation and the amount requested for each project.

Data Review

RCO accepts WWRP applications during the even-numbered year of each biennium. We provide ranked list to the Governor to include with the capital budget request of funds for the program. To provide some perspective, staff did a brief analysis of applications submitted during the past four grant cycles, since this data is easily accessible through our PRISM database. This chart shows the number of grant applications evaluated, the number funded with the initial statutory dollars, and how many could have been funded if there were grant limits of \$500,000 or \$750,000 or \$1 million.

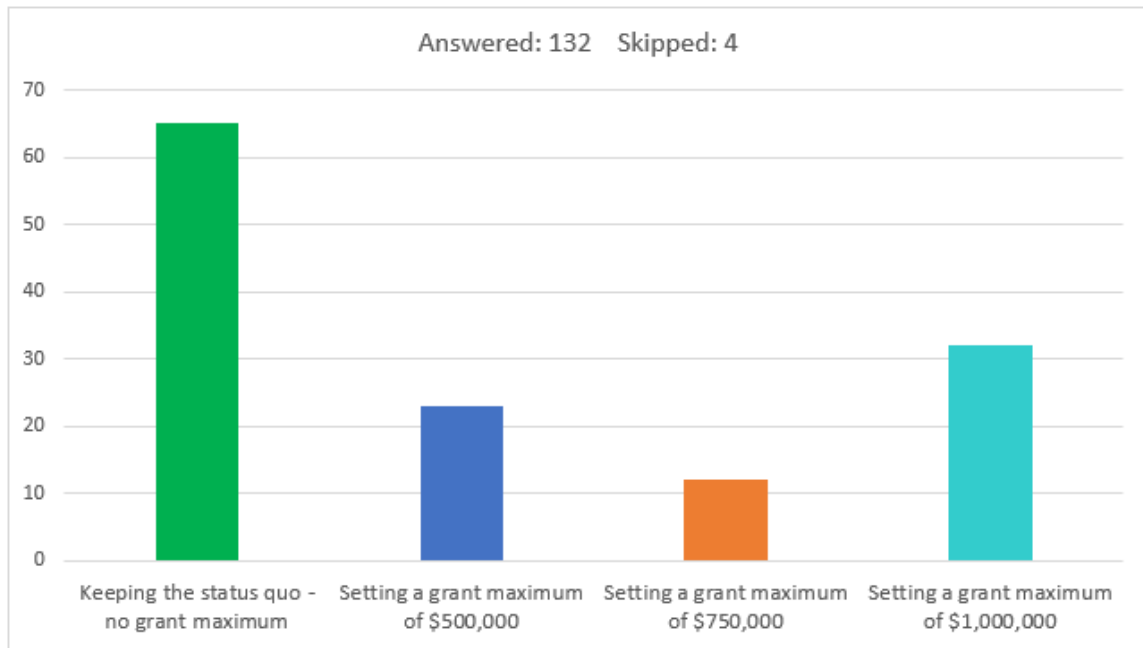


Staff will provide additional data at the board meeting, which will include the dollars requested, the average amount requested, and the total amount awarded.

Survey

To begin the public participation process, staff distributed a three-question survey in November to more than 1,500 individuals and organizations who had expressed an interest in the WWRP Outdoor Recreation Account. Staff asked for input on whether the board should consider establishing a grant limit for the WWRP Trails Category. The complete survey is included in Attachment B, however, here is a summary of what people had to say.

1. **Question 1:** As a potential applicant or sponsor I would support:

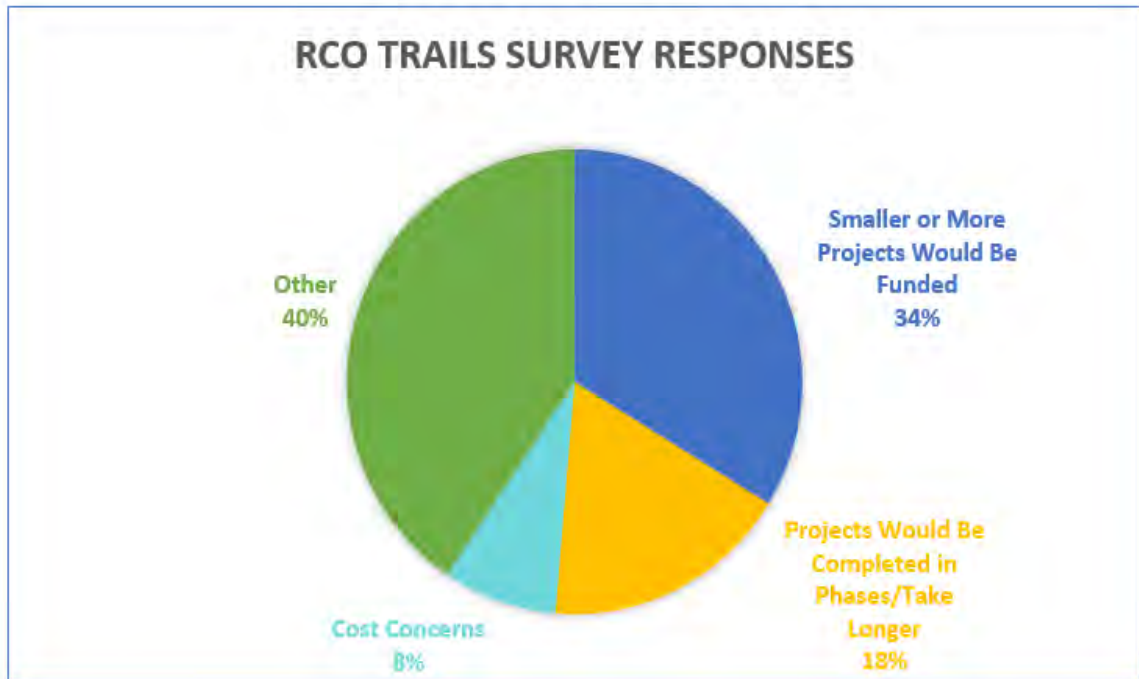


Answer Choices	Percentage	Number of Responses
Keeping the status quo of no grant maximum?	49.24%	65
Setting a grant maximum of \$500,000?	17.42%	23
Setting a grant maximum of \$750,000?	9.10%	12
Setting a grant maximum of \$1,000,000?	24.24%	32
Total	100%	132

When combined together, 49 percent of the respondents want to keep the status quo and 51 percent favor some sort of a maximum grant limit.

2. **Question 2:** If a grant maximum were set in the WWRP Trails Category (at any of the three amounts) what might be the potential impact to your future projects?

There were 112 responses to this question.



The comments varied, however, many focused on these key factors:

- A grant maximum would allow funding of more projects in smaller communities,
- More projects would get funded overall, and
- Grant limits could result in more trail connections across the state.

Some concerns expressed were regarding:

- Having to submit more phased projects to accomplish goals and complete planned trail corridors,
- The additional administrative and construction cost associated with smaller phases,
- The impact to timely completion of significant regional trail projects,
- A funding shortfall for key infrastructure like trail bridges, and
- Escalating property values and ensuring there were enough funds to purchase property rights, particularly in urban areas.

3. **Question 3:** Is there anything else you would like to tell us about this issue?

There were 81 responses that included comments about the impact of funding limits and questions that applicants raised about the effects on their potential projects. A few of the responses are shown below.

- If limits are set, what adjustments will be made for rising costs?
- Setting a maximum may be a good thing but if there is a strong desire, RCO should consider setting higher limits.
- In general, dollars MOST widely dispersed to the MOST trail miles should be the goal. However, the reality is that nearer urban centers or places of highest use will inevitably have larger costs. Good luck balancing those two.
- Funds should provide opportunities across the state not just on high cost grants in a selected area.

Conclusion and Next Steps

As shown by the survey results, 51 percent of the respondents favor a maximum grant limit, however, the amount varied and some of the comments suggested the board should consider a different amount.

Questions for the board are:

- What is the board's funding strategy for the WWRP Trails Category?
- Should the board establish grant limits?
- If the board establishes limits, what is the maximum amount an applicant could request?

If the board decides to establish grant limits, staff will solicit public comment and bring the proposal back for a decision before the 2022 grant cycle.

Attachments

Attachment A: Citizen (Fred Wert's) Letter dated September 16, 2019

Attachment B: Recreation and Conservation Office Trails Survey

September 16, 2019

To: RCO Funding Board

From: Fred Wert

Re: WWRP Trails Category Funding Cap

I request that that the RCO Funding Board cap the WWRP Trails Category funding levels. The lack of a cap over the history of the WWRP has meant that many projects have never received funding because a few projects used a majority of the available funds.

History

As a founding member of the Washington Wildlife and Recreation Coalition I was there when the legislation was written and when the original division of funds was created. I suggested that there be a category for “trails” separate from “local parks”. This was due partly to the fact that there were very few local agencies working on low land trails at that time and there was no dedicated funding for these trails. That has changed significantly since 1990 as witnessed by the huge applications to the trails category each biennium.

The purpose of the WWRP is to provide some funding for agencies to assist them in the acquisition of recreation and habitat land and development of recreation facilities. The entire program with its categories, criteria, and project ranking was to facilitate the success of the best projects. It was never intended to be the sole funding for projects.

Current situation

Over time the size of projects and the estimate costs have risen significantly for trails projects as agencies have become bolder in their project scopes. Larger agencies naturally have the fiscal capacity to plan for larger projects. In the early days of the WWRP the project requests in the trails category were not large and most of the larger agencies only requested a maximum of \$500,000. This has changed over time resulting in fewer projects being funded.

This natural inequity in capacity between larger and smaller agencies has been acknowledged by RCO’s adoption of a sliding scale of required match for disadvantaged communities. This greatly helps in a community being able to afford the match, but the criteria for a lower match is NOT included in the criteria for ranking projects. The result is that an agency could only have a 10% match requirement, but not make the cut because larger agencies have requested a large portion of the entire trails category allocation. Many of these large projects rank higher because they do well in criteria such as population served, growth management compliance, connecting to other trails, and design. If the goal of instituting a sliding match was to increase the number of communities that receive funding, then the implementation of the disadvantaged communities initiative supports my request to do the same for the trails category.

2015

Trail Projects

Type	Project Name	Applicant	Leg Dist	County	WWRP Funding	Applicant Match
Dev	Spruce Railroad McFee Tunnel Restoration	Clallam Co Public Works Dept	24	Clallam	\$ 460,000	\$ 460,000
Dev	East Lake Sammamish Trail-Samm A Construction	King County DNR & Parks	41	King	\$ 500,000	\$ 2,980,000
Comb	Twisp Community Trail Project	Twisp Town of	12	Okanogan	\$ 199,504	\$ 201,650
Dev	Squalicum Creek Trail	Bellingham Parks & Rec Dept	42	Whatcom	\$ 500,000	\$ 1,215,914
Acq	Bay Street Ped Path--Mosquito Fleet Trail	Port Orchard City of	26	Kitsap	\$ 105,750	\$ 105,750
Dev	Naches Rail to Trail Final Phase (ONH to 40th Ave)	Yakima County Public Services	15	Yakima	\$ 810,700	\$ 810,700
Dev	Ferry County Rail Trail Ph 3	Ferry County of	7	Ferry	\$ 98,000	\$ 99,000
Dev	Foothills National Recreation Trail Final Phase	Pierce County Parks & Rec	31	Pierce	\$ 2,755,063	* \$ 2,755,063
Dev	Washougal Waterfront Trail	Camas-Washougal Port of	18	Clark	\$ 500,000	\$ 672,264
Dev	Point Defiance Loop Trail - TR	Tacoma MPD	27	Pierce	\$ 3,250,000	\$ 3,250,000
Dev	Appleway Trail Phase 2B Development	Spokane Valley City of	4	Spokane	\$ 813,000	\$ 813,000
Acq	Sound to Olympics North Kitsap Gap	Kitsap County Parks and Rec	23	Kitsap	\$ 740,500	\$ 949,500
Dev	Willapa Hills Trail--Deck Bridge 5	State Parks	20	Lewis	\$ 400,000	\$ 80,000
Dev	Olympic Discovery Trail, Discovery Bay, Phase 2	Jefferson County of	24	Jefferson	\$ 250,000	\$ 500,000
Dev	Woodland Creek Community Park Trail Connection	Lacey Parks & Rec Dept	22	Thurston	\$ 53,172	\$ 53,172
Dev	Harris Creek-Vosper Multi-use Trail	Chehalis Confederated Tribes	19	Grays Harbor	\$ 140,405	\$ 135,156
Dev	Whitehorse Trail Design Development	Snohomish County Parks Dept	39	Snohomish	\$ 2,000,000	\$ 5,198,000
Dev	Port Angeles Waterfront Trail 2014	Port Angeles City of	24	Clallam	\$ 500,000	\$ 1,692,232
Acq	Whitehorse Trail Trailhead Acq. Oso Mill	Snohomish County Parks Dept	39	Snohomish	\$ 233,250	\$ 233,250
Acq	Centennial Trail - Bryant Trailhead Acquisition	Snohomish County Parks Dept	10	Snohomish	\$ 96,757	\$ 96,758

In 2015 there was on project that requested \$2.7 million and one that requested \$3.25 million. If these had been limited to \$500 then 12 more projects would have been funded.

2017

2017-2019

Rank	Score	Project Number and Types*	Project Name	Grant Applicant	Grant Request	Applicant Match	Total
1	72.0833	16-1869D	Arboretum Waterfront Trail Redevelopment	Seattle	\$475,000	\$475,000	\$950,000
2	70.0417	16-1362D	Foothills Trail and Bridge Development	King County	\$2,800,000	\$7,325,000	\$10,125,000
3	68.125	16-1739D	Lake to Sound Trail Development	King County	\$500,000	\$1,691,586	\$2,191,586
4	67.875	16-1813D	Whitehorse Trail Development Phase 2	Snohomish County	\$1,090,000	\$1,096,000	\$2,186,000
5	67.4583	16-2027D	North Creek Regional Trail	Snohomish County	\$1,000,000	\$3,600,000	\$4,600,000
6	67.3333	16-1936D	Ferry County Rail Trail Phase 4	Ferry County	\$82,000	\$83,000	\$165,000
7	65.6667	16-1390D	Spruce Railroad Trail and Daley Rankin Tunnel Restoration	Clallam County	\$649,000	\$651,000	\$1,300,000
8	65.0417	16-1471D	South Gorge Trail	Spokane	\$1,100,000	\$1,175,500	\$2,275,500
9	63.4167	16-1649D	Smokiam Trail Development	Soap Lake	\$666,350	\$666,350	\$1,332,700
10	62.7917	16-1830C	Winthrop River Walk Trail Phase 2	Winthrop	\$308,500	\$308,500	\$617,000
11	60.9167	16-1414D	Park at Bothell Landing Trail Bridge Replacement	Bothell	\$965,000	\$1,325,000	\$2,290,000
12	60.8333	16-1383D	Grass Lake Nature Park Trail Development	Olympia	\$975,000	\$1,630,371	\$2,605,371
13	60.0417	16-1387D	Columbia River Trail in Washougal	Washougal	\$874,791	\$874,791	\$1,749,582
14	59.0833	16-1633D	Clover Island Riverwalk Northshore Trail	Port of Kennewick	\$430,000	\$768,253	\$1,198,253
15	57.7083	16-1773D	Lakeshore Drive Trail Development	Entiat	\$42,121	\$51,483	\$93,604
16	55.6667	16-1870D	Swan Creek Park Trails	Metropolitan Park District of Tacoma	\$2,250,000	\$2,970,323	\$5,220,323
17	54.75	16-1443D	Chelatchie Railroad Trail Phase 2	Clark County	\$454,147	\$454,147	\$908,294
18	54.4583	16-2019C	Jim Kaemingk Senior Trail Development	Lynden	\$1,088,682	\$1,088,683	\$2,177,365
19	54.3333	16-1576D	River Front Trail Development: Huntington Avenue North Segment	Castle Rock	\$243,125	\$244,175	\$487,300
20	51.25	16-1818D	Skagit County Centennial Trail Development Phase 1	Skagit County	\$250,000	\$250,000	\$500,000
21	50.75	16-2005A	Roslyn to Teanaway Regional Trail System	Roslyn	\$356,737	\$356,738	\$713,475
22	48.8333	16-1737D	May Creek Trail Bridge Development	Newcastle	\$477,500	\$477,500	\$955,000
					\$17,077,953	\$27,563,400	\$44,641,353

*Project Types: A=Acquisition, C=Combination, D=Development

Attachment A

In 2017 there were 6 projects requesting more than \$1 million. If they had been limited to \$500,000 then all the trails projects would have been funded up to \$500,000 each. These are just the most recent results. RCO staff can provide the RCFB with a specific number of how many more trails projects would have been funded at different cap levels over the life of the WWRP.

The local parks category has a cap of \$1 million for acquisition and \$500,000 for development projects. Both the trails category and the local parks category receive the same percentage distribution from the total WWRP allocation. Yet many more local parks projects receive funding than trails category projects. And to my knowledge there has not been a request by the Washington Parks and Recreation Association to remove these caps. Since many of these agencies are the same ones requesting trails category funding one could assume they would not object on caps for the trails category. The only agencies likely to object to a cap are the rich ones that can afford a huge match and therefore submit very large project requests.

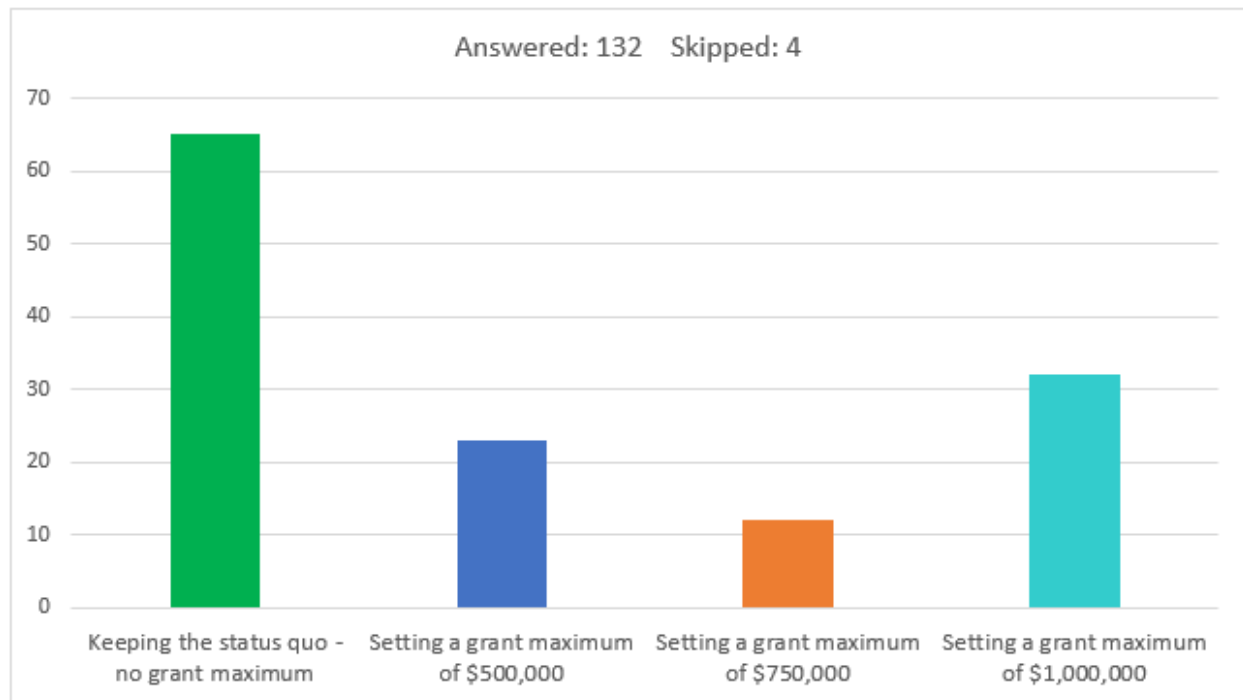
The WWRP was created and designed to provide funding for all agencies of many types throughout the entire state. The rich agencies do not necessarily even need the WWRP to fulfill their goals. Many of these rich agencies are supported by very large bond programs. The WWRP is seen as just one more source of funds. That is not the case for the majority of local agencies.

Conclusion

The existing policy of no limit on funding requests for the trails category restricts the number of potential funding recipients each biennium. There is no justification for NOT having a cap similar to the local parks category. I request that the RCFB request RCO staff to submit a proposal to rectify this weakness in the WWRP program and place a cap on the trails category.

Recreation and Conservation Office Trails Survey

Question 1. As a potential applicant or sponsor, I would support:



Answer Choices	Percentage	Number of Responses
Keeping the status quo of no grant maximum?	49.24%	65
Setting a grant maximum of \$500,000?	17.42%	23
Setting a grant maximum of \$750,000?	9.10%	12
Setting a grant maximum of \$1,000,000?	24.24%	32
Total	100%	132

Question 2. If a grant maximum were set in the WWRP Trails Category (at any of the three amounts) what might be the potential impact to your future projects?

Comments:

Smaller/More Projects Would Get Funded
"Future projects may need to be separated into more phases. However, more projects may have the potential to be funded."
"If there's a max, more projects will receive funding, including my project."
"The available funding will benefit more projects and especially those located in places with limited financial resources. Larger projects will need to be completed in phases."
"There might be more dollars for more projects. Money is like manure: it stinks when there's a big pile but great fertilizer when spread around."
"More projects would be funded. I would apply for more grants in this category."
"We were planning to apply to for a trails grant in 2022. We do not have the detailed prices of the project, so the maximum may reduce the amount that we would have asked for, but I think that it would help more projects receive funding."
"I see two possible impacts / benefits. The biggest problem would be the challenge of locating more \$\$\$ to complete a project if a \$1,000,000 maximum were established. But the possible benefit might be more projects funded? I'd lean towards promoting the funding of more projects."
"It would allow more agencies to participate."
"Setting a grant maximum may result in more, smaller projects getting funding. I am in favor of some sort of maximum, but without the details as to why (for and against) it is difficult to fully engage with meaningful opinions."
"That may mean that the category is more competitive in the future reducing my agency's ability to secure funding; however, that means a greater number of trail projects can be funded statewide, which also means more trail connections across jurisdictions can be made - good news for all trail management agencies!"
"There may be more funding available for our smaller projects. We are a smaller city and even with a reduced match, we have had some trouble being get our projects funded."
"It might make our projects more likely to receive funding. I notice that in the past several cycles much of the funding has gone to multimillion dollar projects in the Puget Sound. Since the trails category has so many applications and is so competitive,

the lack of a funding limit means it is harder for us as a small jurisdiction to rise to the funded level."

"More sites in Washington could get such grants instead of a few or just 1 grant."

"I believe/hope the result will be a broader distribution of RCO funding to more agencies"

"We think it would provide more opportunity for more agencies receive funding per funding cycle. It would help smaller project have more opportunity."

"A lower grant amount would provide for more applicants to be successful in receiving grants. Rural communities would benefit from more applications being awarded due to lower grant values awarded."

"I think it would open opportunities for more communities to be awarded and make their projects happen. It may require project planners to do more phasing of projects, rather than tackling them all at once."

"More grants would be funded which helps a broader range of agencies, demographics, and communities."

"In a rural area, like Chelan County where I work, projects are much less expensive than urban area projects, so one effect of a grant cap would be that urban projects would not take up as much of the overall allocation for the trails category, possibly benefitting more applicants. On the other hand, if/when we have a very expensive project, we will not want the cap!"

"I think we will have a bigger impact by funding more projects, hopefully with a wider geographic and demographic dispersal. None of proposed maximums ensure this outcome, but even the largest of them promotes it."

"My program would likely receive funding. I realize this might impact larger programs, but smaller programs might see positive results."

"More project would be funded."

"It would require additional funds from our organization however it would provide more equity across the state."

"Makes small and simple trail projects more competitive, adds more miles of trails into service, leverages local matches very effectively."

"I think that it would impact certain areas, but if there were more for other cities to apply for and receive, it would make more trails available, even if the trails take longer to complete in phases."

Projects Would Be Completed In Phases/Take Longer

"Setting a maximum at one of the above three amounts would impact funding and timely success of regional trail projects. For example, such a limit would have adversely impacted the scope and timing of the Olympic Discovery Trail (ODT)-Spruce Railroad Trail Final Phase Project that was recently funded by a RCO-WWRP grant at significantly higher amounts than the potential grant maximums noted. The ODT still has a number of remaining gaps (of four miles or more) in our regional system across our County that would be ideal candidates for future RCO-WWRP funding assistance. Placing a maximum grant cap would impact our ability to secure the necessary funding to fill these gaps in the trail system in a more timely and logical manner."

"Larger projects would theoretically take longer to complete if applicant match \$ is difficult to obtain, projects could be phased, but other projects on the scoring list could at least begin and the funding theoretically would be more spread out, which I see as a positive. Applicants could get more creative and strategize obtaining additional project match \$ for projects requiring more than \$1M from RCO."

"Future projects may need to be separated into more phases. However, more projects may have the potential to be funded."

"We might need to prioritize and or phase the project"

"Trail development costs are typically so high that it would require breaking projects into multiple phases in order to accomplish them, with grant limits."

"Certainly larger dollar projects could be delayed as additional funding sources are sought or perhaps scaled down or phased. However I also see the opportunity for smaller projects or that 'final piece' to be funded (more grants awarded) which could help move some projects along."

"A grant maximum will insure that no one project takes all the funds in this category. There needs to be a substantial match from other sources before a really major project moves forward. It may limit a project, but highly unlikely to stop a project. Many projects are done in phases, trails is not different."

"I think that it would impact certain areas, but if there were more for other cities to apply for and receive, it would make more trails available, even if the trails take longer to complete in phases."

"Creation of more phases, more funding partners, additional match required - potential hardship for disadvantaged communities. Harder to fund."

"It could delay project completion if it had to be broken up into sections based on financial limitations. It could reduce economies of scale by having to break the project into smaller pieces."

"Would have to divide project into smaller components; look for other funds."

"In Skamania County, just \$ 500k would be a "Bombshell" amount especially since few are capable of writing a grant for recreation purposes. The issue is innovative thinking in a 11k population for trail development in a region where 80% of the county US forest Service seems financially incapable of maintaining trails, roads, and camping sites."

"We would break project into smaller pieces and lose efficiency."

Cost Concerns

"Smaller segments would be accomplished with more administrative costs per trail mile. Especially when it comes to non-programmatic permitting and inflation, each segment would need a portfolio of funding to proceed under the existing permit approvals and biennia of funding."

"If a maximum grant limit were set at one of these levels (\$500,000 to \$1,000,000), it would end up costing more money per mile of trail built. There are economies of scale in project construction costs. To hit an efficiency point, we currently try to size individual sections of trail construction projects in the \$1,000,000 to \$2,000,000 range. If RCO would like to set a grant limit, at today's construction costs, set it at an upper limit of \$2,000,000."

"Phasing of larger projects can cause increased costs from duplicated permitting and contractor mobilization costs."

"This amount would be sufficient to help cover the costs and we would continue to do the project, no impact."

"would possibly need matching funds to cover the entire cost of a project."

"It is estimated that the cost to build one mile of trail within our area typically costs over \$1,000,000. A limit set below the 1M threshold coupled with rising fees to build these valuable projects could impact our ability to achieve trail development goals."

Other Comments

"The Washington Wildlife and Recreation Program was envisioned as a way for the state to accomplish two goals: acquire valuable recreation and habitat lands before they were lost to other uses and develop recreation areas for a growing population. Many areas which are subject to development pressures have a higher cost to purchase. Setting a limit at \$1 million, or lower, would reduce the number of purchases in urbanizing areas which are under the most pressure to be developed for alternate uses."

"less trail gets done and maybe has to be done in more than one year (and maybe lose sponsor or matching funding) and costs climb each year, so project could be jeopardized"

"Because trail projects are often great in length, and thus cost much more, having flexible grant limits dependent on the scope of the trail with a match requirement makes more sense. For a \$7 million trail project, a \$1 million grant ask is not too large. Most of the trail projects we have planned in the next 10 years range from \$4-10 million."

"Setting a maximum would greatly affect trail implementation. Especially when attempting to plan/implement in greatly underserved rural location."

"The biggest likely impact would be on projects that include acquisition. Many area in Washington that are in need of recreational trails are also experiencing increasing property values. This can make needed parcels prohibitively expensive. Having a cap, even a high one, could limit some projects from going forward."

"I am concerned that the state's most impactful trails volunteer organization would receive less funding - WTA. That would be a significant blow to trails throughout the state."

"I think of more major infrastructure projects - like bike corridors that connect light rail stations to city centers - that need significant dollars, being negatively impacted by a grant limit."

"Lack of funding or potential delay"

"Funding shortfall for major infrastructure integral to trail system (e.g. pedestrian bridge over White River)."

"Significant impact to our ability to execute our PROS plan which identifies WWRP trails project funding as a goal."

"Limiting a project based solely on a maximum and not looking at the need it fulfills or the impact it could have... I believe that to be more important."

"We typically can't apply for this category as we are a small city."

"Sometimes an iconic trail needs a massive funding source because of its importance and location. This might prevent an important project from happening."

"My thought is how would any action taken with spending limits or not impact the funding amounts available in other types of grants that I also apply for? In other words, would there be impacts on other funding sources due to changes in the WWRP program?"

"unknown- but there would need to be an 'exception' for unusual needs/ requests, like for major structural construction or repair (ie. bridge, tunnel, large parking area, restrooms, etc.)"

"I manage a city. Trails never fall into a high priority for grant projects as we focus on traditional parks where families play and recreate. I would set the grant maximum even lower."

"Potentially SOME money available for trail projects. The fact that every cycle, Pierce County, King County, and Tacoma Metro Parks receive grants of up to, and over \$1,000,000.00; thereby, making the rest of the state fight over scraps, DOES NOT provide an equal opportunity for all groups, as in the other categories. It's extremely frustrating that only the same few groups receive the bulk of the funding cycle after cycle.'

"would possibly need matching funds to cover the entire cost of a project."

"It may prevent a really good project from moving forward."

"It would limit the amount of work completed."

"Having a maximum will diversify the pool of projects selected and force sponsors to cost-share."

"maximums set at a much lower rate would increase transparency and accountability of applicants and sponsors allowing more citizen input"

"It might possibly require seeking other or matching fund sources in rare instances."

"It would limit the scope of conducting any very large trails, however it would support better certainty for how many trails in total may be funding in any one grant cycle."

"A few projects (such as longer bridges) will require multiple funding sources. Most trail projects can be sized/scheduled to fit funding limits."

"A \$2 million maximum would allow larger statewide significant projects to be funded while not utilizing over a third of the total category funding"

"Some necessary projects may not be funded and entire trail systems could become worthless."

"Setting the limit would lead to shorter trail segments and possibly fewer grant requests. "

"We work hard to make our rail trail an important part of the recreational opportunities in Ferry County. There is a huge downside to limiting the funding."

"None currently, but I can see a large grant being helpful on a major use trail such as the PCT. Just don't let it remove all other possibilities. A percentage cap seems more appropriate. No more than X% of total funds can be awarded to any one grant."

No Impact

"No impact, our projects are relatively small but I could see a cap potentially hurting some larger projects from other jurisdictions - I would hate to see them not get completed because funding was limited. That being said, if I had to vote for a cap, I'd choose \$1M."

"While I selected the \$1m grant max, I am fairly neutral on this topic. I have had a project not funded due to high amounts on top funded projects, but also really appreciate the opportunity to request more than \$500,000 (as is the case with many other grant categories)."

"The possibility that they might not be funded"

"Our state forest would not apply for a grant over 500K anyway"

"This amount would be sufficient to help cover the costs and we would continue to do the project, no impact."

"Minimal impact"

Question 3. Is there anything else you would like to tell us about this issue?

Context or Background for the Survey
"Background on why you are asking this would have been helpful"
"Your current website amount listed is \$150,000 with a variety of percentages provided on different projects. Everyone pretty much asks for the max. My main question is why are you looking to change the amount? What challenges are the organizations having that led to considering a change? Or have you acquired additional funding? Doing this survey should give you more info. My impression is the more you offer the fewer organizations will be able to participate. You already have some who get the majority of grants awarded. Have you thought about designating a few that are funded in full for volunteer groups who only have manpower as their 'in kind'? Consider a minimum or range instead?"
"Some context would be useful. What has the general funding amount been on average for trail projects? Who has been the major recipients? What projects have been turned down and why? For larger projects, are other funding options available and are they commonly bundled?"
"I believe the trails program requires a 50% match which is significant. If I were to choose a maximum I'd range on the higher side of the median from past grants. I've not done the research for this survey, so I did not feel comfortable selecting a number."
"Would like to have additional information. What is the average request amount? How many applications are denied after funds are unavailable? What is the average ask of these? What is the problem you are trying to resolve? Are there very large requests each year that are causing challenges? Are most of the large requests coming from the large metros? How do the dollar amounts in question 1 fit into the average funded request? How many projects would the limits impact? How many more grants might be funded? Not sure your survey will add much value. Most of the input will be from partially informed people."
"I'd like to see a statutory study of economic/public health/community benefits of WWRP projects done at least every 7 years"
"What is going on?"
"Please provide context for decision making, such as average cost per mile, recent requests, or which requests exceeded a previous grant limit."

Smaller or More Projects Would Get Funded

"Larger projects to which a grant cap would apply would be encouraged to pursue more local support in exchange for greater distribution of grant funded projects."

"I think lowering the amount you can apply for would allow more projects to be funded"

"Definitely a tough issue, but it would be nice to see the funds spread to more projects."

"Setting a maximum would spread the wealth around and give more opportunities for additional projects."

"Pro: More projects can get some funding. Con to project sponsors: This money tends to go to more expensive, back country type projects - these tend to be "bigger" and often cover more area. Sponsors need these funds to get the projects completed."

"With a grant maximum more applications might be funded."

"I think a cap allows more projects to be funded."

"A maximum would potential allow for more applications to be funded."

"Setting a maximum at \$1,000,000 would likely allow for more projects to be funded in the State of Washington. We are thankful for the current "no grant maximum", however it is discouraging when so few are able to receive the needed funding for local projects."

"I like the idea, spreads the money around a little bit more. I would also make the argument that there's a greater opportunity to form partnerships on trail projects. As a result project sponsors could have more resources reducing the need for larger asks. In my opinion it's also easier to phase trail projects so a really large request may not be necessary."

"I agree with setting a limit so that more projects can be funded. The \$1m level should allow for significant projects to be completed or staged over more than one grant cycle, but still allow more programs to participate."

Cost Concerns

"Not setting a grant maximum amount will avoid repeating presentation to complete a project especially when the estimated costs is more than two million \$ to build. It is not much of a regional trail considering a mile of trail would cost over a million dollar to build. This cost does not even include engineering, cultural study, off-site

mitigation which requires buying mitigation credits from mitigation bank, monitoring etc."

"Would tempt the Legislature to limit its maximum appropriation. Amounts would need to be updated to keep pace with rising costs-- and they wouldn't be. Doesn't take into account the different buying power in different parts of the state? Amounts seem arbitrary. Takes discretion away from the board. The more I think about it, the worse this idea becomes!"

"Conversely, it is challenging to have high-cost projects eat up all the available budget, so I understand the interest in setting maximums. Good luck with this. :)"

"Trails are incredibly expensive to build. Setting the limit at \$1 million or less would greatly limit what trail grants can be applied for."

"Building certain types of trail is more expensive than others. For a waterfront community, there is far more cost associated with waterfront trail development."

Smaller Communities at a Disadvantage

"Small and rural communities have done outstanding projects with \$300,000 to \$600,000, so the \$500,000 cap would help 5,000 to 60,000 population communities, from my experience."

"Large agencies have taken a majority of the trails funding since the inception of the program when they have the most resources within their agencies."

"Cities and metropolitan places do not have to scrape by the way small communities do. I think there should be a way to award Grant's based upon the genuine need, not to make places that have it all better. I keep trying to access Grant's from all the places that say "look what we do for dinner city youth" don't you think rural people support these things also. Everything is slanted towards the places that have people on staff that write Grant's, or can pay someone to do it. Maybe this is better suited for a sit down face to face conversation."

"Seems like the larger agencies are always more successful in receiving funds."

"I think that having no cap leaves the door open to some larger cities that have grant writers or other professional staff who can take advantage of the dollar amounts given. Keeping some sort of cap and giving more people a shot at completing trail projects will help the state as a whole build more trails."

"It's about time the RCO fixed this inequality! It has been extremely frustrating to have to fight against the big projects for so long. FINALLY!"

"Funds should provide opportunities across the state not just on high cost grants in a selected area"

"Currently the larger counties, especially on the west side, and their projects have an unfair advantage due to the availability of matching funds. The match waiver program has helped with that situation but a funding limit would further help distribute funding to more projects throughout the state."

"Low population counties where urban recreationalist regularly visit are extremely limited financially to develop perspective recreation grants. Focus on assisting low population Counties develop recreation grants, especially in those areas where urbanites frequently use recreation facilities, parking, restroom facilities, trash collection, especially at trail head parking areas."

Other Comments

"I think there should be an expectation that the more an applicant is asking for the more significant the benefits of the project should be. The applicant requesting more funding is responsible for making a more compelling pitch than someone requesting a relatively small amount of money. Big projects are worth it if they deliver big benefit."

"I do not see any advantage to setting a maximum grant amount in the WWRP Trails Category. Trails are a very important part of what people want. Thanks!"

"Establishing a grant maximum may result in putting regional trail projects on hold until more funding can be assembled, or require projects to be broken into smaller, less desirable or logical segments that significantly delay extending or connecting regional trails for users."

"These responses are reflective of the Olympic Discovery Trail and regional trail development."

"Once a limit is set, would there be adjustments made to account for the ever increasing costs to construct new trails? By setting a limit, RCO would be creating more work for themselves in the future to maintain adequate upper thresholds."

"I think it's important to remember that WWRP cannot be everything to everybody. That said, having some limit on project requests could broaden the number of successful applications."

"How many more new trails will ever be enough? What about funding for studies regarding recreational impacts on wildlife, especially trails. Recreation is not benign. Is

it not well past time to give our Wildlife a respite from our recreational activities and onslaught?"

"For our jurisdiction, the trails category has been a crucial source of funding for our top priority projects. Because of the extra point for proximity to population, we have to be especially competitive. We have been just below the funding line for the past two cycles with some huge \$\$ projects ahead of us."

"I would be much more supportive of increasing the cap levels on development of the Local Parks and YAF categories. I think local parks has been at \$500,000 for as long as I have been in the profession. We put a tremendous effort into applying for grants, and with each passing cycle they become more and more limited due to increasing development costs. My suggestion would be to increase local parks to \$750,000 and YAF to \$500,000 for development grants. I'd also recommend putting in place some type of annual inflator that incrementally adjust category limits based on the CPI or some other factor."

"I think the board or appropriate grant review committee should be able to determine the maximum grant awards based upon the need, available funding, and ability for the applicant(s) to be successful."

"While you're at it, RCO should also consider revising the formula for how much funding goes into the Trails category and increase the overall amount allocated for trails projects."

"In general, dollars MOST widely dispersed to the MOST trail miles should be the goal. However, the reality is that nearer urban centers or places of highest use will inevitably have larger costs. Good luck balancing those two."

"Perhaps introducing a new RCO grant program for trails that are of local importance rather than state significance. Trail use is one of the highest favored forms of recreation from state surveys and their use helps provide sustained healthy outcomes."

"Having no grant limit, makes it possible that one project takes the entire fund for the cycle, leaving other smaller by possibly just as important trails with nothing. If the project is larger than \$1,000,000, maybe it should be a Fed. Grant."

"Rather than allowing so much money for trails, we should focus more funds on traditional parks where families play on playground equipment or sports fields and reduce matching grant requirements."

"Some projects cost more because of circumstances that are unavoidable. The \$ should go where they benefit the resources the most and rankers can decide what project to fund."

"Setting a max may be a good thing but if there is a strong desire, RCO should consider setting higher limits."

"It may have a factor in larger projects but larger linear projects can be phased over time."

"Good idea to limit it."

"Before decisions are made I'd like to see a robust outreach process to potential applicants in the state (e.g. all eligible cities, counties and districts) to truly understand the impacts as well as some financial modeling to show the potential increase or decrease in projects funded. I would support a level of 750,000 or 1,000,0000 or perhaps levels based on population size where smaller cities are eligible for a lower amount and larger cities a higher amount."

"As an advisory committee member, I will find it easier to weigh the relative merits of competing requests when their scale doesn't differ by two orders of magnitude (e.g., Point Defiance Park versus Ferry County Rail Trail, a couple of bienniums ago)."

"A \$2 million maximum is my preference but not one of the options in #1. This would allow trails of statewide significance to be accomplished while not utilizing over a third of the total category funding."

"If it ain't broke, don't fix it. Some projects simply cost a lot of money."

"Trails are the fourth leading cause of habitat loss and are being placed in riparian areas running parallel with rivers. We do not need more trains. We need more biodiversity."

"The limits should work like the local parks category with up to one million for acquisitions and 500 for development."

"I feel that larger cities, towns etc. should be required to have prior impact studies completed and submitted along with the grant application. I have not researched to see if this is already an existing requirement. I feel that no one entity should be able to apply for or annually receive any amount of RCO funding over a certain percentage of its total available grant funds. The board should determine under guidance what that percentage should be."

"As a past recipient of funding, I think having limits is a positive thing. This funding was not intended to simply create a resource for one project at the expense of all others. Limits create partnerships which is absolutely needed for these projects."

"I think that there should be some categories with earmarked amounts for lower cost grants to prevent gutting the program with one large grant. For example, 30% of total funds go to grants of \$50,000 or less."

"I considering whether the project is cost effective relative to the need is more appropriate than a hard limit."

"I stressed that there should be a limit on this category just like there is on the local parks category."

"It might be worthwhile to separate grants for purchasing lands from grants for developing recreation areas."

"We applied for a trails grant in 2018 and were surprised when funding only allowed for about 11 of the 40 to 50 grants to be funded. Maybe you set a \$500,000 max on development, a \$750,000 max on acquisition and a \$1,000,000 max on combo projects."

"Any thought of dividing the trails category into two pots of money with a category for 2-3 mega (large) projects with a high grant amount and another category for everything else?"

"Please, please don't set grant limits on trails!"

More projects funded

"Larger projects to which a grant cap would apply would be encouraged to pursue more local support in exchange for greater distribution of grant funded projects."

"I think lowering the amount you can apply for would allow more projects to be funded"

"Definitely a tough issue, but it would be nice to see the funds spread to more projects."

"Setting a maximum would spread the wealth around and give more opportunities for additional projects."

"Pro: More projects can get some funding. Con to project sponsors: This money tends to go to more expensive, back country type projects - these tend to be "bigger" and often cover more area. Sponsors need these funds to get the projects completed."

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"I agree with setting a limit so that more projects can be funded. The \$1m level should allow for significant projects to be completed or staged over more than one grant cycle, but still allow more programs to participate."

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Match Reduction Data Review and Communities in Need

Prepared By: Ben Donatelle, Natural Resources Policy Specialist

Summary

This memo summarizes the outcome of implementing the match reduction policy in 2018 and next steps for the board to consider in addressing the needs of underserved communities.

Board Action Requested

This item will be a:

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

Background

The 2019-2021 policy work plan directs Recreation and Conservation Office (RCO) staff to, "Evaluate if grant programs are effectively addressing the needs of underserved communities and communities in need..." In 2018, RCO launched the [Match Reduction policy](#) as an initial approach to assist underserved communities and communities in need with securing parks and recreation funding. With only one grant cycle of data accumulated, it is premature to effectively analyze trends or recommend any changes to the match reduction policy. However, a brief review of the known outcomes of the match reduction policy for the 2018 grant cycle can aid in setting up a discussion about how to further address the needs of underserved communities and communities in need.

Match Reduction Policy

The goal of this review is to analyze the data resulting from the implementation of Match Reduction Policy in the WWRP Local Parks, Water Access and Trails Categories and in the Youth Athletic Facilities Program. With a dataset of only one grant cycle, we are unable yet to identify trends or patterns, but a few general conclusions can be made from the summary statistics in tables 1, 2 and 3 below:

1. On average, about 1/3 of all project applicants qualified for a match reduction (Table 1)¹
2. Not all applicants who qualified for a match reduction used it (Table 1). On average, of those applicants who qualified for a match reduction:
 - a. 74 percent contributed their required (reduced) match
 - b. The remaining 26 percent contributed more than their required match
3. The project ranking did not appear to be influenced by whether or not an applicant received a match reduction (Table 2).
4. Thirty-five applicants who qualified for a match reduction were new to the program in which they applied since at least 2011 (Table 3).
5. There was no apparent correlation between implementing the match reduction policy and the number of applications received in 2018 as compared to previous grant cycles (Table 1).

Table 1: Number of Applications by Program

	WWRP Local Parks	WWRP Trails	WWRP Water Access	YAF Large	YAF Small
Total Number of 2016 Applications	77	22	15	18	NA
Total Number of 2018 Applications	91	34	16	51	5
Didn't Qualify for Match Waiver	58	22	11	35	2
Qualified for Match Waiver	33	12	5	16	3
Qualified but Didn't Use Match Waiver	10	4	1	3	0
Total Number of Funded Projects	26	8	9	38	5
Didn't Qualify for Match Waiver	17	5	7	28	2
Used Match Waiver	6	1	2	8	3
Qualified, but Didn't Use Match Waiver	3	2	0	2	0

Table 2: Percent of Projects Funded by Program

	WWRP Local Parks	WWRP Trails	WWRP Water Access	YAF Large	YAF Small
Total Percent of Projects Funded	28.57%	23.53%	56.25%	74.51%	100.00%
% of projects funded that didn't qualify	29.31%	22.73%	63.64%	80.00%	100.00%
% of projects funded that qualified	27.27%	25.00%	40.00%	62.50%	100.00%
% of projects funded that used reduction	26.09%	12.50%	50.00%	61.54%	100.00%
% of projects funded, qualified, didn't use	30.00%	50.00%	0.00%	66.67%	N/A

¹ The outlier is the YAF Small Grants category in which 60% of applicants qualified for a match reduction.

Table 3: Projects Qualifying for Match Reduction

	WWRP Local Parks	WWRP Trails	WWRP Water Access	YAF Large	YAF Small
Total Projects Qualified for Match Reduction	33	12	5	16	3
"New" applicants in the program since 2011	13	6	2	13	1
Not funded in any program subject to the match reduction policy prior to 2011	1	2	0	4	1

In summary, the match reduction policy certainly reduced the financial burden for many entities to acquire or develop recreation facilities. However, about ¼ of the projects that qualified for a match reduction were too costly or too complex to take advantage of the benefit. What remains unknown is the degree to which the match reduction policy influenced local communities’ decisions about the location, scale, or number of projects to bring forward for funding consideration. Further, how the policy helps to direct funds to benefit underserved communities and communities in need remains to be seen. Before making significant changes, RCO staff recommends further analysis of both the PRISM data and applicants’ perception of the policy after subsequent grant rounds to better understand the impact and effect of the match reduction.

Possible questions for further analysis of the Match Reduction

1. Is RCO making progress towards the intended goals of the match reduction policy? Specifically to:
 - Derive more applications?
 - Alleviate an identified burden on applicants from communities in need?
 - Prioritize funding to communities in need/underserved communities?
2. How did the match reduction policy impact applicants’ decisions on the size, scope, or number of project applications to bring forward?
3. How did the match reduction policy impact applicants’ perception of the accessibility or fairness of the RCO funding process?

Further addressing community needs

The match reduction policy is principally based on one socio-economic measure: median household income. A [report](#) conducted by Washington State University concluded that income related measures (such as median household income) be considered foundational to developing a match reduction policy. However, the report

suggested other factors such as race, ethnicity, and health measures could be supplemented as other indicators of community need.²

For example, RCO's [Grant Application Data Tool](#) uses median household income in combination with other health and demographic statistics to assess need as part of the project evaluation process. The tool, which aggregates data from the U.S. Census, Washington State Department of Transportation, and Washington State Department of Health, was developed for the 2018-2022 Statewide Recreation and Conservation Plan. Applicants use the tool to characterize their community's need during project evaluations in the Aquatic Lands Enhancement Account, Land and Water Conservation Fund, and Washington Wildlife and Recreation Program.

Further, RCO's [Recreational Assets of Statewide Significance](#) report, completed in 2019, included a gap analysis of recreational opportunity access. The analysis shows where citizens have access to and where a lack of services exist for those recreational opportunities that are considered foundational to the wellbeing of the state's residents.³ This gap analysis could also serve as a foundational element for additional approaches to addressing the needs of underserved communities.

Request for Direction

In meeting the goals outlined both by legislative directive and in Washington's 2018-2022 Statewide Recreation and Conservation Plan, the match reduction is one initial approach. Other approaches suggested by the board, stakeholders, and staff highlighted in the 2019-21 policy work plan or in the 2018-2022 Unified Strategy include:

- Evaluate the planning requirements for small agencies;
- Assess implementation of the population proximity statute;
- Improve program outreach;
- Evaluate barriers to participation in grant programs;
- Create grant opportunities for smaller communities;

² Hardcastle, Alan. 2016. Measures and Metrics for a WWRP Program Match Waiver Policy for Underserved Communities and Communities in Need. Washington State University Social & Economic Sciences Research Center. Olympia, WA. Available: <https://rco.wa.gov/wp-content/uploads/2019/05/WWRP-MatchWaiverMeasuresReport.pdf>

³ Cole, Adam. 2019. *Recreational Assets of Statewide Significance in Washington State*. Washington State Recreation and Conservation Office. Olympia, WA. Available: <https://rco.wa.gov/wp-content/uploads/2019/10/RecAssetStateSignificance.pdf>

- Streamline the grant application process; and
- Reduce burdens to travel to Olympia

RCO staff requests direction from the board on which, if any, of the above listed areas of opportunity they wish to work on in the coming year?

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Compliance Program Update

Prepared By: Myra Barker, Compliance Specialist

Summary

Staff will provide a briefing on the agency's compliance program, the results of implementing the 2019 inspection strategy, and the focus of the 2020 inspection strategy.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

The focus of the compliance program is to work actively to insure the project area funded by a grant through the RCO is managed for its intended purpose, use and function, consistent with grant program policies and long-term obligations. We do this in collaboration and coordination with project sponsors through our outreach, inspections, and consultations.

The compliance program is one facet of the agency's overall grant and contract management functions for multiple grant programs. The resources the agency dedicates to compliance is balanced with the needs to direct staff efforts for application review and evaluation, active grant management, developing policies and procedures, and ensuring fiscal accountability.

On-site inspection of a project area is the primary method used to monitor and determine compliance. Our agency's goal is to inspect a project area for compliance

every five years¹. RCO has established procedures and tools for compliance inspections. Projects located within a compliance area (a specific geographic area such as a greenway, park, or wildlife area) are inspected while staff are on-site for other purposes in order to be most efficient with staff time and to provide a consolidated report to the sponsor.

To prepare for an inspection, staff review the file documentation to understand the purpose of the grant funding, the boundary of the project area, and identify approved changes to the project area. The results of the inspection, including site photos and project area boundary map, are sent to the project sponsor. The inspection report identifies issues and the sponsor is asked to contact staff with information on the noted issue so that work may begin on resolving the issue.

Compliance Program

Compliance staff provide ongoing consultation to grants managers and sponsors on a wide variety of issues. Transportation agencies, consultants, and the public contact staff with questions on a site's funding and grant obligations.

In 2019, staff implemented the board approved changes to the compliance policies for exceptions to conversion and non-conforming use of a project area. Seven requests were received and approved. These included easements that would result in improving public access, relocation of existing utility easements, and relocation of an existing easement due to a levee setback on a habitat funded site. Sponsors expressed appreciation on the streamlined review process that results in a timely determination.

Enhancements to the Prism Compliance Workbench were completed in 2019 to improve usability and reporting function. This internal tool is used by staff for inspection reports and tracking compliance issues. Staff are tracking about 220 compliance issues. These range from a change in the site ownership and management to pending and finalizing approved conversions.

A significant change to the program was the addition of the Compliance Assistant position to focus on conducting compliance inspections. The results of this work are described later in the memorandum.

¹ National Park Service Land and Water Conservation Fund policy requires compliance inspections every 5 years.

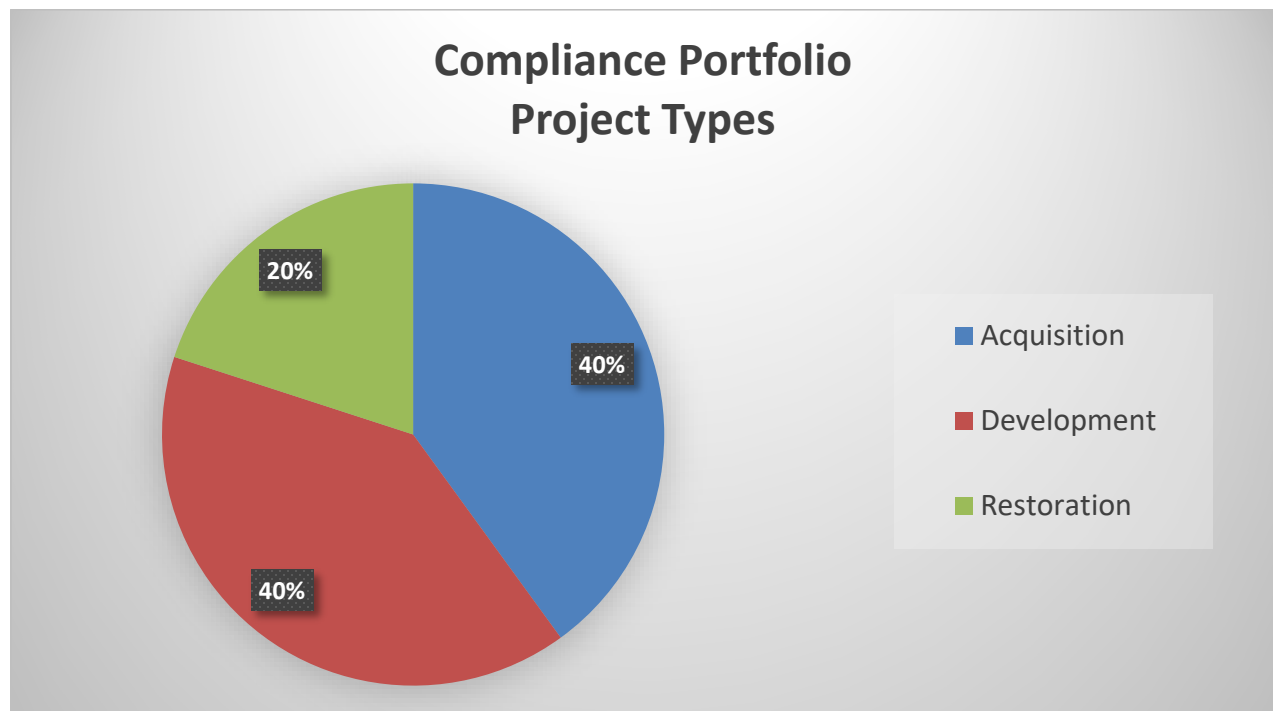
The agency has two dedicated staff to the compliance program. Although grants managers' focus is on new applications and active grant management, staff do perform compliance-related work when time allows.

Compliance Portfolio

The long-term obligation or compliance period is determined by grant program policy and project type². A project that acquires property has a perpetual obligation. Development projects typically have a perpetual obligation, however, certain grant programs permit a lesser period. Those programs with a lesser period include the Boating Infrastructure Grant Program, the Firearms and Archery Range Recreation Program, and the Youth Athletics Facility Program.

The agency's compliance portfolio includes 6,037 worksites funded by grants from the Recreation and Conservation Funding Board (RCFB), Salmon Recovery Funding Board (SRFB), and the Recreation and Conservation Office (RCO). The RCFB sites represent 73% of the portfolio, with 4,420 sites.

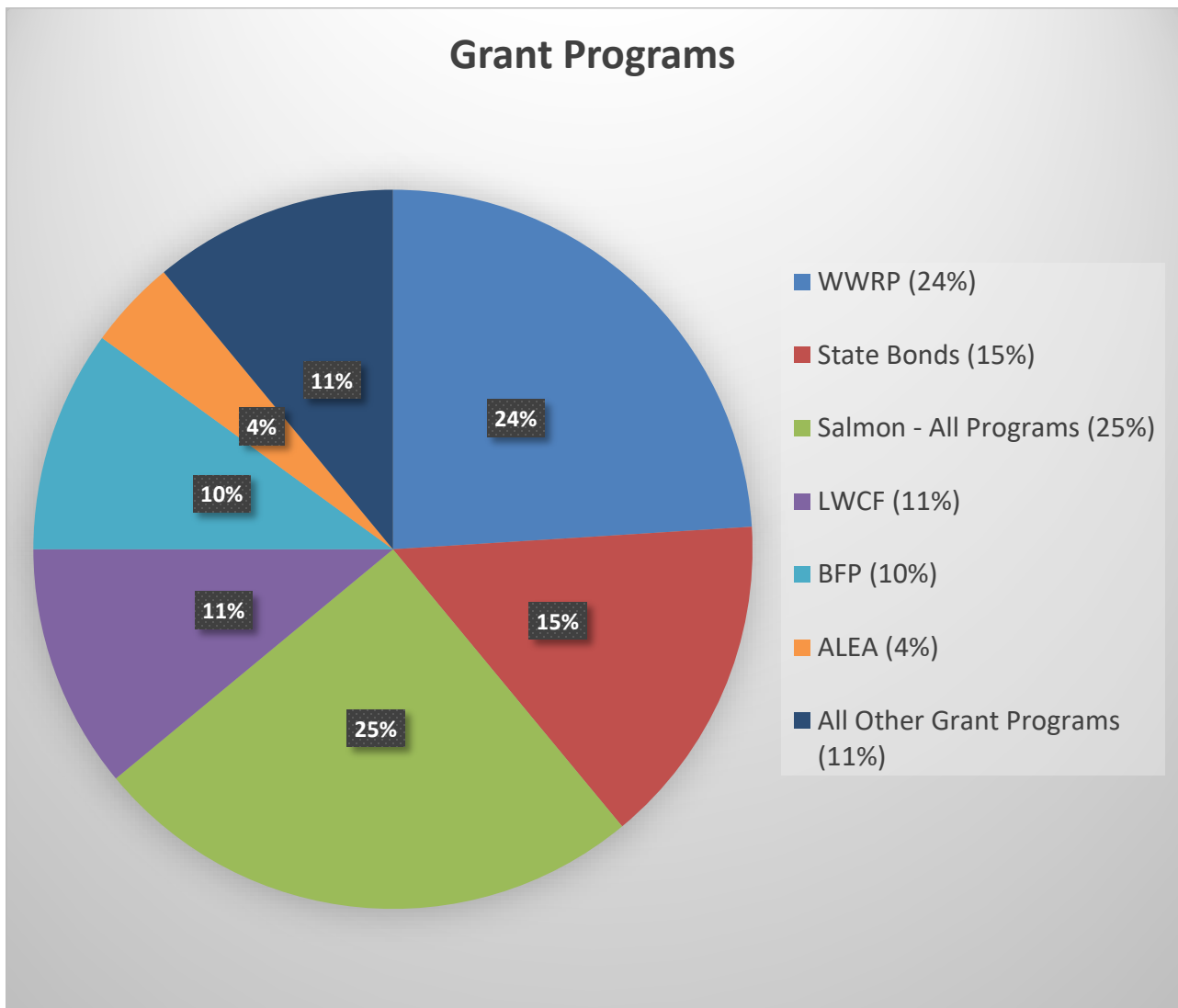
Acquisition and development project types represent 40% of the entire compliance portfolio respectively. Restoration projects represent 20% of the portfolio and are primarily funded through salmon grant programs.



² Acquisition, development, and restoration project types have long-term obligations.

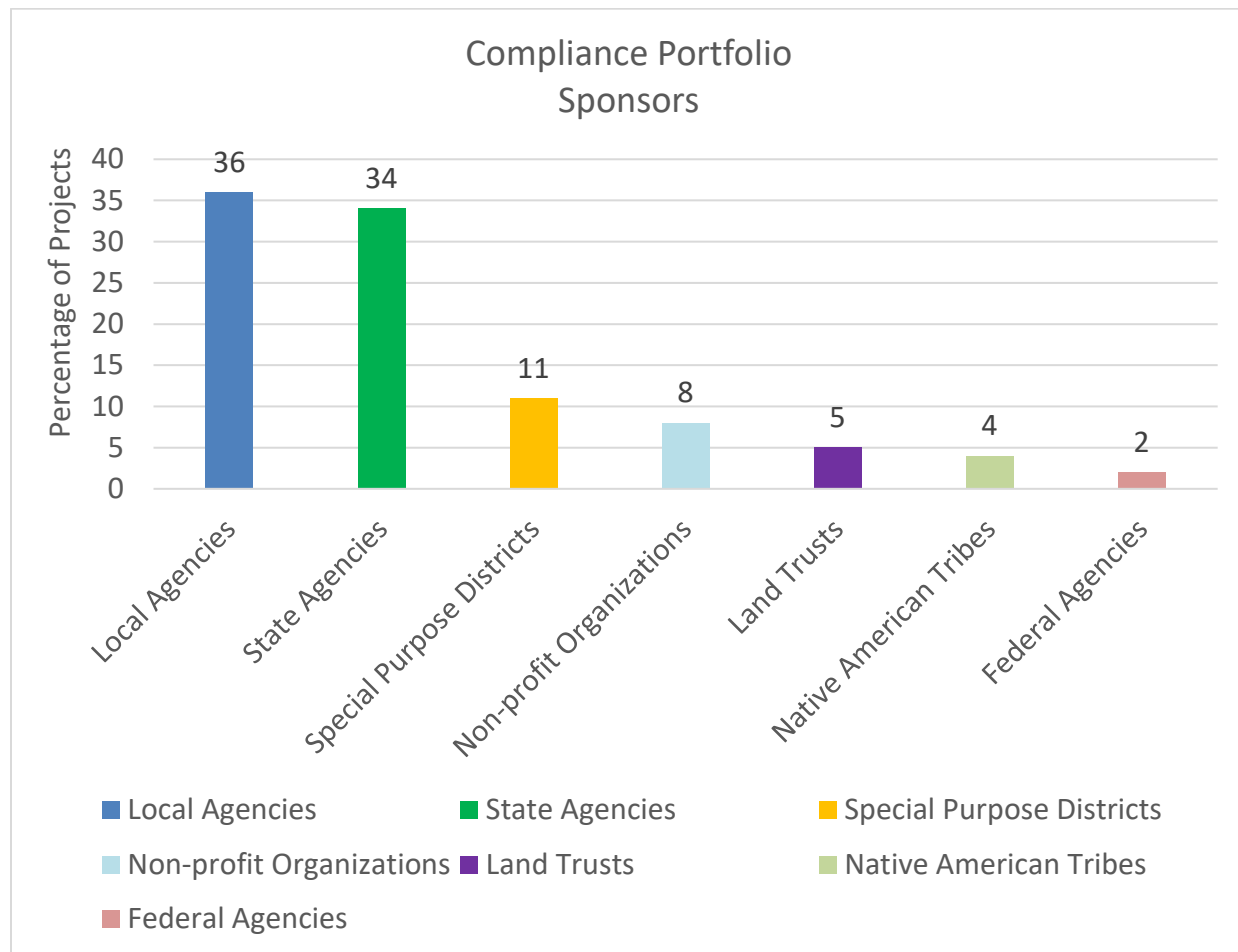
Washington Wildlife and Recreation Program (WWRP) projects represent the largest portion of the portfolio funded by the RCFB. State Bonds³, which funded over 800 projects from 1966 until the WWRP was established in 1990, represent about 15% of the worksites. The Land and Water Conservation Fund (LWCF) represents 11% of the portfolio with 647 worksites.

Salmon grant programs (federal and state) represent 25% of the portfolio. The other twenty (20) grant programs combined represent 11% of the portfolio.



³ State bonds funded the earliest projects in the portfolio through Referendums 11, 18, 21, and 29. This fund source was often used to match LWCF funding.

Sponsors with long-term obligations comprise a mix of governmental and non-governmental agencies and groups. The types of sponsors and their respective percentage of the portfolio are displayed below.



2019 Compliance Inspection Strategy, Results, and Actions

RCO implemented a new strategy in 2019 for compliance inspections. Projects with perpetual long-term obligations are the priority, with an emphasis on inspecting properties that have been acquired with grant funding. These acquisition project worksites represent approximately 47% of the sites due for inspection. Sites funded with a grant from the Land and Water Conservation Fund (LWCF) remain a priority.

Staff completed 639 compliance inspections in 2019. This is an increase of 426 inspections as compared to 2018. The Compliance Assistant inspected 345 worksites. This staff researched the project documentation, met with grants managers prior to going on-site, conducted the inspections, and briefed grants managers on the findings. The success of this new position dedicated to inspections will continue to help reduce the number of sites that are due for inspections.

Staff found approximately 80% of projects inspected are in compliance with the project agreement and grant program policies. Of the sites that were out of compliance, the most common reason was due to the following condition:

- Properties that had been acquired for public outdoor recreation use are undeveloped or had no public access;
- Project area boundary appeared to have encroachments;
- Ineligible structures on-site; and
- Ineligible use of project areas.

Staff also found changes in the project area ownership or management and funded facilities that had either removed or replaced.

The following actions are underway to address the findings from the 2019 inspections:

- Sponsors were asked to contact RCO staff to provide information and to begin working on resolution. A second notice is being sent to sponsors who have not responded. To date, of the sponsors who have received a follow-up notice, all have responded almost immediately and have begun working with staff to resolve the issue.
- The project boundary from our file documentation is shared with the sponsor to insure a common understanding.
- Properties that were acquired prior to June 2017 are not mapped in PRISM; these are now being mapped in PRISM as inspections are being done.
- Changes in project area ownership and management are being addressed by amending the project agreement to transfer the long-term obligations to the new sponsor.
- Corrections to the project data and gaps in the data in PRISM are being made on the inspected sites.

We are using the findings from 2019 and continuing to collect data as we track compliance issues that arise to help inform our inspection strategy.

2020 Compliance Inspection Strategy

The strategy for 2020 continues to prioritize projects with perpetual long-term obligations. Acquisition and development projects that have not been inspected in 10 or more years are the highest priority.

In identifying the priorities within a geographic area, we will consider sites deemed to be at highest risk. Risks range from impacts from external pressures for development and

encroachment to development project sites. Development project sites are considered a higher risk due to the lack of a recorded grant notice or encumbrance on the property.⁴

Sites that were acquired with the stated intent of developing the property in the future for public outdoor recreation use are a priority. Board policy allows for a 3 or 5-year⁵ timeframe for initial development to have been completed. Our findings from 2019 found 9% of these types of sites that were inspected remained undeveloped.. LWCF sites remain a priority to comply with NPS requirements.

The priorities for our compliance work in 2020 are as follows.

Priority 1

RCFB

Inspect acquisition and development projects that have not been inspected in 10 or more years focusing on LWCF, WWRP and Bond-funded sites.

Our goal is to complete 600 inspections in 2020. The goal for the Compliance Assistant position is to complete 500 inspections, including at least 20% of LWCF sites.

SRFB

Inspect acquisition project properties. Funding to acquire properties began in 1999. There are over 200 SRFB-funded sites that are due for inspection.

Our goal for salmon grant staff is to complete 100 inspections in 2020.

Priority 2

Focus on completing resolution of identified compliance issues. There are over 220 open compliance issues. The priority is working on compliance issues with sponsors with active grants and those sponsors that are seeking new grant funding.

Our goal is to resolve 25% of the compliance issues, recognizing that resolving compliance issues is dependent upon a sponsor's ability to actively work with RCO staff.

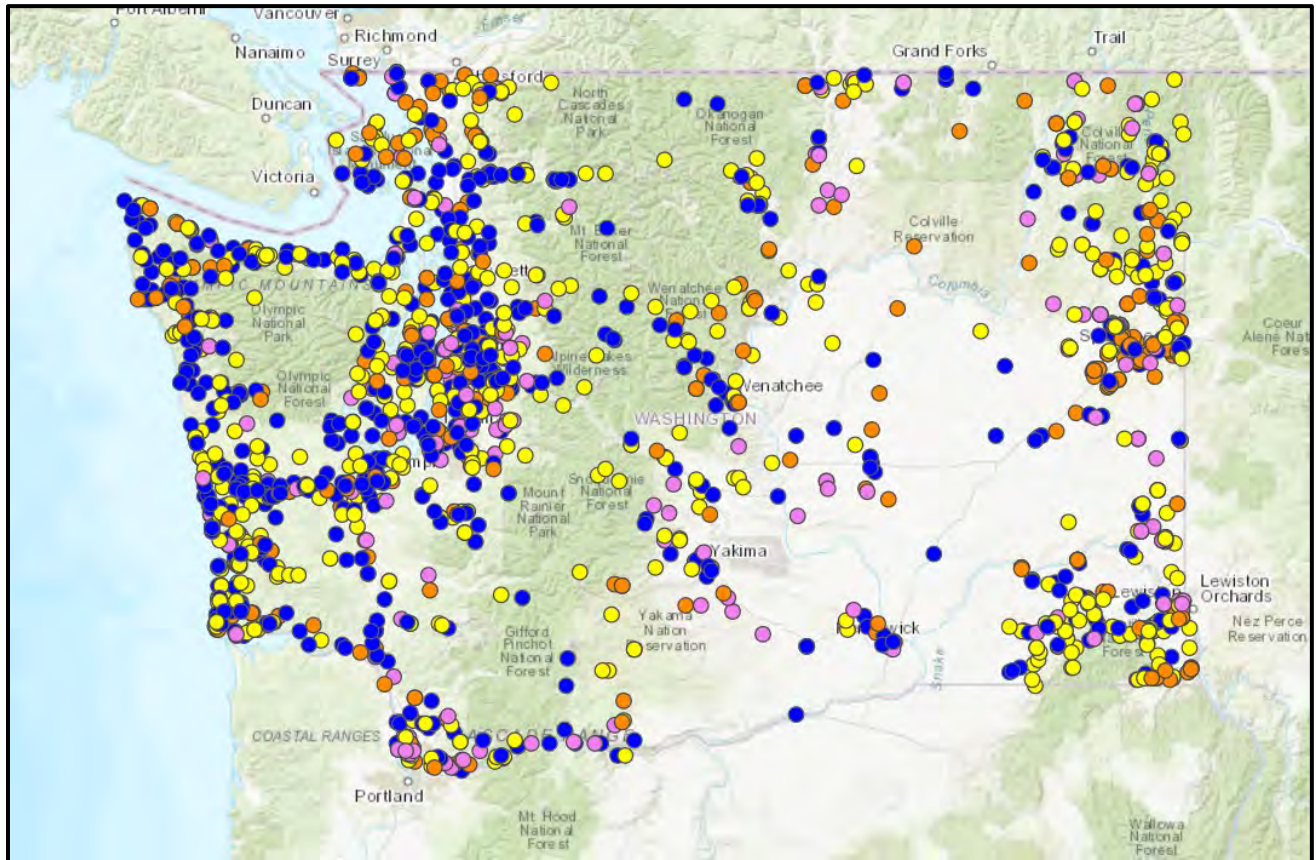
Next Steps

Staff will update the board on our compliance efforts and results at a future board meeting.





⁴ A recorded notice of grant is required by NPS policy for all LWCF sites.

⁵ NPS LWCF policy requires development within 3 years, board policy for state funded projects is for development within 5 years of the time a property is acquired.

Attachment A: Compliance Portfolio Map – All Projects

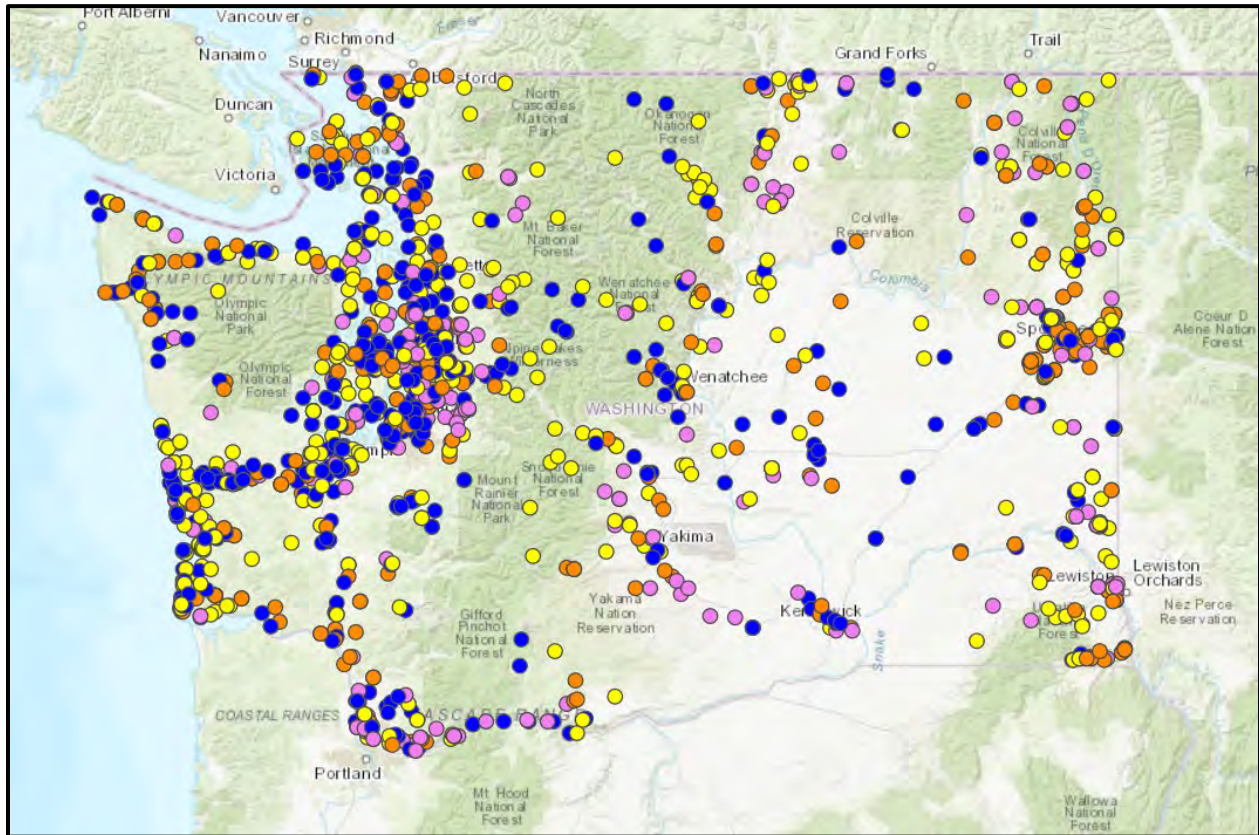


Legend

	Never Inspected
	10+ Years
	5+ Years
	Not Due

Note: Never Inspected indicates the site has not been inspected for compliance. However, the data is incomplete as project file documentation may contain a compliance inspection report.

Attachment B: Compliance Portfolio Map – RCFB Projects

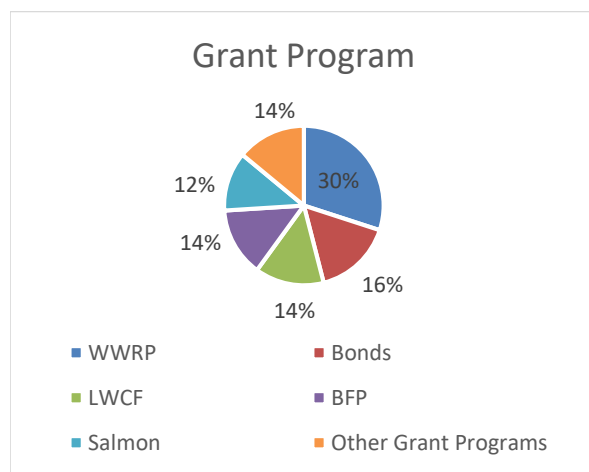
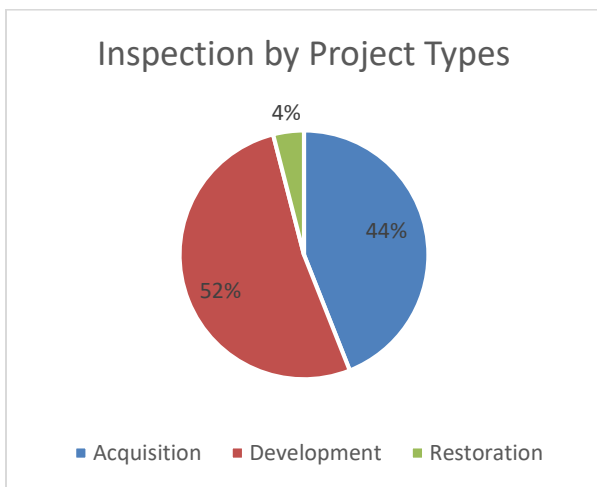
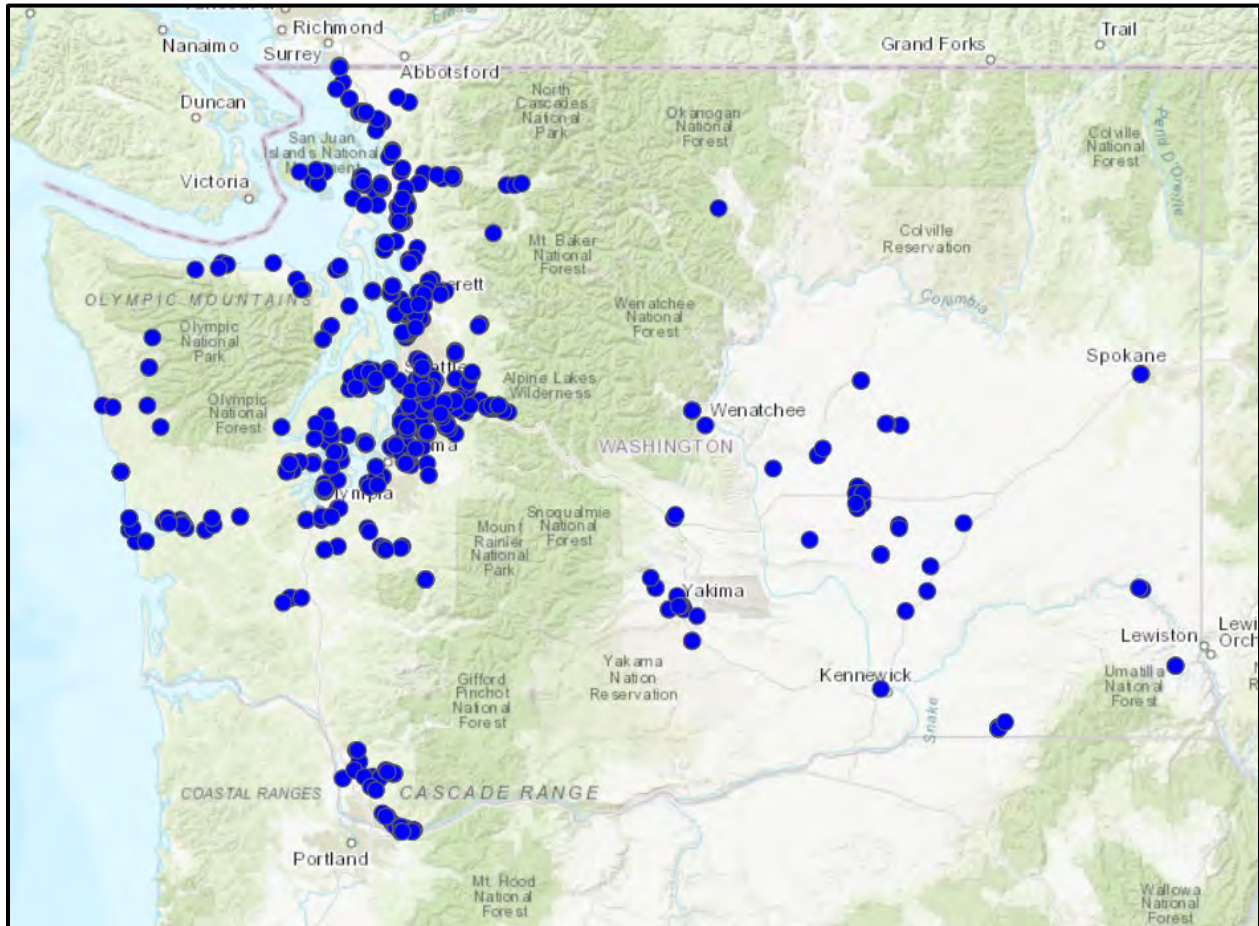


Legend

●	Never Inspected
●	10+ Years
●	5+ Years
●	Not Due

Note: Never Inspected indicates the site has not been inspected for compliance. However, the data is incomplete as project file documentation may contain a compliance inspection report.

Attachment C: 2019 Completed Compliance Inspections



Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Can NOVA-ORV Funds be Used to Address Road Maintenance for Damage Caused by ORVs?

Prepared By: Adam Cole, Natural Resources Policy Specialist

Summary

This memo summarizes RCO's interpretation of statutes that govern the Nonhighway and Off-road Vehicles Activities (NOVA) grant program. In particular, it speaks to the historical interpretation excluding roadway maintenance projects in the NOVA program.

Board Action Requested

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

Summary

At an October meeting of the Recreation and Conservation Funding Board (board), the board toured recreation areas in and around the LT Murray Wildlife Area. In so doing, the board got a first-hand view of the condition of backcountry roads in these areas. Some roads that were managed for highway vehicle travel were in a degraded condition, limiting the utility of the roadways to access backcountry recreation destinations due to ruts, potholes, and extensive erosion. The board asked if grants from the Nonhighway and Off-Road Vehicles Activities grant program (NOVA) could support road maintenance efforts to improve these conditions. At that time, RCO staff explained the agency's long-held practice of considering this type of work ineligible in NOVA due to a lack of statutory authority to allow such projects.

This memo explains RCO's long-held interpretation that work on such roadways is ineligible in NOVA due to the absence of any statutory authority for the board to directly fund this type of work. This interpretation is applied regardless of the type of

uses that occur on these roadways, such as when Off-road vehicles (ORVs) use the roads for recreational purposes.

For a complete list of the definitions for terms in this memo see Attachment A, NOVA Statutory Definitions.

NOVA Grant Program: Statutory Context

State Gas Tax Refunds

Those who purchase fuel subject to Washington state gas tax are generally eligible for a refund of that tax when those fuels are not used on roadways supported by the tax revenue. Public roadways that are not supported by gas tax revenue are called nonhighway roads¹. Since 1971 there has been a prohibition on individual tax refunds to recreationists for fuel consumed while driving on nonhighway roads. Rather, the return of such tax revenues (roughly 1% of all gas taxes collected) is through direct appropriation to state agencies to maintain these non-highway roads and associated recreational sites, such as trails and campgrounds^{2,3,4}.

This refund program is housed in state Motor Vehicle Title 46.09.520. Here is the allocation formula and lists of eligible projects (emphasis added):

“(a) Thirty-six percent must be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent must be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for

¹ RCW 46.09.310(7)“Nonhighway road” means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.

² RCW 46.09.510 Nonhighway and off-road vehicle activities program account. The nonhighway and off-road vehicle activities program account is created in the state treasury. Moneys in this account are subject to legislative appropriation. The recreation and conservation funding board shall administer the account for purposes specified in this chapter and shall hold it separate and apart from all other money, funds, and accounts of the board

³ RCW 46.09.520: Refunds from motor vehicle fund—Distribution—Use. (1) From time to time, but at least once each year, the state treasurer must refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.38 RCW...

⁴ RCW 46.09.500: Motor vehicle fuel excise taxes on fuel for nonhighway vehicles not refundable. Motor vehicle fuel excise taxes paid on fuel used and purchased for providing the motive power for nonhighway vehicles shall not be refundable in accordance with the provisions of *RCW 82.36.280 as it now exists or is hereafter amended.

the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent must be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent must be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs..."

The above subsection (d) is what is known as the board's NOVA grant program.

The NOVA Program

The board's NOVA grant program in section (d) above is spent under the rules and policies built over time by legislation, WACs, and board policy making. Here is a summary of what we now call the NOVA grant program:

The Nonhighway and Off-road Vehicle Activities grant program provides funding to develop and manage recreation opportunities for such activities as cross-country skiing, hiking, horseback riding, mountain bicycling, hunting, fishing, sightseeing, motorcycling, and riding all-terrain and four-wheel drive vehicles.

A portion of the funding also is available for education and enforcement programs that encourage environmentally responsible use of the outdoors and for helping to minimize conflict between visitors through positive management techniques.

Except for off-road vehicle facilities, activities supported by this program must be accessed via a non-highway road, which is a public road that was not built or maintained with gasoline tax funding. Non-highway roads are found most often in state and national forests and national parks.

The Nonhighway and Off-road Vehicle Activities (NOVA) program provides grants to plan, buy, develop, and maintain land and facilities that support a range of trail and back-road related outdoor recreation.

Activities supported by the program range from development of trails and trailheads, to maintenance and operations of intensive use areas such as off-road vehicle sports parks, and providing education to the public about safely using these areas. For a complete list of program rules go to [NOVA Manual #14](#), and [NOVA Manual #13 for Education and Enforcement Projects](#).

Project Eligibility

Nonhighway Road Recreation facilities.

Grants only support nonhighway road recreation facilities adjacent to, or accessed by, a nonhighway road. A nonhighway road means any publicly available road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for original construction, reconstruction, or maintenance (in the past 4 years).

Off-Road Recreation Facilities

Grants also support off-road vehicle projects such as open riding area, trails, and sport parks regardless of the "nonhighway road" criteria (above). Therefore these projects may be anywhere.

NOVA Grant Program: Ineligible Projects

It is common for first time applicants to request NOVA grants to rebuild or maintain nonhighway roadways as there remains a great need for this work throughout the state. Backcountry road conditions and access to backcountry recreation destinations remain a high priority with multiple recreation user groups and land managers. However, based on RCO's historical and current interpretation of the NOVA statutes, the program does not allow any type of nonhighway roadwork. Here is why:

- 1) In the statutory allocation of nonhighway road gas tax refunds to the DNR and WDFW, these agencies may use the funds for any of the following purposes to include nonhighway road maintenance (emphasis added):
 - Funding shall be used "...solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and *maintenance of nonhighway roads*" (RCW 46.09.520 (a)(b))
- 2) The statutory allocation of nonhighway road gas tax refunds via the board administered NOVA program account (as well as WA State Parks) does not contain

the same provision as above. The allocation to these two agencies omits “maintenance of nonhighway roads,” It says that grant shall be made:

- “...for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs...”

Therefore, it has been the long-standing practice of RCO to not allow road maintenance activities on non-highway roads in NOVA grants. This includes cases where ORVs use such roads for recreation.

There are two exceptions to this interpretation which make roadway work eligible in NOVA:

1. When recreational use occurs on a roadway that is closed to vehicle traffic (other than ORV’s). For grant making purposes these routes would then be considered a trail or ORV riding area or both, not a road in the traditional or statutory sense.
2. Construction and maintenance of roadways is allowed for what RCO considers “interior” vehicle access routes. These are roadways within a nonhighway recreation area such as camp loop roads, roads in day use areas, and routes that access parking lots or boat launches (for example). These roads are not considered non-highway roads and therefore cannot otherwise make the recreation site eligible for NOVA grants.

Conclusion and Next Steps

At this time, the RCO does not allow roadway maintenance in the NOVA grant program unless the roadway is an interior access road at a destination recreation site. The question for the board is whether to explore whether a broader interpretation is possible under the NOVA statute or whether to seek legislative changes in 2021 to the NOVA statute to allow greater flexibility so that NOVA-ORV funds can be used to maintain roads used primarily for ORV recreation.

Before making such a decision, RCO staff should reach out to the NOVA advisory committee and other stakeholders.

Attachments

Attachment A – NOVA Statutory Definitions

Attachment A – NOVA Statutory Definitions**RCW 46.09.310****Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory committee" means the nonhighway and off-road vehicle activities advisory committee established in RCW 46.09.340.

(2) "Board" means the recreation and conservation funding board established in RCW 79A.25.110.

(3) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling off-road vehicles at wholesale or retail in this state.

(4) "Direct supervision" means that the supervising adult must be in a position, on another wheeled all-terrain vehicle or specialty off-highway vehicle or motorbike or, if on the ground, within a reasonable distance of the unlicensed operator, to provide close support, assistance, or direction to the unlicensed operator.

(5) "Emergency management" means the carrying out of emergency functions related to responding and recovering from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress.

(6) "Highway," for the purpose of this chapter only, means the entire width between the boundary lines of every roadway publicly maintained by the state department of transportation or any county or city with funding from the motor vehicle fund. A highway is generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles.

(7) "Nonhighway road" means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.

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

(9) "Nonhighway road recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonhighway road recreational purposes, including, but not limited to, hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking/canoeing, and gathering berries, firewood, mushrooms, and other natural products.

(10) "Nonhighway vehicle" means any motorized vehicle including an ORV when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain.

Nonhighway vehicle does not include:

(a) Any vehicle designed primarily for travel on, over, or in the water;

(b) Snowmobiles or any military vehicles; or

(c) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter [82.38](#) RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

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

(12) "Nonmotorized recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonmotorized recreational purposes including, but not limited to, walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, horseback riding, and pack animal activities.

(13) "Organized competitive event" means any competition, advertised in advance through written notice to organized clubs or published in local newspapers, sponsored by recognized clubs, and conducted at a predetermined time and place.

(14) "ORV recreation facilities" include, but are not limited to, ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use areas, designated for ORV use by the managing authority.

(15) "ORV recreational user" means a person whose purpose for consuming fuel on nonhighway roads or off-road is primarily for ORV recreational purposes, including but not limited to riding an all-terrain vehicle, motorcycling, or driving a four-wheel drive vehicle or dune buggy.

(16) "ORV sports park" means a facility designed to accommodate competitive ORV recreational uses including, but not limited to, motocross racing, four-wheel drive competitions, and flat track racing. Use of ORV sports parks can be competitive or noncompetitive in nature.

(17) "ORV trail" means a multiple-use corridor designated by the managing authority and maintained for recreational use by motorized vehicles.

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

(19) "Wheeled all-terrain vehicle" means (a) any motorized nonhighway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a

diameter of thirty inches or less, or (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 27-28, 2018

Title: Phasing Out the Gas Tax: Road Usage Charge Pilot Project Report and Recommendations from the Washington State Transportation Commission

Prepared By: Adam Cole, Natural Resources Policy Specialist

Summary

This memo summarizes RCO's comments submitted to the Washington State Transportation Commission (SWTC) for the recent report on the Road Usage Charge (RUC) Pilot Project. RCO expressed concern that the implementation of a road usage charge in place of a state gas tax would impact, at a minimum, the Nonhighway and Off-Road Vehicle Activities (NOVA) grant program and the Boating Facilities Program (BFP). Following the public comment period, the commission updated the report recommendations to preserve "nonhighway activities" funding in any transition to a road usage charge, which is estimated to take 10-25 years.

Board Action Requested

This item will be a:

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

Background

For the past ten years the Washington State Transportation Commission (SWTC) has been working to explore a transportation funding alternative to the state gas tax. Revenue generated from the gas tax has not kept pace with population growth or the increasing costs to build and maintain roads. Additionally, the increasing fuel efficiency of vehicles, growing participation in public transportation, and growth in electric vehicles is driving down gas tax revenue. Therefore, the road usage charge (RUC) is being studied as an alternative to the state's gas tax. For more information see the WSTC's [Project Fact Sheet](#)

The Recreation and Conservation Funding Board manages two programs that are funded exclusively from the state gas tax: the Nonhighway and Off-Road Vehicle Activities grant program (NOVA) and Boating Facilities Program (BFP). If a RUC is established, it could potentially defund these programs.

RCO's Review and Comments on the RUC Pilot and Recommendations

The SWTC made available the [final RUC Pilot Program Report](#) and [recommendation](#) for public comment on November 1st 2019 and took in-person comments at its December 17th 2019 public meeting. A final report with recommendations will be delivered to the Governor, Legislature, and U.S. Department of Transportation in 2020 (Figure 1).

RCO, Department of Natural Resources (DNR), State Parks and Recreation Commission (State Parks), Department of Fish and Wildlife (WDFW), and other stakeholders, including the Recreational Boating Association of Washington, provided comments to the WSTC asking to continue funding for non-highway road recreationists, snowmobilers, off-road vehicles users, and boaters in any replacement of the state gas tax.

RCO's comment letter submitted to the WSTC is found as Attachment A. Here is a summary of RCO's comments:

1. The report should consistently use statutorily defined terms (in Motor Vehicle Title 46) to promote better understanding of the scope of the report, and types of vehicles and driving activities subject to, or excluded from, the RUC.
2. Consider changing the name of the project to "Vehicle Use Charge". As a replacement for the gas tax, the RUC should align with the current suite of payees and beneficiaries of the gas tax. This is important because without a wider consideration of the benefits a RUC may have (for funding nonhighway road maintenance, for example), it provides a narrow application of the RUC without any rationale.
3. The RUC should study different road usage rates based on vehicle type and roadway type. Not all types of roadways cost the same to build and maintain and different types of vehicles have different impacts depending on the road surface and other factors. These issues are especially important to nonhighway road managers. The study would do a great service to consider future RUC rates in this way.
4. Use the best technology available to gather RUC information. A plug in device with GPS installed in every vehicle and boat would create a far more equitable payee-beneficiary system. With the ability to automatically identify where a

vehicle is used and for what purpose and duration or mileage, a tax/charge could be allocated with great detail to the land manager responsible for the infrastructure impacted by the use. This would be of great utility to the nonhighway road management agencies who currently get an estimated rate of tax revenue, likely less than the actual rate, without consideration of the types of roadway surface they manage, or the types of vehicles that use those roads and related facilities.

5. Include Recreational Boating in any Future RUC. The state's navigable waterways are an important part of the state transportation system and one where gas tax collection and revenue expenditures have been applied for decades. Similar to number 4 above, detailed GPS tracking could show where boaters spend their time and RUC revenues could be targeted to those managers of waterways and shoreline infrastructure.
6. Expand the RUC Steering Committee membership to Include representatives from the recreating public and land managers who maintain the state's system of nonhighway roads.
7. Broaden the report to include a description of all the agencies responsible for gas tax revenues. Currently the report identifies only the department of licensing and WSDOT as agencies with a role in revenue generation and expenditure. At a minimum, the DNR, WDFW, RCO, and State Parks should be discussed in the report as agencies managing gas tax revenues for the maintenance of non-highway roads, ORV riding areas, and related recreation sites.
8. RCO supports the recommendation that any RUC be carried forward as an "as is" approach to replacing the current gas tax. Revenues should continue to be spent according to [Amendment 18 to the State Constitution](#) which would include all "statutory refund programs" as a "highway purpose." This would preserve NOVA, BFP, and snowmobile programs, putting them on par with other roadway programs.

During the December 17th meeting of the WSTC, RCO and DNR, along with the Recreational Boating Association of Washington and ORV and snowmobile organizations, provided testimony. By the end of the meeting the WSTC drafted and approved an additional recommendation as follows:

"Current programs that receive gas tax refunds attributable to non-highway activities should continue receiving their same share of funding during the transitional period to RUC (expected to be at least 10 to 25 years), since the state gas tax will remain in place during this transition."

Next Steps

The amended RUC Pilot Program Report and Recommendations are scheduled to be delivered to the Governor and Legislature January 13, 2020. RCO will continue to monitor this effort. Staff will follow any proposed legislation and evaluate any new tax and spending system through the lens of the current refund programs managed by the board and of interest to the recreating public.

Attachment

Attachment A – RCO’s Letter to the Commission

Attachment B – Transportation Commission's Response Letter



STATE OF WASHINGTON
RECREATION AND CONSERVATION OFFICE

Attachment A

November 15, 2019

Reema Griffith, Executive Director
Washington State Transportation Commission
2404 Chandler Ct. SW
Suite 270, 2nd Floor
Chandler Plaza Bldg.
Olympia, WA 98502-6052

RE: Road Use Charge (RUC) Pilot Project Findings and Preliminary Recommendations

Dear Director Griffith:

The Washington State Recreation and Conservation Office (RCO) supports the Washington State Transportation Commission's (Commission) efforts towards identifying sustainable funding solutions to support the State's transportation system. A fully funded, well build, and maintained transportation system is important to keep Washington moving, make it a great place to live and work, improve our public health, and [support and expand a robust recreation and tourism economy](#)¹.

RCO's statutory mission is to be a repository of recreational information, planning, coordination, and grant administration through our several funding boards. Through the Recreation and Conservation Funding Board (RCFB) RCO manages grants to acquire, develop, renovate, maintain and operate recreation and conservation lands state-wide. These grants include significant investments in transportation infrastructure primarily on nonhighway roads and other infrastructure that facilitates the use of all types of motor vehicles and recreational boats (vessels). Overall, the RCFB awards nearly \$250 million in grants for these purposes each biennium. In addition, the RCO administers approximately \$200 million each biennium of grants aimed at restoring salmon populations, including development and redevelopment of roadways, upgrading culverts and bridges, and related restoration and conservation efforts within public rights-of-way.

So, why is the RCO commenting on the RUC study? The RCO was established in 1964 through a public initiative to provide motor vehicle gas tax refunds to recreational boaters through grants under the Boating Facilities Program (BFP). The RCO role in distributing gas tax refunds was expanded in 1971 when a motor vehicle fuel tax refund was established to benefit users of non-highway roads and associated facilities where the fuel was consumed. This program is known as the Nonhighway and Off-road Vehicle Activities program (NOVA). To this day, nonhighway road users cannot apply for a refund for their motor vehicle fuel tax, as boaters are able, and instead benefit by investments made through the NOVA program. On the next page is a summary of the state's motor vehicle fuel refund account

¹ [Economic Analysis of Outdoor Recreation in Washington State, Earth Economics, Jan 2015](#)

spending over the last five biennia to the benefits of motor vehicle users, off-road vehicle users, and recreational boaters.

We have been following the RUC study and have met with staff throughout the process. We were assured that the process would not address the allocation of funding. However, our review of the study recommendations shows that moving to a RUC will have a profound impact on revenues deposited into accounts managed for outdoor recreation and in the end will substantially reduce and eventually eliminate all funding currently available from fuel taxes for outdoor recreation facilities and activities.

Gas Tax Refund Source	Manager	Previous 3 Biennial (Millions)	Means of Refund	Purpose
Boating Facilities Program	Recreation and Conservation Office	\$75.2	Grants to state and local governments.	Acquisition, development, and renovation of public boating infrastructure. Examples: moorage, boat launches, support facilities
Nonhighway Off-Road Vehicle Activities (Account) ("NOVA")	Recreation and Conservation Office	\$42.2	Grants to state, local, and federal government agencies and non-profit organizations	Planning, acquisition, development, renovation, maintenance and operation, and education and enforcement on non-highway roads and associated facilities. Examples: trails, campgrounds, trailheads, ORV facilities, law enforcement, user education.
	Washington State Department of Natural Resources (DNR)	\$26	Direct appropriation to DNR	Development and maintenance of non-highway roads and associated facilities
	Washington Department of Fish and Wildlife (WDFW)	\$2.5	Direct appropriation to WDFW)	Development and maintenance of non-highway roads and associated facilities

	Washington State Parks and Recreation Commission	\$1.4	Direct appropriation State Parks	Development and maintenance of non-highway roads and associated facilities
Snowmobile Account	Washington State Parks and Recreation Commission	\$9.2	Direct appropriation State Parks	Snow plowing, grooming, education, and associated activities for snowmobile recreation.

A recent economic study on outdoor recreation in the state shows that recreationists spend approximately \$2.7 billion dollars annually on state and federal recreation lands, and nearly all of these visitors access recreational areas on nonhighway roads². For the part of the NOVA account that RCO manages in the form of grants to other agencies, it provides critical funding to federal, state, and local agencies to provide recreation for users of nonhighway roads. As the largest property owner in Washington State, the US Forest Service (USFS) relies heavily on RCO NOVA grants to maintain nearly all of their most popular recreation sites and trails in the state. If NOVA funds were no longer available to the USFS, it would need radical reform to continue to serve our residents and tourists.

The millions of other dollars that support nonhighway road maintenance in the state is hardly enough to satisfy the need to keep these popular facilities open on federal, state, and local lands. RCO just completed a report to the legislature that identified a need for more funding for nonhighway road maintenance in order to keep valuable resources open to the recreating and nature seeking public³.

Towards the development and maintenance of an efficient and sustainable state transportation system, including the vast network of nonhighway roads, off-road areas, and our navigable and marine waters, the RCO submits the following public comments on the Steering Committee Report for the WA RUC Pilot Project, Findings, and Preliminary Recommendations:

A. Steering Committee Report for the RUC Pilot Project

1. Use Statutory Definitions to promote better understanding of the report's findings and recommendations. RCO recommends the RUC report and future efforts align with, at a minimum, statutorily defined terms and include these as an appendix in the report. These should include the terms contained in the Motor Vehicle Title RCW 46, and Public Lands RCW 79A. RCO provides this recommendation because of the inconsistent and imprecise nature of some of the terms and concepts in the report. Although state statutes RCW 46.01 through 46.09 and RCW 46.200 through 46.580 define a variety of roadways, vehicles, driving activities, and refund programs, the report does not use them in a consistent or comprehensive way. Without

² [Economic Analysis of Outdoor Recreation in Washington State, Earth Economics, Jan 2015, P45](#)

³ [Recreational Assets of Statewide Significance in Washington State, Washington State Recreation and Conservation Office; Sept 30, 2019](#)

a clear reference point based in statute, the report is hard to understand and compare to the current system of revenue generation and tax spending. For example:

- a. Vehicles. Although the RUC introduces its pilot study in the context of “Light Duty” vehicles (p. 6-7) and includes several different types, the only reference to the term “Non-highway & Offroad Vehicles” (p. 6) appears as a label under a picture of a farm tractor to show the current refund program for such vehicles. In reality, the term “Nonhighway and Offroad Vehicles” is used in statutes to describe the use of any vehicle operating on nonhighway roads and off-road. Therefore, nonhighway and off-road vehicles includes all “Light Duty Vehicle Types” as well as motorcycles, all-terrain vehicles, wheeled all-terrain vehicles, four-wheel drive vehicles, and dune buggies, all of which may also drive on a highway road if they meet statutory requirements and are registered for that purpose.
 - b. Transportation System. The report describes the operating environment of any RUC as applying to “the system” (p. 2), “public road system” (p. 4), and “transportation system” (p. 16) without definition. Similarly, it uses a variety of terms to describe different types of driving environments such as “roadways” (p. 129), “private roadways” (p. 167), “public roads” (p. 5), “off-road” (p. 5), and “natural recreation areas” (p. 138) without definition. The report also identifies “recreational vehicles” (p. 9), driving for “off-road recreation purposes” (p. 5), and “vehicles operated exclusively in a natural recreation area” (p. 138) as activities that presumably occur outside of the context of a future RUC but without providing any examples of this type of driving or a rationale. The cumulative use of these terms creates confusion about the details, findings, and recommendations of the Report.
2. Consider Changing the Name from RUC to “Vehicle Use Charge.” As a replacement for the motor vehicle gas tax, the RUC should align with the historical application of the motor vehicle fuel tax, which is paid by a vehicle user at the point of sale (with limited exceptions). Historically and now, the payer and beneficiary of the tax are those who operate vehicles and vessels to include any light or heavy duty vehicle, motorcycle, all-terrain vehicle, four-wheel drive vehicle, dune buggy, wheeled all-terrain vehicle, snow bike, snowmobile, and any motorized boat or personal water craft, *regardless of where they operated them* (with very few exceptions such as farm and military vehicles). Without a rationale of why the tax system would change in this way, the reader is left to infer that the name of the project drove this change in our tax code. Therefore, a more appropriate name for this project is “Vehicle Use Charge” which more accurately captures the intent of the RUC, to replicate the current tax system. Furthermore, the report does not mention a usage charge for bicyclist or pedestrians that also use roadways for transportation. This is another reason why it should be called a Vehicle Use Charge. Lastly, the report contains a discussion for the possibility of different rates for different vehicles, but not different rates for different types of roadways (which should likely be the case, see below). Therefore, it appears a better title for the project should focus on vehicles rather than roadways.

B. RUC Preliminary Recommendation R2: Recommend that additional research be conducted (alone or in collaboration with other states) on differential RUC rates based on driver, vehicle, or infrastructure characteristics.

1. The Commission should establish a process to establish a different use rate for vehicle operators depending on the type of vehicle use and surface condition (geography, type of roadway). Not all vehicles have the same impacts to the same type of roadways, and different types of roadways may require a greater amount of maintenance than others. It may be the case that gravel surfaced nonhighway roadways or off-road areas (for example) have higher maintenance costs than state highways. The cost to operate a vehicle should be commensurate with its impact on the surface, infrastructure, or landscape where it operates.
2. RCO recommends the Commission establish a RUC with the best technological means to capture the jurisdiction where driving occurs, and by the type of vehicle used. The report suggests a preferred means to collect vehicle use (not road use) be a Plug In Device with GPS. In this way, actual nonhighway road and off-road vehicle use (for example) can be captured in real time which will best inform where the revenue collected should be spend (Equity). Thus, it makes no sense to exclude nonhighway use from the RUC recommendations.

C. RUC Preliminary Recommendation R4: Recommend additional time and appropriate testing grounds (i.e., limited number of vehicles) to improve RUC before pursuing any wider statewide implementation.

1. Discuss in Detail What Constitutes a State Transportation System. The Commission should explicitly describe the types of roadways, jurisdictions, and geographies that make up the state's transportation system as a basis for the collection of vehicle use data, revenues, and expenditures. RCO believes the application of the RUC has great utility to record use of, and identify an expenditure for, the state's vast network of non-highway roads, trails, off-road riding areas, and its navigable waterbodies and marine waters. If a Plug-In-Device were used in any vehicle (or vessel), it appears that it is possible to identify vehicle (and vessel) use anywhere within the State's transportation system regardless of operating surface or jurisdiction. Therefore, RCO recommends the Commission recast the pilot program, and its finding and recommendations of the RUC report, to include a discussion of the importance and utility of the state's functional transportation system, which includes a vast inventory of nonhighway roads and off-road riding areas with a discussion of how a user-pay, user-benefit (equity) could then be achieved.
2. RCO recommends the Commission diversify its project oversight through additional appointments to the Steering Committee, and creating a Nonhighway and Off-road Vehicle and Recreation Technical Advisory Committee. RCO recommends adding a citizen-at-large upland recreationist, a recreational boater, and a representative from a state recreation land managing agency to the Steering Committee. These appointments will provide perspective at the project level and will assist with decision-making in regards to nonhighway road and recreation stakeholders, and the agencies that provide these public services. Similarly, to add deeper

understanding and perspective on the RUC project, and to provide feedback on technical issues, the Steering Committee should appoint a Nonhighway Road and Recreation Technical Advisory Committee made up of a variety of user and advocacy groups, and representatives from local, state, and federal governments who manage the state's inventory of nonhighway roads and recreation facilities (including boating). Likewise, this will increase a general awareness of the RUC and promote public input.

D. RUC Preliminary Recommendation R13: Recommend that during a transitional period while the gas tax remains in place, the same policy-setting and oversight roles between the Legislature, WSTC, and other agencies and private sector should be retained.

1. Broaden the Report and Recommendation to include descriptions of all agencies that currently administer the gas tax in any form at the state level, to include managing refund programs or direct appropriations from the motor vehicle fuel account and related accounts. Including agencies such as the RCO, Department of Natural Resources, Department of Fish and Wildlife, and the State Parks and Recreation Commission, who administer portions of the motor vehicle fuel tax, in the Report and Recommendations will better show the diversity of agencies and stakeholders affected by the transition to a RUC.

E. RUC Preliminary Recommendation R15: Expenditures of RUC revenue should be made subject to Amendment 18 (restricted to highway purposes)

1. RCO Recommends carrying forward all of the current nonhighway road and recreationally based motor vehicle fuel refund programs "as is" in any implementation of a RUC. However, over time, as the motor vehicle fuel tax is phased out, and the RUC applies more completely to nonhighway and off-road vehicle, and vessel use, these two revenue resources (fuel and RUC) should be harmonized to represent a proper expenditure depending on infrastructure use, need, and other factors.
2. Any statutory or constitutional changes needed or desired to implement a RUC should include those changes that promote collecting revenues for vehicles operating on non-highway and off-road and the state's waterways. These revenues should be returned to the jurisdiction and user where the driving/operating occurs either directly or by another means such as a grant program.

Thank you for considering our comments. If you have any questions, please contact RCO's policy specialist, Adam Cole, at adam.cole@rco.wa.gov or at (360) 725-3939.

Sincerely,



Kaleen Cottingham
Director

Cc: Adam Cole, RCO policy specialist
Jon Snyder, Governor's Outdoor Recreation Policy Advisor
Leslie Connelly, OFM Natural Resources Budget Analyst



State of Washington
TRANSPORTATION COMMISSION

PO Box 47308, Olympia WA 98504-7308 • 2404 Chandler Ct SW Suite 270, Olympia WA 98502
(360) 705-7070 • Fax (360) 705-6802 • transc@wstc.wa.gov • <http://www.wstc.wa.gov>

January 7, 2020

Dear Director Cottingham,

On behalf of the Washington State Transportation Commission, I would like to thank you for your letter dated November 15, 2019 offering input to the Commission on its preliminary recommendations for advancing road usage charging in Washington State.

After reviewing and discussing the input received from your agency and others, the WSTC voted to add a recommendation to the Legislature as follows:

Current programs that receive gas tax refunds attributable to non-highway activities should continue receiving their same share of funding during the transitional period to RUC (expected to be at least 10 to 25 years), since the state gas tax will remain in place during this transition.

This added recommendation is consistent with other WSTC recommendations to the Legislature, including making a gradual and slow transition toward RUC beginning with alternative fuel vehicles, and leaving the gas tax in place until all fuel tax bonds are paid off.

The WSTC is aware of the importance of gas tax funding for non-highway purposes. In fact the RUC Steering Committee who advised the WSTC on RUC, heard a presentation from our project team at its November 2018 meeting on how gas tax funds are currently distributed. It was made clear that these programs are funded through statutory carve-outs based on assumptions about the amount of non-highway uses of taxed gasoline that are either not claimed or cannot be claimed as refunds.

Through the course of our seven years of research on RUC, one of several options put forward for addressing existing non-highway programs funded by gas tax revenue under an eventual transition to a RUC system, would be to collect RUC on miles driven off-road or on other non-highway facilities, and allocate revenues from those miles to the appropriate off-road programs. But in order to do this accurately, the state would need to know the location of one's driving and thus require the use of GPS-based technology.

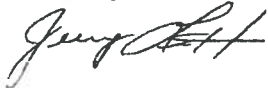
Realizing this approach to mileage collection won't be acceptable by all individuals, the WSTC will recommend to the Legislature that drivers should be offered choices for how they report their miles driven, including GPS-based approaches, rather than requiring a single approach.

Director Cottingham
January 7, 2020
Page 2

Attachment B

We appreciate your input and have fully considered your comments in finalizing our recommendations to the Legislature. Our final report will be released in January 2020 and we would encourage you to review it.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Litt", written in a cursive style.

Jerry Litt, Chair
Washington State Transportation Commission

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: January 28-29, 2020

Title: Briefing: Kitsap Rifle and Revolver Club

Prepared By: Scott Robinson and Kim Sellers

Summary

Staff will brief the board on the status of the Kitsap Rifle and Revolver Club (club) project and their efforts to obtain permits necessary to re-open the facility to full public use.

Board Action Requested

This item will be a:

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

Background

The board awarded grant funding to the Kitsap Rifle and Revolver Club (club) on November 21, 2003, to renovate an existing 200-yard rifle line to improve sound attenuation and safety. The club completed those improvements in early 2009, apparently without obtaining the permits Kitsap County (county) required for, among other things, building, grading, excavation, storm water, and wetlands fill. Section 9 of the General Provisions of the FARR Project Agreement (agreement) (RCO #03-1156D) requires the club to comply with all local laws. The club obtained its final reimbursement from RCO on February 10, 2009.

For substantial periods of time from 2012 to the present, the club had been shut down to shooting firearms due to several injunctions that the county obtained on grounds of public nuisance and the failure to obtain required permits. The grant agreement requires the club to operate a shooting range for ten years from the final reimbursement, which would have been February 10, 2019. Failure to meet these obligations was viewed as a conversion.

In January 2018, staff brought this conversion to the board for consideration. The board elected to allow the club more time to work through their permitting issues with the

county. The board adopted Resolution 2018-05, as amended (Attachment A). This resolution and the subsequently signed amendment to the Club's agreement (Attachment B) stated, in part, that if the club fails to reopen to the public for the purposes of shooting firearms¹ for at least 60 consecutive days prior to January 1, 2021, the Director may declare a conversion requiring the club to repay the entire grant award of \$46,965.16. Additionally, the club must submit bi-monthly progress reports starting in May of 2018 and show diligent pursuit and good faith progress in obtaining any permits required to resume public shooting of firearms. If the club fails to do so, the board may declare a conversion.

The club, for the most part, has submitted their bi-monthly progress reports (Attachment C - Latest Report). Recently, an attorney for the club submitted a letter to RCO attempting to revisit the club's obligations (Attachment D). The RCO Deputy Director has responded to the recent letter (Attachment E). Additional correspondence from and to the club following memo publication date will be provided in the board folders at the January 28, 2020 board meeting.

Update

Staff will provide the board an update of this issue and outline next steps at the January 28-29, 2020 meeting in Olympia, WA

List of Attachments

- A. Resolution 2018-05 adopted by the board on January 31, 2018
- B. Amendment number seven to project agreement #03-1156
- C. Bi-monthly progress reports submitted by the club
- D. Letter from club's attorney dated November 12, 2019
- E. Letter from RCO to club's attorney dated November 25, 2019

¹ The term "firearm" means any weapon or device from which a project or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include air guns of any type. The terms "shooting" or "shoot" as referenced by RCO is meant to describe the shooting of a firearm.

Attachment A – Resolution 2018-05

**Recreation and Conservation Funding Board
Resolution 2018-05 as amended
Kitsap Rifle and Revolver Club- Declaration of Conversion**

WHEREAS, the Recreation and Conservation Funding Board ("Board") provided grant funding through the Firearms and Archery Range Recreation program for grant #03-1156, Rifle Line Re-orientation Sou Cover sponsored by Kitsap Rifle and Revolver Club ("Club"); and

WHEREAS, the Firearms and Archery Range Recreation program requires grant funded facilities be open and available to the public for a period of 10 years following final reimbursement, or in the case of grant #03-1156 until February 10, 2019; and

WHEREAS, it has come to the Board's attention that in the case of grant #03-1156 the sponsor, the Club, has failed to keep this facility open and available for firearms shooting as required under the project agreement and applicable rules; and

WHEREAS, Kitsap Rifle and Revolver Club have been largely unresponsive to the efforts of staff at the Recreation and Conservation Office (RCO) to work together to come to cure these closures. However, the Board is desirous of affording the Club a last opportunity prior to a conversion to reach an acceptable Amendment to the project agreement with the RCO to address the facility closure and to fully and faithfully carry out that Amendment;

NOW, THEREFORE BE IT RESOLVED,

The Board hereby finds and orders, that effective March 1, 2018, the Kitsap Rifle and Revolver Club shall be declared to have converted the grant funds paid for grant #03-1156 and per RCW 79A.25.210 and WAC 286-30-040, and that the Club shall fully reimburse the Firearms and Archery Range Recreation program the amount of \$46,965.16 in grant funding; provided this declaration shall not take effect if prior to the effective date, this Kitsap Rifle and Revolver Club enters an amendment to the project agreement acceptable to the RCO, which provides at a minimum for the following:

(1) extension of the existing 10 year period to cover days when the range has been or is closed to public firearms shooting based upon criteria for determining days closed that are acceptable to the RCO Director. Such extension shall require full cooperation and disclosure by the Club of the number of days of such closure that have already occurred and/or may occur in the future;

(2) the Club must commit (i) to make bi-monthly detailed reports to the RCO showing diligent pursuit and good faith progress toward obtaining any permits required to resume public shooting of firearms at the Club improvements funded by the grant, and (ii) to provide the RCO timely and complete responses to its information requests;

(3) establishment of a date certain by which the funded range improvements must be open to the public for firearms shooting, and provision for declaration of conversion by the Director if in the judgment of the Director, the Club has failed to meet this deadline; and

(4) provision for declaration of conversion prior to the date certain if the Board determines, in its sole judgment, that the Club has failed to comply with the conditions above or to show diligent pursuit and good faith progress in obtaining any permits required to resume public shooting of firearms at the range improvements funded by the grant.

BE IT FURTHER RESOLVED, the Director is authorized to seek to negotiate such an amendment with the Club and to enter any such amendment as it determines to be acceptable and appropriate consistent with the above conditions.

Resolution moved by: Michael Shiosaki_____

Resolution seconded by: Mike Deller_____

Adopted/*Defeated/Deferred (underline one)*

Date: January 31st, 2018_____

Attachment B – Amendment number seven to project agreement #03-1156



Amendment to Project Agreement

Attachment A – Special Conditions Change (Amendment 7)

This Attachment sets forth the terms and conditions of Amendment 7 to Agreement #03-1156 that is entered between the Kitsap Rifle and Revolver Club ("Club" or "Project Sponsor") and the Recreation and Conservation Office (RCO), collectively the "parties."

WHEREAS, the Club was provided grant funding through the Firearms and Archery Range Recreation (FARR) program under Project #03-1156, for the purposes of constructing improvements for the shooting of firearms; and

WHEREAS, the Project Agreement for #03-1156 and the FARR statute, regulations, and program manual require the sponsor of grant funded facilities for the shooting of firearms to keep the facilities open and available to the public for that purpose for a period of 10 years following final reimbursement; and

WHEREAS, the final reimbursement for Project #03-1156 occurred on February 10, 2009; and accordingly, the Club was required to keep the facilities at which the improvements occurred open for shooting of firearms until February 10, 2019; and

WHEREAS, due to court injunctions against the Club relating to its failure to obtain various permits, the facilities at which the improvements occurred have been closed to the shooting of firearms from 2012 forward for extensive periods of times and such facilities are currently closed for that purpose; and

WHEREAS, on January 31, 2018, the Recreation and Conservation Funding Board (Board) passed Resolution 2018-05 as amended which declared that a conversion of Project #03-1156 shall be deemed to have occurred as of March 1, 2018, requiring full repayment of the grant amount of \$46,965.16, unless prior to that date the Club and the RCO enter an amendment to the Project Agreement that complies with following four conditions:

(1) extension of the existing 10 year period to cover days when the range has been or is closed to public firearms shooting based upon criteria for determining days closed that are acceptable to the RCO Director. Such extension shall require full cooperation and disclosure by the Club of the number of days of such closure that have already occurred and/or may occur in the future;

(2) the Club must commit (i) to make bi-monthly detailed reports to the RCO showing diligent pursuit and good faith progress toward obtaining any permits required to resume public shooting of firearms at the Club improvements funded by

Club rights ed

dated for review

the grant, and (ii) to provide the RCO timely and complete responses to its information requests;

(3) establishment of a date certain by which the funded range improvements must be open to the public for firearms shooting, and provision for declaration of conversion by the Director if, in the judgment of the Director, the Club has failed to meet this deadline; and

(4) provision for the declaration of conversion prior to the date certain if the Board determines, in its sole judgment, that the Club has failed to comply with the conditions above or to show diligent pursuit and good faith progress in obtaining any permits required to resume public shooting of firearms at the range improvements funded by the grant.

WHEREAS, the parties are desirous of entering such an amendment, and

THEREFORE, AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

(1) Extension of the 10 year period.

- a. The 10 year period during which the facilities improved must be open to public firearms shooting is extended to include the following:
 1. All days prior to the effective date of this Amendment that Club has been closed to firearms shooting at the facilities improved after February 9, 2009, which the parties agree is 841 days.
 2. All days after the effective date of this agreement that the Club is closed to firearms shooting at the facilities improved, subject to the provisions below.
- b. The term "firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include air guns of any type. The terms "shooting" or "shoot" as used herein shall mean the shooting of a firearm.
- c. A day on which the facilities improved are not subject to any injunction or legal requirement prohibiting firearms shooting and on which the facilities are in fact open to the public during normal hours for that purpose shall count as day in which the facilities are open for shooting firearms. Otherwise the day shall count as a closed day.
- d. The Club shall provide RCO full and accurate information in the reports required below of all days on which the improved facilities were open or closed to the public for shooting of firearms.

Attachment A
Page 2 of 3

(2) Reporting.

- a. The Club shall, starting 30 days after the effective date of this Amendment and thereafter every other month from that date, submit a report by attaching it to project number 03-1156 in RCO's PRISM database, or such other address as RCO may designate, which contains the following:
 1. A detailed statement of the efforts and actions that the Club has made in the prior 60 days to obtain (i) any permits required to resume public shooting of firearms at the facilities and/or (ii) any funding needed for that purpose.
 2. A detailed statement of the efforts and actions that the Club has made to satisfy or lift the injunctions preventing the Club from resuming shooting of firearms in the prior 60 days.
 3. An accounting of all days since the effective date of the Amendment in which the Club has been closed or open to shooting of firearms.
- b. The Club shall provide responses to information requests of the RCO related to the above (which may include backup documentation), no later than 10 days after the Club receives the request, unless the RCO grants an extension. RCO requests may be sent by email to the Club at info@gunsafety.org or such other email as the Club may designate in writing.

(3) Date certain by which the Club must be open to shooting of firearms.

Notwithstanding the extension of the 10 year period provided above, if the Club is not open to the shooting of firearms for at least 60 consecutive days, by January 1, 2021, the Director of the RCO may declare a conversion has occurred and require that the Club repay the entire grant amount of \$46,965.16, as of the date of such declaration.

(4) Reservation of the right of the Board to declare a conversion.

If the Board determines, in its sole judgment, that the Club has failed to comply with the conditions above or to show diligent pursuit and good faith progress in obtaining any permits required to resume public shooting of firearms at the facilities improved, it may declare a conversion requiring the Club to repay the entire grant amount of \$46,965.16, as of the date of such declaration.

**Kitsap Rifle and Revolver Club
Bi-Monthly Report to the
Recreation and Conservation Office**

Reporting Period: _____ To _____

Submitted by: _____

Number of days during this reporting period the Club was subject to an injunction or legal requirement prohibiting firearms shooting: _____

Number of days during this reporting period the Club was NOT subject to an injunction or legal requirement prohibiting firearms shooting: _____

Site Development Activity Permit (SDAP)

1. Do you have a current application submitted for a SDAP?		YES	NO
If no, please move to question 2.			
Date of most recent application _____		If this is new, please attach a copy to PRISM	
Status _____			
What correspondence has the county sent the Club regarding this recent application?			
What correspondence has the Club sent the county regarding this recent application?		Please attach a copy to PRISM.	
2. If you do not have a current application submitted, do you plan to submit another SDAP application?			
YES		NO	
If yes, when do you anticipate submitting an application?		If no, what is keeping you from doing so?	

Operating Permit

3. Do you have a current application submitted for an Operating Permit?		YES	NO
If no, please move to question 4.			
Date of most recent application _____		If this is new, please attach a copy to PRISM.	
Status _____			

What correspondence has the county sent the Club regarding this recent application?		Please attach a copy to PRISM.
What correspondence has the Club sent to the county regarding this recent application?		Please attach a copy to PRISM
4. If you do not currently have an application submitted, do you plan to submit another Operating Permit application?		
YES		NO
If yes, when do you anticipate submitting an application?	If no, what is keeping you from doing so?	

Legal Action

5. Has the Club appeared in court since you submitted your last report? YES		NO
Nature of the appearance : _____		Please attach a copy to PRISM.
What rulings, opinions, report or other has the court made since your last report?		
What is the status of your most recent legal action with the county?		
6. Do you anticipate that you will appear in court before the next reporting date? If yes, when?		
Do you plan to file a motion with the court before the next reporting date? If yes, what and when?		
Are there any other court actions pending? Please explain:		

Further Information Requested by County or Court

What further plans, reports, information, applications, etc. has the county or court requested? What is the status of each and how do you plan to address that request?

Date Requested (if known)	What is requested?	What is the Club's plan to address this request?

<p>Please describe in full any other work planned for the next reporting period toward reopening your facility for shooting.</p>

By signing below, I certify that to the best of my ability that I have provided full and accurate information above. I also certify that I have followed the spirit and intent of Agreement #03-1156D Amendment 7 and its Attachment A.

BY: _____

TITLE: _____

DATE: _____

Please attach this completed form to project number 03-1156 in the PRISM database.

Attachment D - Letter from club's attorney dated November 12, 2019



WITH ATTORNEYS LICENSED TO PRACTICE IN OR, WA & CA	ADDRESS: 510 SW FIFTH AVENUE, 4TH FLOOR PORTLAND, OREGON 97204
PHONE: (503) 221-7888 FAX: (503) 221-2182	WEBSITE: WWW.CHENOWETHLAW.COM

November 12, 2019

Via email only

Washington State Recreation and Conservation Office

Re: Kitsap Rifle & Revolver Club
Bi-Monthly Report to the Recreation and Conservation Office
Kitsap County v. Kitsap Rifle & Revolver Club
Pierce County Superior Court Case No. 10-2-12913-3
 Our File No. 1715-001

Greetings:

This letter accompanies the November 12, 2019, *Bi-Monthly Report to the Recreation and Conservation Office* ("Report") related to the Kitsap Rifle & Revolver Club (the "Club").

The Club respectfully requests confirmation from the Washington State Recreation and Conservation Office (RCO) that the Club has no further reporting obligation pursuant to its RCO grant. The Club's obligations to the RCO related to the grant extend for only 10 years from the date of the last grant payment. That time has expired. Pursuant to the terms of the grant, the Club has no further reporting obligations or other conditions on its receipt, use, and retention of the grant funding. To demand further reports from the Club would be contrary to the terms of the grant, and it would add unnecessary stress and hardship to the Club, whose resources are already stretched thin by its work on removing restrictions and resolving its various disputes with Kitsap County (the "County") and the Club's liability insurer. The Club respectfully requests the RCO's response to this request within 30 days from the date of this letter.

Subject to the above request and a full reservation of rights, the Club provides the following comments and responses with reference to various sections of the Report.

- (A) The County cancelled the Club's last SDAP application due to the time needed to provide all the additional information requested.
- (B) The Club has submitted all of the information requested by the County. The Club has requested an inspection and approval of its application. The Club is awaiting the County's response.
- (C) During the Club's three prior appeals, the Court of Appeals substantially modified, overturned, and/or vacated the decisions of the Pierce County Superior Court trial judge, who recently retired. The Club now has three additional pending appeals related to the trial court's

recent decisions during the second remand of the case from the Court of Appeals. One of those appeals asks the Court of Appeals to lift the injunction prohibiting discharge of firearms at the Club. Opening briefs are currently due on November 27 and December 14, 2019. The Court of Appeals should schedule oral argument soon thereafter.

- (D) The Club expects to appear in court for hearings before the Washington Court of Appeals and possibly also Pierce County Superior Court in the foreseeable future. No hearing dates have been set at this time.
- (E) The Club has a pending lawsuit against its liability insurer in the Western District of Washington. The case has been on hold for years, but the insurer has recently communicated its intent to reactive the case to seek resolution of certain disputes it has with the Club related to its insurance coverage. If/when the case is reactivated, the Club intends to seek money damages from its insurer for failing to pay for the Club's SDAP application and for additional relief related to other coverage issues.
- (F) The Club has been maintaining its facilities and they remain open for certain types of shooting and related activities not prohibited by any injunction or court order. That has never changed. The facility is and has been open to the public for the use and discharge of certain types of rifles and pistols. Range Officer are on duty to provide safety training, targets, supervision, and other amenities supporting the safe discharge and use of certain types of rifles, pistols and shotguns.

SINCERELY,



BROOKS M. FOSTER
SHAREHOLDER
CHENOWETH LAW GROUP

CC: CLIENT (VIA EMAIL)
ENCLOSURES: NONE

Attachment E - Letter from RCO to club's attorney dated November 25, 2019

Natural Resources Building
P.O. Box 40917
Olympia, WA 98504-0917

1111 Washington St. S.E.
Olympia, WA 98501



STATE OF WASHINGTON
RECREATION AND CONSERVATION OFFICE

(360) 902-3000
TTY: (800) 833-6388

E-mail: info@rcow.wa.gov
Web site: www.rcow.wa.gov

November 25, 2019

Mr. Brooks M. Foster
Chenoweth Law Group
510 SW Fifth Ave, 4th Floor
Portland, OR 97204

Re: Kitsap Rifle and Revolver Club
RCO Project # 03-1156D

Dear Mr. Foster:

The Recreation and Conservation Office (RCO) is in receipt of your letter dated November 12, 2019, relating to RCO Project Agreement # 03-1156D (Agreement). You state that the Kitsap Rifle and Revolver Club (Club) believes they have no further reporting obligation pursuant to the terms of the grant and for the RCO "[T]o demand further reports from the Club would be contrary to the terms of the grant, and it would add unnecessary stress and hardship to the Club, whose resources are already stretched thin...."

It is not our intent to place a hardship on the Club, rather it is our responsibility to hold the Club accountable for compliance with the requirements of the grant agreement. We have been very patient and respectful of the Club's efforts to work through Kitsap County permitting and court processes.

On January 31, 2018, the Recreation and Conservation Funding Board (Board) passed Resolution 2018-05, as amended, which declared that a Conversion¹ of the Agreement had occurred, which would ordinarily require the Club to repay the entire grant award. However, the Board was aware that the Club was working with the county and the courts in an effort to fully reopen and wanted to support it, in providing the recreational experience intended under the original terms of the Agreement. Therefore, the Board offered the Club an opportunity to defer action on that conversion, by instead offering to amend the terms of the Agreement and give them more time to be successful with the permitting and related county issues.

The Amendment, Amendment Seven (attached), effectively placed a "hold" on the ten-year timeline of the grant to allow the Club to continue working through the county and court processes towards fully reopening their facilities. This option included the requirement that the Agreement

¹ See Section 25, Restriction on Conversion of Facility to Other Uses of the General Terms of the Project Agreement and Section D, Term of Agreement.



Mr. Brooks M. Foster
November 25, 2019
Page 2

compliance period be extended to equal the number of days when the range "has been or is closed to public firearms shooting", which at the time included the 841 days when the range had already been closed, plus any days the range was closed to firearms shooting activity after that point.

I would like to remind the Club that Amendment Seven of the Agreement was voluntarily signed by both Vice President Dorothy O'Dell and Executive Officer Marcus Carter and clearly set forth the obligations and dates for continued compliance with the Agreement.

On February 14, 2018, RCO Director Kaleen Cottingham invited members of the Club to a face-to-face meeting to discuss the terms of the above-mentioned Amendment. At that time, Marcus Carter of the Club requested that the end of the "hold" be January 1, 2021. The RCO Director agreed to this date. At no time was there any pressure placed on the Club to agree to the Amendment at either the public Board meeting or at the meeting with the RCO director. In fact, members of the Club appeared grateful and thanked the Board and RCO for allowing them more time to fully reopen the Club.

As of today's date, the range is still closed to shooting certain types of firearms due to court injunctions. It was RCO's understanding that the Club intended to continue to work through the court process with the goal of reopening to the types of firearm use for which the RCO grant was provided. If this goal has changed and the Club is no longer interested in fulfilling the requirements of the Agreement as amended, we need to know. And if that is the case, the Club is in violation of the terms of the Agreement, as amended, and will need to repay the amount of the grant. This is certainly an option, as is the option of RCO initiating steps to collect the amount owed.

I look forward to receiving a response from you, by January 6, 2020, that articulates the Club's decision. If no response is provided I will assume the Club is no longer interested in working with us and satisfying the terms of the Agreement. At that time, I will recommend to the RCO director that we immediately declare the conversion and send the Club an invoice for the amount owed of \$46,965.16 and begin actions to recover funding from the Club.

Sincerely,



Scott T. Robinson
Deputy Director

cc: Kaleen Cottingham, RCO Director
Kitsap Rifle & Revolver Club (Via Email)
Brian Faller, Assistant Attorney General
RCO Project # 03-1156D

**RECREATION AND CONSERVATION FUNDING BOARD SUMMARIZED MEETING
AGENDA AND ACTIONS**

TUESDAY, JANUARY 28,2020

Item	Formal Action	Follow-up Action
OPENING AND MANAGEMENT REPORTS		
<p>Call to Order</p> <ul style="list-style-type: none"> A. Roll Call and Determination of Quorum B. Review and Approval of Agenda C. Introduction of New Board Members D. Approval of Recognition of Resolution <u>2020-01</u> E. Remarks of the Chair 	<p>Decision</p> <p><u>January 2020 Meeting Agenda</u> Moved by: Member Shiosaki Seconded by: Member Milliern Decision: Approved</p> <p><u>Resolution 2020-01</u> Moved by: Member Gardow Seconded by: Member Stohr Decision: Approved</p>	
<p>1. Consent Agenda</p> <p>Resolution <u>2020-02</u></p> <ul style="list-style-type: none"> A. Board Meeting Minutes B. Time Extensions <ul style="list-style-type: none"> • RCO <u>15-1429</u> • RCO <u>12-1952</u> • RCO <u>14-1127</u> C. Volunteer Recognitions (24) 	<p>Decision</p> <p><u>Resolution 2020-02</u> Moved by: Member Herzog Seconded by: Member Shiosaki Decision: Approved</p>	
<p>2. Director's Report</p> <ul style="list-style-type: none"> A. Director's Report <ul style="list-style-type: none"> • TVW Update B. Legislative Update <ul style="list-style-type: none"> • Bill and Budget • Update to 2015 Economic Study • Community Forest Update C. Grant Management Report D. Grant Services Report E. Performance Report 		<p>Task: Respond to WWRC letter.</p> <p>Follow-up: Chair Willhite suggested that the board should discuss how to implement health benefits and outdoor recreation into the RCFB Strategic Plan.</p>

<p>F. Key Performance Measures for RCFB Strategic Plan G. Fiscal Report</p>		<p>Task: Send board application participation by each county (map).</p>
<p>General Public Comment</p>		
<p>BOARD BUSINESS: DECISIONS</p>		
<p>3. Clallam County Dungeness Farmland Conversion (RCO 06-1849)</p>	<p>Decision <u>Resolution 2020-03</u> Moved by: Member Gardow Seconded by: Member Shiosaki Decision: Approved</p>	
<p>4. Port of Keyport Boat Ramp Reconstruction Cost Increase (RCO 18-2421)</p>	<p>Decision <u>Resolution 2020-04</u> Moved by: Member Milliern Seconded by: Member Gardow Decision: Approved</p>	
<p>BOARD BUSINESS: REQUEST FOR DIRECTION</p>		
<p>5. Amendment Request: Spokane County, Sontag Park (RCO 99-1042)</p>		
<p>BOARD BUSINESS: BRIEFING</p>		
<p>6. Policy Waiver Request: DNR, Steptoe Butte Natural Area (RCO 18-1526D)</p>		<p>Task: Bring this item back for further discussion in April</p>
<p>BOARD BUSINESS: DECISIONS</p>		
<p>7. Applying Pollinator Language to the Remaining WWRP Habitat Categories as required by SB 5552</p>	<p>Decision <u>Resolution 2020-05</u> Moved by: Member Milliern Seconded by: Member Hix Decision: Approved</p>	
<p>8. Sustainability Evaluation Criteria</p>	<p>Decision <u>Resolution 2020-06</u> Moved by: Member Milliern Seconded by: Member Hix Decision: Approved</p>	
<p>9. Review of Grant Maximum Policy in the WWRP</p>	<p>Decision <u>Resolution 2020-07</u></p>	

Forestland Preservation Category for 2020 Grant Cycle	Moved by: Member Gardow Seconded by: Member Hix Decision: Approved	
BOARD BUSINESS: BRIEFING		
10. Review of the Lack of Grant Maximum in the WWRP Trails Category Data for 2022 Grant Cycle		Task: Place on RCO Policy Plan, Tier 3.
BOARD BUSINESS: REQUEST FOR DIRECTION		
11. Review of the Data for the 2018 Match Reduction Policy in the WWRP Local Parks, Water Access and Trails Categories and in the YAF Program		Task: RCO will bring back data to the board concerning underserved communities within the next year
BOARD BUSINESS: REPORTS		
12. State Agency Partner Reports <ul style="list-style-type: none"> • Governor’s Office • DNR • State Parks and Recreation Commission • WDFW 		
13. Featured Project <ul style="list-style-type: none"> • RCO 14-1752D • RCO 12-1555D • RCO 12-1549D 		
RECESS		
Call to Order <ul style="list-style-type: none"> A. Roll Call and Determination of Quorum B. Remarks from Chair 		
BOARD BUSINESS: BRIEFINGS		
14. Compliance Program Update		

<p>15. Can NOVA-ORV Funds be Used to Address Road Maintenance for Damage Caused by ORVs?</p>		
<p>16. Phasing Out the Gas Tax: Road Usage Charge Pilot Project Report and Recommendations from the Washington State Transportation Commission</p> <ul style="list-style-type: none"> • Discussing Impacts to Future Funding • Sharing RCO Comments 	<p>Decision <u>Move to approve Washington Transportation letter from RCFB</u> Moved by: Member Gardow Seconded by: Member Hix Decision: Approved</p>	<p>Task: RCO will develop a letter for Ted Willhite to sign on behalf of RCFB to the Washington Transportation Commission concerning a RUC steering committee</p>
<p>17. Update on Kitsap Rifle and Revolver Club Conversion</p>		
<p>ADJOURN</p>		

Next Meeting: Regular Meeting April 21-22, 2020 – Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98501

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: January 28, 2020

Place: Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98501

Recreation and Conservation Funding Board Members:

Ted Willhite, Chair	Seattle	Shiloh Burgess	Wenatchee
Kathryn Gardow	Mukilteo	Brock Milliern	Designee, Department of Natural Resources
Michael Shiosaki	Seattle	Peter Herzog	Designee, Washington State Parks
Henry Hix	Okanogan	Joe Stohr	Designee, Department of Fish and Wildlife

This summary is to be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording as the formal record of the meeting.

Call to Order

Chair began the meeting at 9 AM and quorum was determined. He welcomed the two new board members and asked each member of the board to introduce themselves and explain their role in recreation and conservation. He followed by having the audience and RCO staff introduce themselves. Chair Willhite read through resolution 2020-01, recognizing Rory Calhoun, Outdoor Grants Manager and Accessibility Specialist for RCO, who will be retiring in February of 2020.

Motion: Move to approve the January 28 and 29, 2020 Meeting Agenda

Moved by: Member Shiosaki

Seconded by: Member Milliern

Decision: Approved

Motion: Move to approve Resolution 2020-01

Moved by: Member Gardow

Seconded by: Member Stohr

Decision: Approved

Item 1: Consent Agenda

Chair Wilhite asked for a motion approving Resolution 2020-02, which included the minutes from the October 2019 meeting, three-time extensions and 24 volunteer recognitions.

Motion: Move to approve Resolution 2020-02

Moved by: Member Herzog

Seconded by: Member Shiosaki

Decision: Approved

Item 2: Director's Report

Director's Report and Legislative update

Kaleen Cottingham, Recreation and Conservation Office (RCO) Director, gave her report and legislative update. Director Cottingham started with two director's awards that were given out, one to Myra Barker, RCO Compliance Specialist, and the other to Kay Caromile, RCO Outdoor Grants Manager. Director Cottingham selects two recipients of these awards annually and both Ms. Barker and Ms. Caromile demonstrated attributes that makes these awards well deserved. Director Cottingham updated the board on the TVW request to improve AV equipment in room 172 of the Natural Resources Building. She also mentioned that RCO has officially completed the new tribal contract templates to address sovereign immunity, after working with the Governor's Office and several tribes and a tribal attorney. She ended her report by mentioning the location of this year's travel meeting, which will be in Port Gamble, Washington.

Ms. Cottingham then gave the legislative update, noting that there had been over 1,500 submitted bills in this legislative session. She also described several of the budget requests. Three budget request items from RCO concern the addition of two staff members for the Governor Salmon Recovery Office (GSRO) and funding for the Economic Study update.

Ms. Cottingham also mentioned that RCO had requested funding to control Northern Pike, but the Governor decided to fund this invasive species work through the Department of Fish and Wildlife. State Parks also asked for an additional \$500,000 for the No Child Left Inside program. There is also a proviso in the capital budget regarding the Youth Athletic Facilities (YAF) grant program. This proviso would allow for returned funds to flow down to alternate YAF projects.

Ms. Cottingham also discussed other bills and hearings that RCO is tracking, including one on a new community forest grant program, a hearing on the Hiking, Biking and Walking Study, and bills concerning wheeled all-terrain vehicles.

Ms. Cottingham closed by sharing that Eryn Couch, RCO Communications Specialist, will be leaving her position in February 2020.

Grant Management Report

Marguerite Austin, RCO Recreation and Conservation Grants Section Manager, updated the board on the happenings with RCO's Grants Section. On February 13, 2020, RCO will host an application webinar to provide information on the 2020 grants cycle, which begins with opportunities for recreation, conservation, farmland, and forestland projects. This first round of grant applications is due May 1. The second grant cycle begins on August 10th with applications for backcountry trails, motorized boating, and firearms and archery range projects due on November 1st.

Ms. Austin followed with recognition of Kim Sellers' and Kay Caromile' s hard work on the Port Gamble S'Klallam Tribe's conservation easement. She closed noting the update to attachment A, a list of alternate and partially funded projects that received returned funds since the last board meeting.

Task: Scott to follow-up on Washington Wildlife and Recreation Coalition letter received.

Grant Services Report

Kyle Guzlas, RCO Grant Services Section Manager, briefed the board on volunteer recruitment for advisory committees. RCO needed to fill 50 spots on the 17 advisory committees. The recruitment was done through the "Get Involved" page on the RCO Web site, purchased outreach opportunities, and social media postings.

Mr. Guzlas then relayed that RCO is moving towards implementing an electronic signature process using Adobe Sign. RCO's policy to move forward with this venture was finalized in late 2019.

Member Shiloh Burgess and Chair Ted Willhite commended Kyle and his staff on the volunteer advertisement.

Performance Report

Brent Hedden, RCO Policy Specialist, gave a high-level overview of the performance report, with details found under Item 2.

Performance Report and Key Performance Measures for the RCFB Strategic Plan

Brent Hedden gave an update on key performance measures from the Recreation and Conservation Funding Board (RCFB) Strategic Plan, noting that these measures were adopted in 2016. Mr. Hedden listed three separate goals, the framing questions correlating with the goals, and the performance measures that reflected each question.

These goals, questions and key performance measures addressed the number of funded, unfunded, and SCORP related projects by project type and location, the number of habitat and recreation acres protected through acquisition, the number of applications through state agencies, the overall applicant satisfaction, volunteer hours, and the number of applications submitted in each county from 2012-2018.

When addressing applicant satisfaction, Member Milliern inquired whether there was dissatisfaction among applicants that successfully obtained a grant. Ms. Austin expressed that the response of dissatisfaction was typically received from those whose applications did not receive funding.

Member Gardow followed, expressing curiosity of counties who had not applied or had submitted very few from 2012-2018. Mr. Hedden said he did not currently have participation by each county but would send this to the board after the meeting.

Chair Willhite closed the discussion by suggesting that the board think about recent studies around health benefits and outdoor recreation and how the board could use those studies to influence the strategic plan.

Follow-up: Chair Willhite suggested that the board should discuss how to incorporate consideration of health benefits and outdoor recreation into the RCFB Strategic Plan.

Task: Send board application participation by each county (map).

Fiscal Report

Mark Jarasitis, RCO's Chief Financial Officer, gave the board the fiscal report. This included information on the overall funding provided for each grant program, how much was already committed, what will be committed in the future and the expected expenditures. Mr. Jarasitis took a deeper look at the Boating Facilities Program (BFP), the Nonhighway and Off-road Vehicle Activities (NOVA) Program, and the Firearms and Archery Range Recreation Program, where only 21.5% of the biennial forecast funding had been used thus far. To close, the Washington Wildlife and Recreation Program (WWRP) expenditure rate was examined by organization from 1990 to 2020.

The Board discussed various aspects of the budget expenditures.

General Public Comment: No public comment

Item 3: Clallam County Dungeness Farmland Conversion

Myra Barker, RCO Compliance Specialist, and **Kim Sellers**, RCO Outdoor Grants Manager, briefed the board on the conversion of Clallam County's Dungeness Valley

Creamery. The 24.2-acre conversion was due to Clallam County's partnership efforts to restore the Dungeness River's natural floodplain habitat. Much of the restoration efforts will be made through the removal or set back of levies. Ms. Barker reminded the board of its decision-making role in the conversion process as it relates to RCO's obligation to make sure the land is still publicly available or used for its funded intent. Ms. Barker reviewed the practical alternatives for the conversion and described the proposed replacement property, ensuring that all requirements were met.

Following, Ms. Sellers gave a brief summary of the farm's history and three conversion options. The board could: 1) take no action, 2) allow for the levee setback work to be completed and for the farmland directly adjacent to the creamery be used as the replacement property, or 3) consider the purchase of two alternate properties that would cause the farmers to have to truck their cows from pasture to the dairy facility on a daily basis.

After discussion the board expressed interest in option two and Chair Willhite suggested a motion be made.

Member Gardow moved and member Shiosaki seconded the adoption of resolution 2020-04. It was unanimously approved. (Note: The motion number was incorrect and will need to be corrected at a future board meeting).

Item 4: Port of Keyport Boat Ramp Reconstruction Cost Increase

Kim Sellers, RCO Outdoor Grants Manager, presented a cost increase request for the Keyport Boat Ramp. She first described all the issues associated with renovating the ramp, including the cross slope, cracks in the concrete, drop off areas, and sediment buildup on the northwest side. As a result of permitting issues, the ramp was redesigned to allow the sediment to flow under it. Due to this change, the soil had to be tested for its stability. The soil was determined to be less stable than previously thought, leading to the necessity of more sturdy materials, such as deeper pilings to support the ramp. Originally the project cost was \$694,200, but now it is \$974,971.

After the briefing, Member Milliern inquired whether the cost increase came solely from issues with the soil or other issues. The project engineer clarified that much of the money needed was due to the soil condition, but because of the delay there will also be increased costs for labor and materials.

Member Gardow followed by asking where the cost increase funding would come from. Ms. Sellers informed Member Gardow that all cost increase funding came from unused funds appropriated for the Boating Facilities Program.

Motion: Move to approve Resolution 2020-04
Moved by: Member Milliern
Seconded by: Member Gardow
Decision: Approved

BREAK 10:50AM-11:05AM

Item 5: Amendment Request: Spokane County, Sontag Park

Alison Greene, RCO Outdoor Grants Manager, presented the Sontag Park amendment request to change the perpetual obligation to that of a 20-year span, ending the obligation in 2021. If this were to happen, Spokane County would end its lease with the State Parks and Recreation Commission. State Parks would then transfer the site to the adjacent Nine Mile Falls School District for management purposes. The board was asked to advise the RCO director on whether she should approve, deny or approve the request conditionally.

The board discussed the subject and expressed concern with the amendment, as making this change could set a precedence. The board talked this through and ultimately recommended that the director let Spokane County, State Parks and the school district work out the details of the transition. RCO would first amend the grant agreement to modify the long-term compliance period and reduce it from perpetual down to 20 years. They asked for assurance that there would be language in the transfer from state parks to the school district to maintain public access in perpetuity.

Item 6: Policy Waiver Request: Department of Natural Resources, Steptoe Butte Natural Area

DeAnna Beck, RCO Outdoor Grants Manager, and Brock Milliern, DNR, briefed the board on the policy waiver request for the Steptoe Butte Proposed Natural Area (RCO #18-1526). The board awarded a WWRP Natural Areas Category grant to DNR and the State Parks and Recreation Commission to acquire a 437-acre parcel, located adjacent to on Steptoe Butte State Park. Ms. Beck relayed that this parcel was intended to become either a Natural Area Preserve (NAP) or a Natural Resources Conservation Area (NRCA), as it contains rare and endangered species.

DNR and State Parks are seeking a policy waiver on this acquisition as it contains a communications structure, which is ineligible for funding through the Natural Areas Category. DNR considered three options including removal of the towers or excluding them from the purchase, however, they rejected these options in hopes of keeping the

communication towers and using the revenue to pay for stewardship needs on Steptoe Butte.

The board expressed concern with the communication tower being on the Natural Area, concern with the impact of decommissioning the communication tower on local 911 services, and concern that public dollars used to decommission might be viewed as wasteful. The board hopes there would be a “win-win” situation. Chair Willhite requested that more information concerning the communication tower and the waiver request be brought forward at the April RCFB meeting.

Task: Bring this back to the board at the April RCFB meeting.

Public Comment:

John Gamon, DNR retiree, wants this site to find a conservation home because he believes it “rises to the top” due to the rare species and opportunities for college research that could be conducted on this site. He urged the board to use its creativity to help DNR accomplish its goal of conserving the site and this stewardship opportunity.

LUNCH: 12:16pm-1:00pm

Item 7: Applying Pollinator Language to the Remaining WWRP Habitat Categories as required by SB 5552

Ben Donatelle, RCO Policy Specialist, relayed to the board that in the 2018 Legislative session, Senate Bill 5552 was enacted. This new law (RCW 79A.15.060.) requires that RCO consider the benefit to pollinator habitat of projects funded through WWRP. The question created through this was: *How does the site support the feeding, nesting and reproduction of pollinator species? (e.g. bees, butterflies, hummingbird)?* This question has been added to the Riparian Protection and the Urban Wildlife categories. Today’s briefing is about adding that language into the other WWRP habitat categories.

After Mr. Donatelle’s briefing, the Board discussed the addition of this question in the following WWRP Critical Habitat and Natural Areas categories.

Motion: Move to approve Resolution 2020-05

Moved by: Member Milliern

Seconded by: Member Shiosaki

Decision: Approved

Item 8: Sustainability Evaluation Criteria

Ben Donatelle, RCO Policy Specialist, briefed the board on the proposed updated sustainability evaluation criteria. He noted that the sustainability criteria had been applied to grant applications for the Boating Facilities Program (BFP), the Land and Water Conservation Fund (LWCF), the Nonhighway and Off-road Vehicle Activities (NOVA) program, the Recreational Trails Program (RTP), the Washington Wildlife and Recreation Program (WWRP), and the Youth Athletic Facilities (YAF) program. To better address sustainability, the updated criterion would become: "Please *discuss how your project's location and design supports your organization's sustainability plan or how you considered the ecological, economic, and social benefits and impacts in the project plan*". Below the question, there would be guideline of some ecological, social, and economic factors that would pertain.

Following the briefing, Mr. Donatelle addressed a new option for scoring and the project types to which it could be applied. RCO staff preferred the option to assign 5 points to development/renovation and planning projects only, as it has been proved ineffective in other project types.

The Board had a lengthy discussion. To begin, Member Gardow expressed two concerns; the first surrounding the usage of points versus a percentage and the second with a sustainability question being integrated into each grant application section to address climate change. Mr. Donatelle noted that having points assigned versus a percentage is essential, otherwise new points would have to be assigned to each project type. He also clarified that there was a specific climate change question within the grant applications, leaving it unnecessary to address it in all application sections.

Motion: Move to approve Resolution 2020-06

Moved by: Member Milliern

Seconded by: Member Hix

Decision: Approved

Item 9: Review of Grant Maximum Policy in the WWRP Forestland Preservation Category for 2020 Grant Cycle

Kim Sellers gave an overview of the grant maximum policy for the WWRP Forestland Preservation Category, following a request that the funding cap be raised. The primary purpose of the forestland category is to acquire and preserve opportunities for timber production. Since 2017, the number of grant applicants for this category has steadily increased. RCO sought out four different alternative actions that could be taken, with alternative 2 being the preferred option.

1. No action alternative. The grant limit stays at \$350,000;
2. Raise limit to \$500,000;
3. Raise limit to \$750,000;
4. Raise limit to \$1,000,000.

After Ms. Sellers concluded, the board discussed the pros and cons of raising the grant maximum and its impact on the number of funded projects. They landed on raising the grant maximum to \$500,000

Public Comment:

Nick Norton, Washington Association of Land Trust, echoed support for the staff recommendation of raising the cap to \$500,000

Motion: Move to approve Resolution 2020-07 (alternative 2)
Moved by: Member Gardow
Seconded by: Member Hix
Decision: Approved

Item 10: Review the Lack of Grant Maximum in the WWRP Trails Category Data for 2022 Grant Cycle

Marguerite Austin sought direction from the Board on a request for the board to set a grant maximum in the WWRP Trails category. RCO staff examined data from the past three biennium's concerning the number of funded projects with no cap and the number of projects that could be funded with differing grant maximums. RCO staff also created a questionnaire for potential applicants, asking if there would be support for imposing a grant maximum in WWRP Trails, what unforeseen impacts could this have to future projects, and if there were any other details that potential applicants might have. Slightly over 50% of applicants supported a grant maximum and all applicants expressed concern with cost, project completion time, and the funding of smaller and more projects, among other concerns.

To initiate discussion, Ms. Austin gave three questions to the board:

1. What is the board's funding strategy?
2. Should the board establish grant limits?
3. If a limit is established, what should be the maximum funding request?

The board discussed the negative impact a cap would have on larger trails, the interest in funding more projects through the cap, and both the positive and negative impacts

of phased projects. Ultimately the board came to no conclusive direction and asked that this topic be added to the policy work plan and brought back to the board sometime in 2021

Public comment:

Christine Mahler, Washington Wildlife and Recreation Coalition, expressed that more research needs to be completed in this instance.

Task: Staff will add this to the policy work plan (Tier 3) and continue to think about future options.

BREAK: 2:34-2:45

Item 11: Review of the Data for the 2018 Match Reduction Policy in the WWRP Local Parks, Water Access and Trails Categories and in the Youth Facilities Program for 2022

Ben Donatelle, RCO Policy Specialist, briefed the board on the 2018 match reduction policy implemented in a limited number of WWRP categories and YAF and then sought direction concerning steps to take in the future. The match reduction policy, brought on by a 2015 WWRP review, was meant to help reduce barriers and enhance participation for areas considered underserved.

Mr. Donatelle presented data concerning applicant's projects that did not qualify, did qualify, or did qualify, but took no advantage by having the match reduction.

By examining this data, Mr. Donatelle and Adam Cole, RCO Policy Specialist, were able to determine that not all applicants that qualified for match used it, about 1/3 of applicants qualified for match reduction, match reduction did not affect project priority and there were approximately 35 new applicants who had not participated in applying since 2011. Mr. Donatelle did note that there was not enough data to support that all new applicants participated in response to match reduction.

Returning to the 2015 WWRP review, Mr. Donatelle highlighted that the data for the match policy was only based on median household income. Our future look needs to consider how to factor in race, ethnicity, and health measures.

To address these other aspects, Mr. Donatelle suggested that the RCO Grant Application Data Tool, Washington State Department of Health's Health Disparities Index, and the RASS study be used as part of our future efforts.

Following Mr. Donatelle's presentation, the chair discussed the importance of further examining underserved communities using the RASS study and the Hiking, Biking, Walking study, as well as input from stakeholders. Ms. Cottingham expressed that RCO and RCFB must learn how to assist underserved communities who cannot meet the match requirements, even with a match reduction.

To close, RCO was tasked with bringing more data to the board at the October meeting.

Public Comment:

Christine Mahler, WWRC, expressed that WWRC met with several underserved communities and received feedback from them. She then encouraged RCO staff to continue working on how to better serve these communities, as recreation should not be something that only those who can afford participate in.

Task: RCO will bring back more data concerning underserved communities to the October 2020 meeting.

Item 12: State Agency Partner Reports

Jon Snyder, Governor's Office, opened his briefing speaking on several bills that had been submitted to the legislature: Fifteen bills relate to ATVs; two relate to the discover pass. Finally, there was a bill on scenic bikeways submitted with State Parks and Recreation Commission taking the lead.

Mr. Snyder discussed a group of state agency executives under the umbrella of the National Governor's Association. This group meets twice a year and has bimonthly webinars. He hopes to positively influence other states SCORP plans and has also informed the association of the Hiking, Biking, Walking Study completed by RCO.

He closed by informing the board of the State of Play report completed by King County.

Brock Milliern, DNR, focused on the legislative session and informed the board of bills being submitted with focus on DNR: one concerning derelict vessels and another focusing on Forest practices. There was also a request through the legislation for DNR to create recreational immunity for providing direct target shooting.

Mr. Milliern expressed that one bill of importance to DNR relates to fire funding. They had also playing close attention to the Community Forest bill and bills concerning the discover pass.

Peter Herzog, State Parks, gave a brief update concerning legislative bills and other activities within State Parks. State Parks had several boating bills for personal floating devices on smaller boats and boating under the influence. Mr. Herzog relayed that State

Parks is looking to extend their lease authority from 50-year leases to 80-year leases. Alongside this lease extension, there is hope that their board can get authority to change their current "unanimous" voting to needing just a majority on votes relating to leases.

Concerning their budget, State Parks received most of what they had asked for in the capital and operating budget.

In closing, Member Herzog expressed that State Parks is now the manager of all of Palouse to Cascades Trail, including the Beverly bridge across the Columbia River. There was also a major project being followed through at the Rosalia Trailhead and the surrounding areas.

Joe Stohr, WDFW, opened speaking on their budget situation. The agency was able to get a letter of support through 45 different groups concerning the budget. WDFW has requested a \$26,000,000 increase, of which \$13,000,000 relates to cost of living increases and salary raises and \$13,000,000 relates to ongoing activities. Approximately \$24,000,000 of the request appears to be in early versions of the budget, with \$15,000,000 tied to a fee bill.

Item 13: Feature Projects

DeAnna Beck, RCO Outdoor Grants Manager, presented the Lake Meridian Park Dock Redevelopment project. She informed the board of the location, the water access activities allowed at the park, and other amenities within the facility. What had originally been a project supported by a BFP grant in 1990, has expanded into a project supported by the WWRP Water Access grant and LWCF, costing a total of \$1,744,800 to complete.

Beth Auerbach, RCO Outdoor Grants Manager, covered the Peninsula and Missing Link Trail projects within Point Defiance Park. The Peninsula project has received \$500,000 of funding through the Land and Water Conservation Fund (LWCF) and the Missing Link project received \$500,000 of funding through LWCF and \$2,500,000 of funding through WWRP Trails Category. Because the project area was previously owned by ASARCO, a mining and smelting company, there was significant damage and toxic waste within the area. The new park is known as the Dune Peninsula and Frank Herbert Trail. Frank Herbert was a Tacoma resident who wrote the book "Dune". The trail includes a lookout area, trails, and gathering areas.

RECESS: 4:36pm

Chair Willhite recessed the meeting until 9am January 29, 2020.

DRAFT

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: January 29, 2020

Place: Natural Resources Building, Room 172, 1111 Washington Street SE, Olympia, WA 98501

Recreation and Conservation Funding Board Members:

Ted Willhite, Chair	Seattle	Shiloh Burgess	Wenatchee
Kathryn Gardow	Mukilteo	Brock Milliern	Designee, Department of Natural Resources
Michael Shiosaki	Seattle	Peter Herzog	Designee, Washington State Parks
Henry Hix	Okanogan	Joe Stohr	Designee, Department of Fish and Wildlife

This summary is to be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording as the formal record of the meeting.

Call to Order

Chair Willhite had staff call roll promptly at 9 AM and determined a quorum was present.

Item 14: Compliance Program Update

Myra Barker gave an overview of what the compliance program looks like and the program intentions for 2020. Ms. Barker explained that compliance is done through outreach to sponsors of grants, coordination with sponsors on changes to the project areas, collaborating with sponsors on how to withhold compliance standards, and through on-site inspection on a 5-year basis. Ms. Barker discussed the number of compliance inspections completed in 2019 and what percent inspections came from each grant type.

Through the onsite inspections, the compliance team was able to learn that preparation is critical in providing an accurate report. They also learned that approximately 80% of sites comply. They also learned the most common non-compliance issues.

In 2020, the compliance team intends to prioritize and conduct 600 compliance inspections, focusing on sites that have not been inspected in 10 or more years, as well as focusing on acquisition or development projects funded by LWCF, WWRP, and older bond programs. Ms. Barker explained that they also intend to complete 100 salmon

grant inspections in 2020 and want to focus on finding resolutions for 25% of the 220 open compliance issues.

When opened to discussion, the board voiced their support for more education to sponsors concerning compliance. While Chair Willhite suggested posting non-compliant projects to RCO social media, Director Cottingham relayed that PRISM or the RCO website would be the better place for that. Member Burgess voiced support for a compliance webinar outside the grants webinar where there is only a short section dedicated to stewardship expectations.

Item 15: Can NOVA_ORV Funds be Used to Address Road Maintenance for Damage Caused by ORVs?

Adam Cole, RCO Policy Specialist, introduced NOVA and how it supports roads. On the October 2019 RCFB tour, the board expressed curiosity surrounding the use of NOVA funds for nonhighway roadways used by off-road vehicles. These roadways are not supported through the Washington gas tax, but through the 1% refund from gas used on these roadways. This refund is appropriated to DNR, WDFW, State Parks, and RCFB for distribution in the form of grants. While DNR and WDFW may use this funding to maintain nonhighway roads, this statute does not allow use by State Parks or RCFB currently to maintain roads.

Mr. Cole posed two questions to the board:

1. Should RCFB explore whether a broader interpretation is possible under the NOVA statute?
2. Should RCFB seek legislative changes in 2021 to the NOVA statute to allow greater flexibility?

Public Comment:

Lisa Chissus, Pacific Northwest Four Wheel Drive Association, did not support the use of NOVA funds for non-highway roads.

Ted Jackson, Washington ATV access coalition, expressed reserved support for change in the statute

Nancy Toenyan, Washington Off Highway Vehicle Alliance, did not express support for the statute change, as there is already funding provided from the NOVA accounts of WDFW and DNR.

Chrystal Crowder, Pistons Wild Motorsports, did not give support to the statute change and urged that RCFB leave the statute as it is.

The board discussed and concluded that the statute should be left alone due to lack of public support.

BREAK: 10:59am-11:15am

Item 16: Phasing Out the Gas Tax: Road Usage Charge Pilot Project Report and Recommendations from the Washington State Transportation Commission

Adam Cole gave a high-level overview of changes proposed to transition from a gas tax to a road usage charge. Due to the increased population, fuel efficient vehicles, and electric vehicles, the gas tax is no longer able to properly support maintenance and building of Washington roadways. To mitigate this issue, the Washington State Transportation Commission initiated a Road Usage Tax Pilot Program, with the final report being out for public comment in January 2020. The report tracked 2,000 Washington driver's road mileage using several different methods. Among these methods were an odometer reader, a mileage permit, a plug-in device without GPS, a plug-in device with GPS, and a smartphone application.

Mr. Cole expressed that while the report suggests that the road usage charge be implemented immediately, this would ultimately be up to the Legislature.

After Mr. Cole closed, the board discussed recommending the creation of a steering committee to advise the Transportation Commission on this issue.

Public Comment:

Nancy Toenyan, Washington Off Highway Vehicle Alliance, shared that the board should consider recreational travel, agricultural work, and boating miles when considering this road usage tax.

Ted Jackson, Washington ATV, expressed that he is also a part of the Big Tent Coalition. This coalition has devoted time to speaking with several other boards and entities to inform them of this tax. He expressed that several different people will be speaking on snowmobiling, boating and ORV use.

- Motion:** Move to send the Washington Transportation Commission a letter commending them on their contribution to RUC report and advise that there should be a technical advisory committee made up of the stakeholders that are a part of the gas tax refund program established dealing with the recreational issues concerning gas tax.
- Moved by:** Member Gardow
- Seconded by:** Member Hix
- Decision:** Approved

Item 17: Update on Kitsap Rifle and Revolver Club Conversion

Kim Sellers, RCO grant manager, briefed the board on the Kitsap Rifle and Revolver Club (the club) conversion. The club has yet to obtain proper permitting from the county for its building and operations. Ms. Sellers indicated that the club is still not open to the public for firearm shooting. The club has until January 2021 to get compliant or be prepared to repay the grant. Ms. Sellers expressed that RCO will continue to work to see if they can obtain the proper permitting and be open to the public. Ms. Sellers closed informing the board that an update on the club will be given in October of 2020.

Public Comment:

Terry Allison, former Kitsap Club member, expressed discontent with the club's actions. He requested that RCFB immediately require the grant repayment from the club to allow for this money to be used for public use.

Glenn Maiers, Kitsap Resident, testified that he had provided a letter to the board with his comments of discontent and that he was available to answer questions.

Closing:

Chair Willhite - Closed meeting at 12:34 p.m.

ADJOURN – Meeting adjourned at 12:34pm

The next meeting will be April 21-22, 2020 in Room 172 of the Natural Resources Building, Olympia.

Approved by:



Theodore Willhite, Chair

4-21-2020

Date

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