



Location In-person: Room 172, First Floor, Natural Resources Building, 1111 Washington Street, SE, Olympia, WA. This public meeting location will allow the public to provide comments and listen to the meeting as required by the Open Public Meeting Act. This requirement can be waived via HB 1329 if there is a declaration of emergency or if an agency determines that a public meeting cannot safely be held. If an emergency occurs, remote technology will be the primary meeting source.

Location Virtually (Meeting Day Only):

https://us06web.zoom.us/webinar/register/WN_aW-VtKu5QZCLidVD0GDQ0A

Phone Option: (669) 900-6833 - **Webinar ID:** 834 3493 7379

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

Public Comment: General public comments are encouraged to be submitted in advance of the meeting in written form. Public comment on agenda items is also permitted. If you wish to comment, you may e-mail your request or written comments to Julia.McNamara@rco.wa.gov, board liaison.

COVID Precautions: Masks and hand sanitizer will be made available. If you are feeling ill, the zoom format is reliable resource for home viewing

Special Accommodations: People with disabilities needing an accommodation to participate in RCO public meetings are invited to contact Leslie Frank by phone (360) 789-7889 or e-mail Leslie.Frank@rco.wa.gov.

TUESDAY APRIL 16, 2024

OPENING AND MANAGEMENT REPORTS

9:00 a.m.	Call to Order <ul style="list-style-type: none">• Roll Call and Determination of Quorum• Approval of Agenda• Chair remarks	<i>Chair Shiosaki</i>
9:15 a.m.	1. Consent Agenda (<i>Decision</i>) <ul style="list-style-type: none">A. Board Meeting Minutes<ul style="list-style-type: none">• January 30, 2024B. Time Extensions<ul style="list-style-type: none">• City of Auburn, 104th Ave SE Green River Park Property Development, 18-1988• City of Tukwila, Chinook Wind Public Access, 18-2033• King County Department of Natural Resources and Parks, Lake to Sound Trail, Segment C Gap Development, 18-1691• Methow Conservancy, Twisp Uplands Conservation Easements, 18-1791• Seattle Parks and Recreation Department, Don Armeni Boat Launch Renovation, 16-2356• Snohomish County Parks Department, Heybrook Ridge Lower Trail Development, 18-1828• Washington Department of Fish and Wildlife, Oregon Spotted Frog Conservation, 18-1358• Washington Department of Fish and Wildlife, Sherman Creek Forest Restoration Rx Burning, 18-1937• Washington State Parks and Recreation, Dosewallips River Campsites Relocation, 18-1510• Washington State Parks and Recreation, Klickitat Trail, 14-1634• Washington State Parks and Recreation, Olallie Trail System Expansion, 18-2450• Washington State Parks and Recreation, Ragged Ridge Restoration, 18-1987	<i>Chair Shiosaki</i>

- Washington State Parks and Recreation, Willapa Hills Trail Development (Raymond to Menlo), [18-1760](#)
- C. Cost Increase
- State Parks, Lake Wenatchee Launch Improvements, [18-2558](#)
- D. Advisor Recognition (5)

Resolution 2024-02

9:25 a.m.

2. Director's Report

- A. Director's Report
- B. Legislative and Policy Update
- C. Grant Management Report
- D. Grant Services Report
- E. Performance Report (*written only*)
- F. Fiscal Report (*written only*)

*Megan Duffy
Brock Milliern
Marguerite Austin
Kyle Guzlas
Bart Lynch
Mark Jarasitis*

10:15 a.m.

BREAK

10:30 a.m.

General Public Comment (limit 3 minutes please) for issues not identified on the agenda.

BOARD BUSINESS: BRIEFING

10:40 a.m.

3. Nonhighway Off-road Vehical Activities Featured Projects

*Dan Haws
Sam Hensold
Brian Carpenter*

BOARD BUSINESS: REQUEST FOR DIRECTION

11:15 a.m.

4. Nonhighway Off-road Vehicle Activities Policy Change Recommendations

Adam Cole

12:15 p.m.

LUNCH

BOARD BUSINESS: DECISION

1:15 p.m.

5. Compliance Corrective Action Policy

Myra Barker

Resolution 2024-03

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

1:50 p.m.

Break

2:05 p.m.

6. Bellingham Frank Geri Field 4 Non Conforming Use Extension Request

Myra Barker

Resolution 2024-04

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

2:45 p.m.

7. City of Medical Lake: Approve Eligibility for Acquisition of Waterfront Park

Allison Dellwo

Resolution 2024-05

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

BOARD BUSINESS: REQUEST FOR DIRECTION

3:05 p.m.

8. Washington Wildlife and Recreation Program Farmland Program Review

*Nick Norton
Kim Sellers*

BOARD BUSINESS: BRIEFING

3:50 p.m.

9. State Agency Partner Reports

- Governor's Office
- Department of Natural Resources
- State Parks and Recreation Commission
- Department of Fish and Wildlife

*Jon Snyder
Kristen Ohlson-Kiehn
Peter Herzog
Amy Windrope*

4:20 p.m.

ADJOURN

Next Meeting: Regular Meeting- July 24-25, Richland, Washington. Meeting will be streamed to allow members of the public to participate virtually.

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: January 30, 2024

Place: Hybrid – Room 172, Natural Resources Building, 1111 Washington Street SE; Olympia, WA and online via Zoom

Recreation and Conservation Funding Board Members:

Michael Shiosaki, Chair	Seattle	Bob Bugert	Leavenworth
Shiloh Burgess	Wenatchee	Kristen Ohlson-Kiehn	Designee, Department of Natural Resources
Trang Lam	Camas	Amy Windrope	Designee, Washington Department of Fish and Wildlife
Kitty Craig	Seattle	Peter Herzog	Designee, Washington State Parks and Recreation Commission

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 Michael Shiosaki called the Recreation and Conservation Funding Board (board) meeting to order at 9:00 AM and **Julia McNamara**, Recreation and Conservation Office (RCO) Board Liaison, performed roll call, determining quorum. Of note, Member Ohlson-Kiehn, Member Lam, and Member Windrope were absent.

Motion: Move to Approve **January 30, 2024**, Agenda

Moved By: Member **Herzog**

Seconded by: Member **Bugert**

Decision: **Approved**

Chair Shiosaki introduced himself as the new Chair, and new member, Bob Bugert. Chair Shiosaki then asked all members to introduce themselves.

Item 1: Consent Agenda

Chair Shiosaki noted that the consent agenda included the minutes from the October 24 and 25, 2023, and December 4, 2023, meetings; nine-time extensions; and recognition of thirty-three advisors.

Motion: Move to Approve **Resolution 2024-01**, Consent Agenda

Moved By: Member **Burgess**

Seconded by: Member **Herzog**

Decision: **Approved**

Item 2: Director's Report

Director Megan Duffy highlighted two grant rounds that demonstrated the need for legislative funding. The Local Parks Maintenance (LPM) program funded fifty-three projects with nearly \$5 million; however, there were 214 applications with a total ask of \$18.5 million. Similarly, the Outdoor Learning Grants (OLG) funded twenty-seven projects, totaling \$3.7 million but had 111 applications requesting \$15.3 million.

Legislative Update

Brock Milliern, Policy and Legislative Director, shared that this Legislative Session began on January 8 and has a first cut-off on January 31. Budgets are expected to be announced in the second half of February and session is scheduled to end on March 7. Mr. Milliern highlighted key session items including the fast start with early initiatives and fiscal notes; Climate Commitment Act (CCA) funding; salmon recovery and riparian money; and the Outdoor Recreation Caucus meetings that will continue through 2024.

Mr. Milliern explained the legislative budget requests related to recreation.

- \$1 million for a Lower Snake River Dams recreation impact study if the dams are removed. This assessment would be a cost share with the federal government.
- \$150,000 to update the Recreation Economic Study. The original study was done in 2015 and was last updated in 2020. This funding would keep the study on track to be updated on a five-year cycle.
- \$5.8 million for the Community Forest Program (CFP) to fund two more projects on the ranked list, one in Grays Harbor and one on Whidbey Island.
- Other items in RCO's budget requests are related to salmon recovery.

The policy team met in December to refresh their Policy Work Plan and discussed teaming up on more complex items, like the recent Criteria Changes, which the board can anticipate seeing more of.

Mr. Milliern presented an overview of the work plan, noting that most salmon related items were not listed unless they had elements that crossed over with recreation. The work plan was provided to the board and is included in the meeting [materials](#).

Mr. Milliern highlighted the items completed in 2023 including the Criteria Changes in multiple programs by Leah Dobey and Ben Donatelle; a review of the Youth Athletic

Facilities (YAF) program by Mr. Donatelle and Mr. Milliern; and the development of the LPM program by Nick Norton.

In 2024, staff will continue developing an equity grant program; standardizing the board schedules; exploring options for meeting minutes; implementing the State Conservation and Outdoor Recreation Plan ([SCORP](#)); and develop a CCA outreach plan. Mr. Milliern explained items planned for 2024 included developing the 2025-2027 budget; multi-site eligibility review; reviewing and streamlining appraisal waivers; assessing the impact of objective criteria; a review and update of Manual 3; reviewing the Nonhighway Off-road Vehicle Activities (NOVA) program; Farmland Program review; and replacing the urban clusters designation that was recently sunset by the federal government. Ongoing policy staff work includes the state-tribal recreation impacts workgroup, comprehensive plan review and approval, equity study.

Pending funding, policy staff will develop a forest carbon grant; conduct a Lower Snake River Dams recreation impact study; and update the Economic Study.

Member Herzog asked about the "RCFB Section" item listed. Mr. Milliern explained that these are smaller items pertaining to the Recreation and Conservation Funding Board (RCFB) that need refinement and will be added as capacity allows.

Member Craig asked if there was cross-agency work occurring regarding the CCA outreach plan scheduled for June 2025. Mr. Milliern answered that Caroline Morin, Equity Coordinator, is working with other agencies, and noted that while RCO may use other agency's plans as reference points, RCO's plan will look different. Member Craig asked if updates would be brought to the board and Mr. Milliern did not anticipate updating the board.

Member Bugert asked about the Acquisition Manual Update that did not have a date provided in the timeline. Mr. Milliern explained that work is just beginning on this complex topic, so the timeline is unknown.

Grant Management Report

Marguerite Austin, Section Manager, began her report by highlighting the Community Outdoor Athletic Facilities (COAF) program that opened on January 17 with an applicant webinar attended by 250 people. There is \$12 million available for the first round of grants. Preapplications, a new process being tested in COAF, are due on March 13, after which selected projects will be invited to submit a final application that will be due in June. In October, Director Duffy will make initial grant awards and if RCO is successful in their 2025-2027 request for an additional \$12 million for COAF, the ranked list will

continue to be funded. Awards will be made based on regions instead of in a statewide competition. Ms. Austin emphasized the great interest in this program that already had fifty-six preapplications submitted from a variety of community sizes.

The grant management section was preparing for the next grant cycle with outreach events, such as four free application webinars on February 14, covering Parks: active and passive recreation; Habitat Conservation; Land and Water Conservation Fund (LWCF); and Working Lands: farms and forests. On August 7, there will be additional free application webinars with information on backcountry trails, boating, and shooting range programs.

Regarding COAF, **Member Bugert** asked if staff planned to make a Legislative request for additional funding once designated funds run out. Mr. Milliern explained that there is \$12.5 million designated for this biennium and while another \$12.5 million has been promised by Legislation, but which will need to be included in the budget request for the next biennium. Member Bugert noted this appeared to be a great program for improving equity and **Director Duffy** added that COAF is an opportunity to test equity-oriented approaches, such as the preapplication and technical support, to see how they can be applied to other agency and board programs. **Member Craig** asked if there were other programs that use a preapplication. Ms. Austin answered that there is something similar used in LWCF, and a preapplication is being used in COAF to decrease the administrative burden to applicants. Preapplications that require only preliminary information will be scored and projects that score well will be invited by the director to submit a final application with additional evaluation criteria and more detail provided by sponsors.

Grant Services Report

Kyle Guzlas, Grant Services Manager, provided a grant services update on the advisory committees and procedural changes. There were sixty-five vacancies across eighteen advisory committees and RCO received the largest number of applications in a recruitment effort with 154 applications. Director Duffy appointed ninety-two new members to seventeen committees. Noting the higher number of appointees than vacancies, Mr. Guzlas explained that some committees were expanded to include more community members and a new committee was established for COAF. The most effective outreach for recruitment was through social media where sixty-seven percent of applicants heard about the advisory committees.

Sharing the geographic distribution for applications and committee appointments, Mr. Guzlas highlighted that while only twenty-five percent of the applications came from Eastern Washington, they accounted for forty-three percent of appointments.

This was the first year that RCO collected voluntary applicant demographic data that approximately sixty percent of applicants submitted after completing their application. While this data does not paint a full picture of advisory committee members, it will help staff identify trends over time and target future recruitment efforts.

In 2023, staff made procedural changes by updating individual committee charters with new term limits and updated composition goals; creating a [new conflict-of-interest policy](#); and updating the advisory committee stipend policy to align with the Office of Equity's Community Compensation Guidelines. Additional advisory committee information can be found under the "Get Involved" tab on RCO's [website](#).

Staff plan to develop a grant evaluator bias awareness training video and a new advisory committee orientation process in 2024.

Noting the changes to the stipend policy that include reimbursement for additional items and an increased stipend, **Member Craig** asked how that impacts the budget. Mr. Guzlas shared that while the stipend policy is new as of 2022, money was saved in 2020 when the COVID-19 pandemic shifted from hosting committee members in Olympia to an online Zoom format. Staff will continue tracking spending across programs.

BREAK: 10:06 AM – 10:20 AM

General Public Comment

Although there was no public comment, **Director Duffy** added to the Director's Report by emphasizing RCO's sixtieth anniversary year in 2024 and highlighting new staff members Lorik Soukiazian, Fiscal Analyst, and Eric Tompkins, Contract Specialist.

Item 3: Nonhighway Off-Road Vehicle Activities (NOVA) Policy Changes

Adam Cole, Policy Specialist, briefed the board on the Nonhighway Off-road Vehicle Activities (NOVA) program, currently under review for improvements. Staff and stakeholders identified inefficiencies, such as over 100 small projects submitted each biennium due to relatively low grant limits, so they submit multiple applications for a service area; a full week of in-person evaluations; and difficulty distinguishing high priority projects.

In the near term, staff are considering policy changes to grant limits, criteria changes, larger and longer scale projects, evaluation process, and possible combination projects

to improve efficiency without reducing the impact of the program. Mr. Cole plans to return in April for direction on changes and again in July for a decision, ahead of applications opening in August. In the long term, staff are primarily considering block grants and evaluating synergy with other trails programs and unmet trending needs, conducting a fuel usage study, and looking into a shift to a road usage charge.

NOVA provides funding for planning, development, maintenance, acquisition, and education and enforcement. Federal, state, and local governments, tribes, and motorized nonprofit groups may all apply. The [Revised Code of Washington \(RCW\) 46.09](#) establishes NOVA and identifies eligible sponsors, funding allocation, eligible projects, and requires an advisory committee to be made up of government representatives and recreational users representative of the beneficiaries of the program based on the latest fuel use study, which is a survey of motorized recreation occurring in the backcountry.

Mr. Cole explained the breakdown of funding for NOVA that comes from one percent of the State's gas tax and is the only way for recreationists to receive a refund on taxable fuel used on non-taxable roads. Additionally, off-road vehicle (ORV) permit fees contribute to NOVA funding but only for ORV projects. More details on funding and eligibility in the NOVA program can be found in [Manual 14](#). NOVA has two categories: Education and Enforcement, and Recreation. Within the recreation category there are three subcategories: nonhighway road, nonmotorized, and off-road vehicles. Nonhighway roads and nonmotorized categories have a grant limit of \$150,000 for maintenance projects that make up most of the NOVA projects. Additionally, while match is not required for NOVA, it is scored and most sponsors bring match.

In a breakdown of funding by sponsor type, Mr. Cole noted that the United States Forest Service (USFS), receives nearly half of NOVA funding, followed by state government, local government, and nonprofits, noting that a great deal of recreation happens on federal land within the state and this distribution reflects the priorities. **Member Herzog** asked for clarification on how the funding for each category is determined; Mr. Cole answered it is determined by the statute, adding that the current breakdown was a change in legislation based on the previous fuel use study conducted fifteen years ago.

Member Bugert asked if combination projects are allowed in statute. Mr. Cole answered that combination projects could be allowed per the statute, but raising grant limits and allowing combination projects is up to the board. Mr. Cole added that allowing combination projects would be more efficient for applicants.

Member Craig asked how the increased use of electric vehicles could impact this program. Mr. Cole explained that there are two transitions happening. Electric vehicles

are more common and combustion engines have gotten more efficient, both reducing fuel tax revenues. The State Legislature is considering a transition to a road usage charge instead of fuel tax. The fuel usage study would clarify problems and solutions of the current fuel tax; regardless, one percent of the state motor pool account will continue to be dedicated to NOVA.

Members discussed project types and **Marguerite Austin** explained that most planning projects are for comprehensive plans, occasional design permitting, and maintenance projects around popular recreation sites, which typically score well. Out of 100 2022-2023 NOVA projects, six were planning projects and forty-nine were maintenance.

Mr. Cole briefly compared the Washington Wildlife Recreation (WWRP) program to NOVA, highlighting the discrepancies between the two. In the 2023-2025 biennium, WWRP received \$120 million, 225 applications, and has eleven advisory committees, whereas NOVA received \$12 million, 104 applications – nearly half of the total applications of WWRP – and has only one advisory committee.

The rate of inflation in the United States has increased by thirty-two percent since 2016 when grant limits were last increased. In periods of inflation, it is important to note that state and local governments often experience even higher rates of inflation than consumers. Mr. Cole shared a series of past NOVA maintenance projects that highlight the need across the state.

Staff are considering equity improvements to the NOVA program, such as incorporating recent board approved criteria changes made in other programs. Staff will conduct participant surveys, engage the advisory committee, study past projects, host focus groups, look at existing plans and the economic environment, and solicit public comment.

Members discussed statutory guidance and how the program can incorporate changes and improve while maintaining statutory compliance, and advisory committee's role in prioritizing projects to meet current high needs. Mr. Cole explained that among the advisory committee, there were mixed feelings on block grants and anticipates further discussion.

Member Burgess noted the importance of keeping in mind how these potential changes fit into SCORP throughout the process and views this as an opportunity to lead the conversation with Legislators.

Chair Shiosaki asked who determines which changes are the highest priority. Mr. Cole answered that the advisory committee will make these determinations.

Member Craig wondered if there were foreseeable challenges between stakeholder, staff, and advisory committee interests. In the short term, Mr. Cole thought it feasible to make changes to grant limits, introducing the concept of combination projects, and changing evaluation criteria for efficiencies; however, the longer-term issues, like block grants and longer duration agreements, will need more deliberation.

Member Bugert asked if there was potential for cross-communication between organizations. Mr. Cole answered this would be part of the targeted outreach.

Member Herzog wondered if there were budgetary constraints when considering long-term grant agreements. Mr. Cole explained that the ability to address long-term grant agreements is already in place in another grant program, but budgetary policy or legislative rules will need to be considered.

Chair Shiosaki asked which other RCO programs exist where applicants are asked to bring priorities. Mr. Cole answered that WWRP – State Parks has a similar process where the commissioners share priorities and those are combined with program priorities, and state agencies prioritize what they will submit each year in other WWRP grant categories.

Item 4: Featured Projects

City of Edmonds, Civic Park

Henry Smith, Outdoor Grants Manager, highlighted the City of Edmonds Civic Park ([RCO #14-1199](#) and [#18-1379](#)), a major, multi-phase acquisition and development project. At the August 2014 meeting, the City of Edmonds was awarded funding through WWRP – Local Parks, RCO Recreation Grants Local Parks Category, and fifty percent sponsor match to purchase the 7.2 acres Civic Center Park from the Edmonds School District. In 2018 the City of Edmonds was awarded funding through WWRP – Local Parks, Youth Athletic Facilities (YAF), the Land and Water Conservation Fund (LWCF), and sponsor match for development needs.

In June 2023, the City of Edmonds celebrated with a ribbon cutting ceremony highlighting the upgraded athletic fields, playground, skate park, and tennis courts, and the addition of pathways, an outdoor fitness zone, multi-use sports court, bocce courts, a gathering plaza, picnic area, restrooms, petanque courts, pollinator meadow, accessible playground, and more.

Mr. Smith highlighted the work done by Kyle Guzlas, Dan Haws, former Parks Director Carrie Hite, and current Parks Director Angie Feser, who together made these projects possible.

City of Stevenson, Stevenson Comprehensive Parks and Recreation Plan

Russell Malburg, Outdoor Grants Manager, highlighted the Stevenson Comprehensive Parks and Recreation Plan ([RCO #22-2504](#)) funded through the Planning for Recreation Access (PRA) program. While PRA is not a board funded program, it plays an important role in projects that may come to the board that require a recreation plan, such as Boating Facilities Program (BFP), WWRP – Recreation grants, NOVA, and LWCF. PRA helps remove the recreational plan barrier for sponsors to create the foundational base for future projects.

PRA was established in 2021 by a directive from Legislature and provides \$2.3 million for recreation planning to communities that lack outdoor recreation facilities and resources. Mr. Malburg highlighted sections of the [PRA policy manual](#), emphasizing PRA's intent to prioritize projects that address gaps in racially diverse neighborhoods in dense urban areas and in small, rural communities by providing planning resources necessary to be successful in future funding efforts through board programs or other funding sources. Additionally, PRA prioritizes applicants and communities that have not received an RCO recreation grant in the past ten years.

In 2022, the City of Stevenson submitted their first ever application for an RCO grant and was awarded \$100,000 from PRA to create a comprehensive recreation plan, which was fully funded the grant.

Mr. Malburg briefly highlighted two other PRA grants in his region. The Friends of the Columbia Gorge ([RCO #22-2448](#)) received \$250,000 for increasing outdoor accessibility in the gorge. The Wishram School District ([RCO #22-2500](#)) received \$50,000 for a community park design and cultural resources survey. These sponsors are trying to make a big impact in their communities, and PRA will help them.

Member Craig expressed interest in tracking successful PRA sponsors to see which RCO programs they apply to in the future.

LUNCH: 11:48 AM – 12:46 PM

Item 5: Annual Compliance Report

Myra Barker, Compliance Unit Manager, provided the annual compliance report as outlined in the [meeting materials](#). The goal of the compliance program is to ensure that sites are managed for the intended purpose, use, and function; sites are open for public access for outdoor recreation; and habitat properties are protected and restored for

wildlife, salmon, and other species consistent with grant program policies. This is accomplished by providing guidance to sponsors and staff on changes that impact a project area; by conducting compliance inspections throughout the state; and noting when a site is in compliance and when there are uses that are inconsistent with the grant.

Compliance staff collaborate with sponsors on compliance issues to identify steps toward resolution. Issues can be resolved when a sponsor is willing and able to take necessary actions to return to compliance with the terms and conditions of the grant.

There are over 6,300 worksites in the compliance portfolio, which covers thirty-five RCO grant programs. These sites have a long-term compliance obligation ranging from the useful life of the facility to ten years to perpetuity, depending on the grant policy and project type. Board funded projects represent seventy-three percent of the compliance portfolio and salmon projects represent twenty-seven percent. Of board-funded projects, development projects account for forty-one percent, acquisitions account for thirty-seven percent and have perpetual compliance obligations, and restoration accounts for twenty percent.

Local governments are the primary sponsors within the compliance portfolio accounting for forty-five percent of the portfolio. While state agencies represent only one percent of the portfolio, thirty-three percent of projects in the portfolio are from the three major state agencies, Washington State Department of Fish and Wildlife (WDFW), Washington State Department of Natural Resources (DNR), and State Parks.

Ms. Barker outlined the policies provided in [Manual 7](#) including obsolescence, allowable use, exception to conversion, and conversion. Staff apply the board's compliance and program policies to changes in uses or actions that impact the project area and funded facilities. There were requests for fifteen allowable use approvals in 2023, and one is pending. Ms. Barker noted that often there are conditions associated with the approval. In 2023, there were three requests and approvals for exceptions to conversions.

There were 301 unresolved compliance issues in 2023 with the goal of resolving ten percent. Nine percent were resolved, including closing issues related to obsolescence of facilities and transfer of grant agreements.

Five years ago, the agency added a position dedicated to compliance inspections which provided the ability to complete inspections with a review of the file documentation, map grant boundaries, conduct on-site inspections, note inconsistencies or findings, and follow up with the sponsor to resolve issues. A standard inspection protocol was developed and continues to be refined to improve accuracy, consistency, and efficiency

of inspections. Additionally, outdoor grant managers are no longer responsible for conducting compliance inspections and can focus on applications and active grant management.

In 2023, 339 inspections were completed, meeting eighty-five percent of the staff's goal. Sixty-one percent of those were completed on development sites, thirty-eight were acquisition projects, and one percent were restoration projects. Similar to past findings, eighty-six percent of project areas inspected were in compliance. Through this process, nine conversions were discovered and included activities like encroachments on the boundary, private use of a portion of the funded site, funded property was sold, a rental home occurring in a structure within the boundary, and one permanent closure. The most common findings are ineligible structures and no or restricted public access.

Member Burgert asked what happens when a site is found to be out of compliance and the partner is unwilling to address the issues. Ms. Barker noted that in this situation, the primary tactic is to continue communicating with the sponsor. Issues are only resolved when the sponsor is willing and has the resources to work with RCO.

Another option is applying the board's high risk sponsor policy to sponsors who remain unresponsive on resolving conversions. The policy restricts the ability to apply for grant funding in the future if a sponsor continues to be non-responsive for up to two years after receiving the high-risk designation. The board has not applied this policy to date.

Member Craig asked how compliance impacts sponsor eligibility with other programs. Ms. Barker answered that the NPS policy requires consideration of an applicant's compliance record for LWCF. An applicant's compliance history with RCO grant funding is one of the evaluation criteria for the LWCF program. An applicant's compliance history is not a factor in any other grant program evaluation criteria.

Chris Popek, Compliance Inspector, highlighted compliance inspections conducted in 2023 following the compliance inspection strategy. The majority of inspections completed in 2023 were WWRP – Recreation projects, followed by bonds, other recreation grant programs, Boating Facilities Grant Program, LWCF, and salmon grants.

Mr. Popek highlighted three projects from the four largest categories.

- Marine Park in the City of Vancouver ([RCO #70-029D](#), [71-050D](#), [78-076D](#), and [06-1932D](#)) funded with BFP, bonds, and WWRP – Water Access funds for a total of \$394,712.
- Heritage Park in the City of Stanwood ([RCO # 92-239C](#), [97-127D](#), and [18-1981D](#)) funded with WWRP – Local Parks and YAF funds for a total of \$947,039.

- Heller Bar, a WDFW site ([RCO #68-603A](#), [69-611D](#), [73-610A](#), [83-604D](#), and [14-1751D](#)) funded with LWCF, BFP, WWRP – State Lands, and bonds for a total of \$666,291.

Noting that the highlighted projects were funded through multiple programs, **Member Burgess** asked if that was typical. Mr. Popek answered that he chose to highlight projects that utilized multiple grants, but single-grant projects are also common.

Member Craig asked about the digitization of records. Ms. Barker explained that there is an ongoing project that began several years ago to digitize documentation. Reviewing the complete grant file documentation has been incorporated into the protocol for compliance inspections.

Member Bugert asked who makes the final determination on compliance. Ms. Barker explained that the board has decision authority on conversions unless it is twenty percent or less of the original scope, \$75,000 or less, or is a trail re-alignment or property exchange to consolidate management, in which case the director has authority and can decide to elevate to the board if necessary.

Ms. Barker explained that the LWCF program is administered on behalf of the NPS. LWCF takes up around forty percent of compliance staff's time currently, and having Ashley Arambul dedicated to LWCF has helped tremendously. LWCF was created in 1965 to preserve and develop outdoor recreation resources, parks, trails, and preserve conservation lands. LWCF expired in 2018 but was fully and permanently funded in 2020 under the Great American Outdoors Act.

Revenue for this fund is generated from oil and gas leasing in the outer continental shelf and is currently about \$900 million annually that congress appropriates into three categories: federal land acquisition, state grants, and federal natural resource related programs. Washington's last appropriation was \$6.2 million.

LWCF has a perpetual obligation, and the compliance boundary covers the entire project area. Compliance issues include ineligible and unallowable buildings, boundary encroachments, and road expansions.

Staff are tracking forty-five conversions of LWCF sites; three have been approved and twenty-five are pending.

Ms. Barker highlighted projects that are in compliance.

- In 1966, Columbia Park in Benton County ([RCO #66-001D](#)) was the first project funded by RCO. The park was transferred to the City of Kennewick and has continued to provide outdoor recreation.
- In 1966, WDFW ([RCO #66-604A](#)) was awarded acquisition funding for 279 acres throughout the state for public access to lakes and rivers for fishing and boating.
- In 1979, Tacoma Metro Parks ([RCO #79-041D](#)) was awarded funding to develop People's Park, a small park in the Hilltop neighborhood.
- In 1991, the Prescott Park ([RCO #90-132D](#)) and Recreation District was awarded funding to renovate the community's outdoor swimming pool.
- In 2003, Asotin County ([RCO #03-1053D](#)) used LWCF funding to renovate a portion of a trail adjacent to the Snake River.
- In 2005, the City of Bremerton ([RCO #05-1237A](#)) was awarded funding to acquire a small area to expand Evergreen Rotary Park.

The 2024 Compliance Plan includes completing 400 inspections that prioritize acquisition and LWCF projects; resolving ten percent of compliance issues and completing two conversions; and design and develop an automatic compliance notice in PRISM. In April, Ms. Barker will request approval of a new compliance policy for corrective action, provided in the meeting [materials](#). The board was last briefed on the new policy proposal in June 2023. This policy would provide RCO and a sponsor the ability to develop a plan and timeline for corrective actions on a non-compliant use.

BREAK: 1:29 PM – 1:45 PM

Item 6: State Agency Partner Reports

Governor's Office

Jon Snyder, Governor's Office, shared that due to the upcoming cut-off date, there were few items to report on and anticipated more to report at the next meeting. Mr. Snyder was hopeful for a positive outcome of the bills State Parks, DNR, and WDFW had presented, noting State Parks had two bills, DNR had a bill regarding recreation use on their land, and WDFW had a bill regarding volunteers on their land. In the budget, Governor Jay Inslee had recommended policy proposals from all four agencies including an updated outdoor recreational impact study.

Governor Inslee had the pleasure of seeing former chair, Ted Willhite, at an event in January at the Governor's Mansion celebrating the Washington Wildlife Coalition.

The Governor was touring the state and planned to stop in Spokane at a clean air monitoring station built using CCA funding. Mr. Snyder noted that CCA funds many items in the Governor's budget related to conservation and adjacent to recreation.

Member Craig asked about the forest carbon grant proposal. Mr. Snyder was not sure about the bill. **Director Duffy** clarified that this was not a bill but was a request from RCO for \$5 million in the Governor's budget to create a program. Mr. Snyder expressed support for such a program, adding there was an additional \$8 million added to the budget for trust land transfer for DNR in the supplemental budget.

Department of Natural Resources

Member Kristen Ohlson-Kiehn was absent and did not provide a report.

State Parks and Recreation Commission

Member Peter Herzog, State Parks, shared budget requests for the 2024 supplemental session.

From the operating budget, State parks requested \$14 million for a clean energy and climate adaptation package to address sea level rise; assist with moving the State Parks headquarters from Tumwater to Lacey; address staff housing; conduct outreach and assessments; and increase tribal affairs capacity.

State Parks requested \$13 million from the capital budget, and had \$6 million in the Governor's budget for maintenance, facilities in Twin Harbors, a new round about for the new Nisqually State Park, and renovations at Fort Flagler.

Legislative bills included a department request for guidance to enhance diversity, equity, and inclusion (DEI) in the commission while considering lived experiences and geography. [Senate Bill 5902](#) asks that interest on funds generated from the parks can be accrued by the agency, which could generate around \$600,000 in revenue to the agency. Additionally, State Parks requested the parkland acquisition account be an unappropriated account to better respond to acquisition opportunities.

State Parks is tracking the suggestion that the Julia Butler Hansen House in Cathlamet should be owned and operated by the State Parks system; however, this could be difficult for a state agency to manage as it is not connected to an existing state park. An additional piece of proposed legislation would allow State Parks to extend the current lease with Saint Andrews Seminary to an eighty-year lease.

An interagency-tribal steering committee has met ten times to discuss recreational impacts to natural and cultural resources and protected tribal rights on state lands. The

steering committee is setting up organizational and administrative systems in support of this State-Tribal effort. Specific work groups have been designated to take on specific tasks. Tribes have limited resources to engage in this work, so a main goal of the effort is to find the resources to expand tribal capacity.

Washington State Department of Fish and Wildlife

Member Amy Windrope was absent and did not provide a report.

ADJOURN: 2:00 PM

Motion: Move to **Adjourn.**

Moved By: Member **Burgess**

Seconded by: Member **Craig**

Decision: **Approved**

The next regular meeting is scheduled for April 16 and 17, 2024, at the Natural Resources Building, 1111 Washington Street SE, Olympia, WA 98501.

Recreation and Conservation Funding Board Decision Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

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:

- Request for Decision
- Request for Direction
- Briefing

Resolution: 2024-02 (Consent Agenda)

Purpose of Resolution: Approve the requested time extensions.

Background

Each grant [program policy manual](#) outlines the Recreation and Conservation Funding Board's (board) adopted policy for progress on active funded projects. The key policy elements are the sponsor's responsibility to complete a funded project promptly and meet the milestones outlined in the grant agreement. The Recreation and Conservation Office (RCO) director may give an applicant up to four years (from the award date) to complete a project. 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.

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,
- Status of activities within the grant, and
- Sponsor’s progress on this and other funded projects.

Strategic 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.

Attachment

A. Time Extension Requests for Board Approval

Time Extension Requests for Board Approval

City of Auburn

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1988 Development	104th Ave SE Green River Park Property Development	Aquatic Lands Enhancement Account Program	\$454,603 (91%)	06/30/2024	12/31/2025

Reasons for Delay and Justification of Request

The City of Auburn received a grant to develop a fifteen-acre property into a community park, which will expand and create safer public access to the Green River for water-based recreation. The development includes a parking lot, loop trail, restroom, and picnic shelter along with restoration in the riparian area.

Although funded in 2019, the city has only recently secured 90 percent designs after experiencing significant delays due to several factors. The city completed the initial iteration of 90% designs in 2021. It took nearly two years to reach this stage because the kick-off in March 2020 was impacted by COVID-related furloughs, a hiring freeze, and needing to adapt the design process to a virtual format.

Additionally, the design consultant's contract was predicated on having a city engineer on the project team to finalize drawings, prepare bid documents, etc. With staffing shortages, an engineer was not assigned to the team, meaning that the work needed to be shifted to the consultant. This additional work was outside of the consultant's approved scope and budget. The city needed to amend the design contract.

Further staffing complications included the need for the city to appoint a new project manager in 2022 and the project planner leaving city employment in 2023. The project languished as park staff triaged work for the past two years. The city successfully completed the second iteration of 90 percent design, however, permitting review required further changes. These changes exceeded the consultant's contract also. The design contract amendment was finalized in February 2024, and the project is now moving towards 100 percent design, which should be completed in May.

The city is requesting an eighteen-month extension. The plan is to complete the design, permitting, and bid documents this summer. The city will go out to bid and select a

contractor in the fall. Construction is planned for 2025 and is expected to take approximately ten months.

City of Tukwila

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
<u>18-2033</u> Development	Chinook Wind Public Access	Aquatic Lands Enhancement Account	\$131,000 (83%)	04/30/2024	09/30/2024

Reasons for Delay and Justification of Request

The City of Tukwila received a grant to develop a trailhead, trails, and viewpoints within the Chinook Wind habitat restoration area on the Duwamish River. This site provides opportunities for water access, walking, and learning about the extensive salmon recovery efforts along the river.

Tukwila completed the design and permitting, and the project is out for bids. Tukwila experienced delays due to project site complexities. The project is located on city-owned property and on a trail easement that the city holds on King County property. Adjacent to the trail easement, King County manages the remainder of their property as a stormwater mitigation site. During the permitting process, King County raised concerns about stormwater run-off that led to additional design work and water quality testing. Addressing those concerns delayed the design and construction timeline by about six months and resulted in the need for a time extension.

Tukwila is requesting a five-month extension to complete the construction, which is expected to take about ten weeks. The request includes a small buffer to ensure adequate time to complete the project and meet all post-completion requirements.

King County Department of Natural Resources and Parks

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1691 Development	Lake to Sound Trail, Segment C Gap Development	WWRP: Trails	\$568,589 (95%)	07/31/2024	05/31/25

Reasons for Delay and Justification of Request

King County Department of Natural Resources and Parks received a grant to construct approximately 2,000 linear feet of the Lake to Sound Trail located in Burien. This trail provides opportunities for walking, jogging, and biking.

King County completed the design and permitting and solicited bids for construction in June 2023. Unfortunately, after opening the bids, the county discovered a utility conflict that could not be resolved before the construction was scheduled to begin. Because of this late-breaking issue and the potential cost impacts, King County determined the best approach was to reject the bids, delay the project for a few months while considering options, and then rebid. The project was put out for bids again in November 2023 with favorable results. Over the past few months, King County has negotiated and executed a contract with the apparent low bidder and scheduled the pre-construction meeting for late March. Construction is expected to begin in May.

King County is requesting a ten-month extension to allow adequate time for the contractor to complete the construction and time to and close out the grant.

Methow Conservancy

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1791 Acquisition	Twisp Uplands Conservation Easements	WWRP: Critical Habitat	\$473,076 (23%)	8/31/2024	12/31/2025

Reasons for Delay and Justification of Request

As part of a multi-agency regional effort to protect quality mule deer winter range, the Methow Conservancy (Conservancy) accepted a grant to acquire conservation easements on two sites within the Highway 20 corridor between Winthrop and Twisp. The plan was to protect about 2,180 acres of habitat.

The Conservancy quickly acquired an easement on one of the properties, thus protecting 276 acres. However, the owner of the other targeted property declined the Conservancy's offer. The Conservancy then started focusing on purchasing other properties with willing sellers within the Highway 20 corridor. The Conservancy was able to acquire a second easement, which added another 374 acres to the habitat area, and they are working with a third landowner who is motivated to sell an easement on their property.

The Conservancy is requesting a sixteen-month extension. With additional time, the Conservancy will acquire the third conservation easement (300 acres) and protect a total of 950 acres. The additional time allows for completion of the acquisition and post-closing activities that include baseline documentation, noxious weed control, and fencing.

Seattle Parks and Recreation Department

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
16-2356 Development	Don Armeni Boat Launch Renovation	Boating Facilities Program: Local	\$324,144 (86%)	4/30/2024	4/30/2025

Reasons for Delay and Justification of Request

Seattle Parks and Recreation Department received grant funds to renovate the Don Armeni boat launch in West Seattle. The grant-funded development includes removing and replacing pilings, installing boarding floats, and renovating four launch lanes.

This grant was not awarded until February 2018 due to the delayed adoption of the capital budget.

At the time of application, Seattle was steadily progressing on design development and local permitting. The primary delay was related to securing the U.S. Army Corps of Engineers (USACE) permit, factors included new rules implemented in 2020, low federal staffing and a large project queue. Seattle finalized the design and, after extensive delays, secured the U.S. Army Corps of Engineers permit in mid-2023. The project went to bid, and the contract was awarded to the successful bidder. Due to fish window requirements, construction did not start until January 2024. A portion of the new steel pilings have now been installed, concrete has been placed for one abutment, and demolition of the southern floats is now complete. The new floats are being fabricated off-site before installation.

Seattle is requesting a one-year extension. The plan is to complete the construction in 2024 but includes a small buffer for any unanticipated delays and close out.

Snohomish County Parks Department

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1828 Development	Heybrook Ridge Lower Trail Development	Land and Water Conservation Fund	\$168,072 (86%)	06/30/2024	06/30/2025

Reasons for Delay and Justification of Request

Snohomish County is using this grant to build an accessible half-mile trail and restroom at Heybrook Ridge County Park, a 144-acre park located on the south side of the Skykomish River.

This project was approved in September 2020, during the peak of COVID-19 impacts on staffing availability. When the project was originally scoped, Snohomish County could not foresee the pandemic impacts on the costs and availability of staff and outside contractors. Between 2020 and 2021, the project had three different project managers. One manager left Snohomish County's employment, another junior project manager served in an interim role, and then new staff took over the project in September 2021.

In 2022, the sponsor hired a geotechnical firm at 90 percent design to develop analysis for permitting. Permits could not be submitted until that work was complete. There was a six-month delay between being notified that the geotechnical analysis was needed and completing that work. Also, design work was stalled during that timeframe because information from the geotechnical analysis was needed to complete the design.

In 2023, the permitting and design was completed, but the environmental assessment for the National Environmental Policy Act required several rounds of revisions, further delaying the project.

Snohomish County is requesting a one-year extension. This will provide enough time to complete the construction and finish tasks associated with closing the project. Recreation and Conservation Office staff will submit a request to the National Park Service for a one-year extension to the project's federal grant agreement pending board approval of this request.

Washington Department of Fish and Wildlife

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1358 Acquisition	Oregon Spotted Frog Conservation	WWRP: Critical Habitat	\$372,223 (34%)	6/30/24	6/30/25

Reasons for Delay and Justification of Request

The Washington Department of Fish and Wildlife (WDFW) received a grant to acquire approximately one hundred and thirty-eight acres of critical habitat for the Oregon Spotted Frog. WDFW acquired the targeted property, which included purchasing thirty-four acres through a conservation easement and one hundred and twelve acres through fee acquisition.

The original fee acquisition property (119 acres) included several structures that were scheduled to be demolished. WDFW determined that the demolition costs outweighed the value of the underlying land for habitat purposes and decided to put the seven acres with structures on the open market. WDFW surveyed and sold seven acres and adjusted their billings to only include 112 acres in the grant-funded project. The additional time needed to facilitate this transaction delayed completion of the project.

WDFW is requesting a twelve-month extension. With additional time, WDFW will complete the post-closing work, which includes fencing, noxious weed control, sign installation, and development of public access facilities. While the remaining work is minimal, the extension will provide two full work windows to allow for any unanticipated weather conditions that could delay the work.

Washington Department of Fish and Wildlife

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
<u>18-1937</u> Restoration	Sherman Creek Forest Restoration Rx Burning	WWRP: State Lands Restoration	\$254,032 (55%)	06/30/2024	06/30/2025

Reasons for Delay and Justification of Request

Washington Department of Fish and Wildlife (WDFW) received a grant to treat a thousand acres of Sherman Creek Forest area in Ferry County with prescribed fire. About 450 acres have been treated to date. No work on the project took place during 2022 and 2023 due to staffing shortages in the WDFW Rx fire program.

Since the fall of 2023, WDFW has hired additional fire program staff, including a prescribed fire planner. If an extension is approved, WDFW will complete a burn plan by June 30, 2024, and obtain a burn permit for the remaining area. Although completion ultimately will depend on weather conditions and air quality, WDFW could carry out prescribed burns on a portion of the project area this fall and treat the remaining acres during the spring of 2025.

WDFW is requesting a twelve-month time extension to treat the remaining forest area.

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1510 Development	Dosewallips River Campsites Relocation	WWRP: State Parks	\$158,446 (11%)	6/30/2024	6/30/2025

Reasons for Delay and Justification of Request

Washington State Parks and Recreation Commission (State Parks) received this grant to relocate campsites away from the frequently flooded area along the Dosewallips River and to construct a new ADA compliant comfort station with eight flush toilet stalls and four showers. Most of the project (utility campsites and comfort station) is complete.

The remaining scope element is the new or relocated group camp, which will consist of an earthen entrance road and general parking, ADA compliant concrete parking pad sited next to an existing CXT restroom, and ten tent spaces.

The design is complete, but Jefferson County requires a zero-rise analysis before State Parks can apply for permits and begin that task. State Parks is requesting a one-year extension to complete the analysis, obtain permits, and finish the group camp.

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
14-1634 Development	Klickitat Trail	WWRP: State Parks	\$1,939,452 (87%)	4/30/2024	10/31/2025

Reasons for Delay and Justification of Request

Washington State Parks and Recreation Commission (State Parks) received a grant to deck and rail nine bridges and grade and surface thirteen miles of a regional trail in Klickitat County. State Parks faced significant and compounding issues that delayed progress on the Klickitat Trail project.

- This project was initially an Alternate. It received funding in 2016 and the grant was awarded in October of that year.
- At the beginning of the project, they faced lay-offs due to the delayed passage of the 2017-2019 state capital budget.
- The Yakama Nation raised concerns about the project and, as a result, State Parks withdrew the state environmental policy documents and spent two years working on a memorandum of understanding with the Yakama Nation to address their mutual concerns.
- The COVID-19 pandemic hit in early 2020. This put everything on hold with several months of starting and stopping due to various health requirements.
- State Parks lost staff due to the vaccine mandate and retirements, including an engineering aide of twenty-four years.
- State Parks had difficulty filling vacant positions due to a very challenging and competitive job market.

State Parks completed structural drawings for the trestles, structural design for the prefabricated bridge, and obtained development permits. The project has been bid and pending selection of a successful bidder, State Parks anticipates construction to begin spring 2024 and be completed by the end of the year.

However, harsh winters, in-water work windows, and fire season closures typically allow for only three to five months of construction each year, and there are only two construction access points to the steep and narrow canyon. While they intend to complete the project by the end of 2024, State Parks is requesting another eighteen months to give them one more work window in case of closures or other delays.

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-2450 Development	Olallie State Park Trail System Expansion	Nonhighway and Off-road Vehicle Activities: Nonmotorized	\$123,187 (95%)	6/30/2024	12/31/2025

Reasons for Delay and Justification of Request

Washington State Parks and Recreation Commission (State Parks) received a grant to construct trails within Olallie State Park. Although State Parks was the sole applicant, the original intent was a collaboration between State Parks and the Washington State Department of Natural Resources (DNR).

The recreation programs of State Parks and DNR were hit hard by the pandemic because many seasonal staff chose not to return to work for state government. This meant that staffing was an issue for many grant projects. Permitting, specifically the State Environmental Policy Act and King County permits, were significantly delayed. State Parks issued a Determination of Non-Significance (DNS) for this project, in June 2022, and received over sixty comments or questions during the public comment period. In March 2023, State Parks formally withdrew the DNS for the project to give themselves time to address the comments. This means that State Parks will essentially need to start the permitting process over again.

To ensure that future permitting work receives better support from the public, State Parks hired a consultant to conduct a critical areas assessment to adequately understand impacts related to the project and any mitigation measures. They have also contracted a trail feasibility assessment for two of the trails included in the original grant proposal to gather more information regarding trail design specifics, location and layout, erosion control, and management.

State Parks anticipates that State Environmental Policy Act will be completed by early summer, with county permitting to be completed soon afterwards. Once permitting is complete, trail work will begin pending weather and the availability of construction teams. Extending this agreement through December 2025 provides two construction seasons to complete the work.

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1987 Restoration	Ragged Ridge Restoration	WWRP: State Lands Restoration	\$111,948 (54%)	06/30/2024	10/30/2025

Reasons for Delay and Justification of Request

Washington State Parks and Recreation Commission (State Parks) received a grant to protect and restore sixty-six acres of the six-thousand-foot elevation meadow in the Ragged Ridge Natural Area Preserve. The habitat in this preserve, which is in Mount Spokane State Park, has been severely threatened by off-road vehicle use and invasive plant species.

The field work window at this high elevation project site has been limited due to field conditions such as snowpack and wildfires. Some years have allowed crews to complete work in the spring, but most of the work is carried out during the fall once fire precaution levels decrease and before snow arrives. Work accomplished includes placing large trees to help deter illegal access by off-road vehicles, removal of invasive species, and re-seeding damaged areas. Since the project started, State Parks has revised its work crew source, allowing for more nimble readiness when work windows allow.

State Parks is requesting a sixteen-month time extension to continue closing illegal access points and seeding restoration areas.

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request
18-1760 Development	Willapa Hills Trail Development (Raymond to Menlo)	WWRP: State Parks	\$480,080 (52%)	6/30/2024	6/30/2025

Reasons for Delay and Justification of Request

Washington State Parks and Recreation Commission (State Parks) is using this grant to improve two miles of the Willapa Hills Trail between Raymond and Menlo, including significant upgrades to a trestle bridge to bring the structure up to code. Initially, the project was partially funded; however, in 2021, State Parks received the full grant amount requested. Due to the initial uncertainty of funding, State Parks split the project into two phases and completed the bridge in phase one.

The impact of COVID-19 and related staff shortages delayed implementation of phase two, which involves construction of the trailhead and surfacing. The project was also delayed because of public opposition to the original trailhead location. An alternate location was found, and State Parks has now completed the 100 percent design and intends to bid the project this summer and begin construction in the fall.

State Parks is requesting a one-year time extension complete the project.



APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Cost Increase Request: Washington State Parks and Recreation Commission, Boating Facilities Program Project

Prepared By: Karl Jacobs, Senior Outdoor Grants Manager

Summary

The Washington State Parks and Recreation Commission is asking the Recreation and Conservation Funding Board to approve a cost increase for the following boating project:

- Lake Wenatchee Launch Improvements, 18-2558P

This will help offset an unanticipated increase in project costs. The request exceeds ten percent of the total project cost; therefore, policy requires board consideration of this request.

Board Action Requested

This item will be a:

Request for Decision

Request for Direction

Briefing

Resolution: 2024-02 (Consent Agenda)

Purpose of Resolution: Approve the cost increase request.

Background

The Recreation and Conservation Funding Board (board) awarded a Boating Facilities Program (BFP) grant to the Washington State Parks and Recreation Commission (State

Parks) for planning, design, and permitting of motorized boating facilities on Lake Wenatchee at the June 2019 board meeting. The site is located at Lake Wenatchee State Park in Chelan County and is the only improved boat launch on the lake. This lake offers excellent fishing opportunities as well as wake boarding, water skiing, and jet skiing.

The project scope includes planning and design for improvements that will enhance the efficiency, capacity, and circulation associated with launching a boat, improving the experience for thousands of boaters each year.

Project Status

The board awarded a \$248,000 grant for this project. State Parks has completed 60 percent design and begun State Environmental Policy Act (SEPA) and cultural resources review. Scope elements included in the plan are the boat launch and boarding float, parking, restroom, signage, and ADA pathways.

Discussion and Analysis

Cost Increase Policy

The board's policy on cost increases is outlined in *Manual 4: Development Projects* on page thirty-six. Specifically, the policy states:

On occasion, the cost of completing a project exceeds the amount written into the agreement. Such overruns are the responsibility of the project sponsor. 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.

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

- 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 policy for cost overruns. It states that if unused funds are available, RCO may consider a cost increase.

Available Funds

This project is requesting an increase of \$182,000. There are enough funds available in the Recreation Resources Account to cover the amount requested since a BFP State Category project at Lake Sammamish State Park just closed without using the full grant allocation. Since this request exceeds 10 percent of the project's approved grant, the request is presented for the board's consideration.

Analysis

State Parks has a history of completing their boating projects within the original budgets and has returned funds from projects that came in under budget. Further, this request meets the three criteria (outlined in the policy cited above) for a cost increase.

Options Considered

State Parks considered requesting a scope reduction to 60 percent design and finishing the design in a future development phase. That does not meet BFP policy for a planning grant to result in construction-ready bid documents, so State Parks would have needed to request a waiver of that policy.

Conditions Causing the Overrun

The increase in cost is due to two primary factors:

1. Costs escalated while the project was delayed. At the beginning of the project, State Parks faced lay-offs due to the delayed passage of the 2017-2019 capital budget. Then COVID caused further delays and State Parks lost staff due to the vaccine mandate. Filling positions was difficult due to a challenging and competitive job market.
2. Additional survey and geotechnical work due to unexpected conditions encountered on the site, and a new requirement for a drainage report.

Elements in the Agreement

If approved, the increased budget will only pay for costs associated with scope elements already included in the grant agreement.

Strategic Plan Link

Consideration of this request 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 cost increase as requested.

Next Steps

If the board approves the request, RCO staff will execute the necessary amendment to the grant agreement. State Parks will then move forward to complete design, permitting, and cultural resources review.



Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Recognition of Advisor Service

Prepared By: Tessa Cencula, Grant Coordination Specialist

Summary

This memo summarizes the years of service by advisors on the advisory committees the Recreation and Conservation Office uses to assist in its grant programs.

Board Action Requested

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

Resolution: 2024-02

Purpose of Resolution: Approve the proposed recognitions.

Background

The Recreation and Conservation Office (RCO) relies on advisors to help administer its grant programs. Advisors provide a strategic balance and perspective on program issues. Their activities, experience, and knowledge help shape program policies that guide RCO in reviewing and evaluating projects and administering grants. The following individuals have completed their service after providing valuable analysis and excellent program advice. Outdoor recreationists in Washington will enjoy the results of these advisors' hard work and vision for years to come. Staff applaud their exceptional service and recommends approval of the attached resolutions via Resolution 2024-02 (consent).

Washington Wildlife and Recreation Program Farmland Preservation Advisory Committee

Name	Position	Years
Perry Beale	State Agency Representative	6
Mike Kuttel Jr.	State Agency Representative	5

Working Forests Advisory Committee

Name	Position	Years
Kate Dean	Local Agency Representative	4
Mike Kuttel Jr.	State Agency Representative	3
David Patton	Nonprofit Representative	4
Phil Rigdon	Tribal Representative	4

Attachments

- A. Individual Service Recognitions



A Resolution to Recognize the Service of

Perry Beale

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

WHEREAS, from 2018 to 2024, Perry Beale served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program Farmland 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 conservation 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. Beale'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. Beale.

Approved by the Recreation and
Conservation Funding Board in Olympia,
Washington

A handwritten signature in blue ink that reads "Michael Shiosaki".

Chair Michael Shiosaki



A Resolution to Recognize the Service of

Mike Kuttel Jr.

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

WHEREAS, Mike Kuttel Jr. served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Washington Wildlife and Recreation Program Farmland Preservation Advisory Committee from 2016-2021 and the Working Forests Advisory Committees from 2021-2024; 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 conservation 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. Kuttel'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. Kuttel.

Approved by the Recreation and
Conservation Funding Board in Olympia,
Washington
on April 16, 2024

A handwritten signature in blue ink that reads "Michael Shiosaki".

Chair Michael Shiosaki



A Resolution to Recognize the Service of

Kate Dean

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

WHEREAS, from 2020 to 2024, Kate Dean served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Working Forests 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 conservation 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. Dean'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. Dean.

Approved by the Recreation and
Conservation Funding Board in Olympia,
Washington
on April 16, 2024

A handwritten signature in blue ink that reads "Michael Shiosaki".

Chair Michael Shiosaki



A Resolution to Recognize the Service of

David Patton

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

WHEREAS, from 2020 to 2024, David Patton served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Working Forests 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 conservation 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. Patton'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. Patton.

Approved by the Recreation and
Conservation Funding Board in Olympia,
Washington
on April 16, 2024

A handwritten signature in blue ink that reads "Michael Shiosaki". The signature is written in a cursive style.

Chair Michael Shiosaki



A Resolution to Recognize the Service of

Phil Rigdon

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

WHEREAS, from 2020 to 2024, Phil Rigdon served the citizens of the state of Washington and the Recreation and Conservation Office by participating on the Working Forests 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 conservation 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. Rigdon'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. Rigdon.

Approved by the Recreation and
Conservation Funding Board in Olympia,
Washington
on April 16, 2024

A handwritten signature in blue ink that reads "Michael Shiosaki".

Chair Michael Shiosaki

Recreation and Conservation Funding Board
Resolution 2024-02
April 16, 2024 - Consent Agenda

BE IT RESOLVED, that the following April 16, 2024 Consent Agenda items are approved:

Resolution 2024-02

1. Consent Agenda (*Decision*)

- A. Board Meeting Minutes
 - January 30, 2024
- B. Time Extensions
 - City of Auburn, 104th Ave SE Green River Park Property Development, [18-1988](#)
 - City of Tukwila, Chinook Wind Public Access, [18-2033](#)
 - King County Department of Natural Resources and Parks, Lake to Sound Trail, Segment C Gap Development, [18-1691](#)
 - Methow Conservancy, Twisp Uplands Conservation Easements, [18-1791](#)
 - Seattle Parks and Recreation Department, Don Armeni Boat Launch Renovation, [16-2356](#)
 - Snohomish County Parks Department, Heybrook Ridge Lower Trail Development, [18-1828](#)
 - Washington Department of Fish and Wildlife, Oregon Spotted Frog Conservation, [18-1358](#)
 - Washington Department of Fish and Wildlife, Sherman Creek Forest Restoration Rx Burning, [18-1937](#)
 - Washington State Parks and Recreation, Dosewallips River Campsites Relocation, [18-1510](#)
 - Washington State Parks and Recreation, Klickitat Trail, [14-1634](#)
 - Washington State Parks and Recreation, Olallie Trail System Expansion, [18-2450](#)
 - Washington State Parks and Recreation, Ragged Ridge Restoration, [18-1987](#)
 - Washington State Parks and Recreation, Willapa Hills Trail Development (Raymond to Menlo), [18-1760](#)
- C. Cost Increase
 - State Parks, Lake Wenatchee Launch Improvements, [18-2558](#)
- D. Advisor Recognition (5)

Resolution moved by: Member Ohlson-Kiehn

Resolution seconded by: Member Lam

Adopted/Defeated/Deferred (*underline one*)

Approved Date: April 16, 2024

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Recreation and Conservation Office Report (Director's Report)

Prepared By: Megan Duffy, Marguerite Austin, Kyle Guzlas, Brock Milliern, Mark Jarasitis, Bart Lynch, and Susan Zemek

Summary

This memo summarizes key agency activities.

Board Action Requested

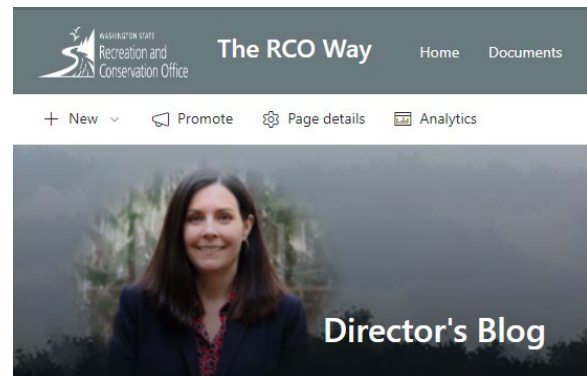
This item will be a:

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

Agency Updates

Modernizing the Director's Blog

The Director's Blog got a makeover in March to be outward-facing and share the Recreation and Conservation Office's (RCO) work. Previously, the blog was distributed only to RCO staff and staff in the Governor's Office and Office of Financial Management. With a goal to better inform customers and partners of the work being done and the issues that affect them, staff have updated the look, featured fewer but longer articles with more external focus, and converted the blog to an electronic format. The new blog is distributed to all grant recipients and partners and posted on RCO websites. The blog will feature three to five longer articles, focusing on major agency accomplishments of interest to partners, as well as shorter announcements. Some of the current blog's features, such as the kudos section and the news clip roundup were either dropped or moved to other places.



Application Webinar and Preapplications for RCO's Newest Grant Program

Marguerite Austin and Nick Norton kicked off the 2024 grant cycle with an informative webinar on RCO's newest grant program, Community Outdoor Athletic Facilities. This

program provides grants for building or renovating outdoor recreation facilities like athletic fields, sport courts, swimming pools, and more. No match is required and applicants may request up to \$1.2 million. Nearly 250 people participated in the January session and by the March 13th deadline, applicants submitted 201 preapplications requesting over \$153 million.



Because the funding will be allocated across five regions of the state in proportion to their populations, advisory committee members are now scoring the preapplications for each region. These rankings will determine which projects appear to best meet the program goals of providing athletic facilities in communities that lack recreational opportunities, have underserved populations, and limited financial capacity. Applicants for high ranking projects will be invited to submit additional application materials, including responses to four more evaluation questions. Advisory committee members will score the final proposals and staff will then combine the scores from the preapplication with scores from the full application to create a final ranked list for each region. RCO's Director will consider the results of the rankings when awarding grants this fall. The Legislature provided \$12 million for this grant round and will possibly add another \$12 million in 2025.

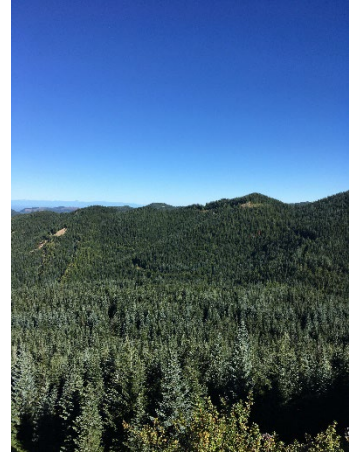
Planning for This Year's Recreation Grant Cycle

Recreation and Conservation staff hosted four application webinars in February. The webinars focused on key topics of interest to potential applicants: parks, habitat conservation, working lands, and the Land and Water Conservation Fund. The webinars included information about the grants offered, eligibility requirements, deadlines, program changes, and how to apply for a grant.



Reaching Out to Encourage Community Forest Applications

RCO staff are making a special effort to promote the new(ish) Community Forests Program. The program was established by legislative proviso in 2020 and funds land acquisition, restoration, and development to create and expand community forests across the state. A competitive project list in the first year of the program illustrated the latent need for the program and led to a high-water mark of \$16 million in funding for the program. In 2022, RCO received fewer project applications for a variety of reasons, including the impacts of COVID-19 and the high cost of acquiring land. In the intervening years, RCO staff have joined the Executive Committee of the Northwest Community Forest Coalition, engaged in educational efforts with the Washington Association of Land Trusts, developed a new program [fact sheet](#), and are conducting direct outreach to existing and potential community forests to generate a robust list of new projects to submit to the Legislature this year.



Employee News

Karen Edwards will join RCO in April as the assistant section manager for the Recreation and Conservation Section. She comes to us from the Department of Fish and Wildlife, where she is the Real Estate Services manager. She leads a team of fourteen real estate professionals that acquires real property and property rights to ensure the agency meets the funding obligations required by the federal and state grants used to buy the land.



Karen gained a lot of experience with land use and land management activities during her thirteen years with the Department of Natural Resources. She sharpened her skills as a property specialist with the Department of Transportation and Washington State Parks and Recreation Commission, where she acquired land and easements for public purposes. After years of being closely involved in the implementation of a grant-funded project, she came to RCO as an outdoor grants manager and stayed for three years.

Sarah Johnson Humphries was promoted to Cultural Resources Unit manager. She joined RCO in 2021 as our first archaeologist. She is responsible for review, preparation, and administration of the agency's cultural resources compliance process. Sarah is a Secretary of Interior-qualified archaeologist with more than fifteen years of experience. She has a bachelor of arts degree from Western Washington University and a master of arts degree from Simon Fraser University in British Columbia. Before joining RCO, she was a senior



archaeologist at Equinox Research and Consulting International and worked on numerous RCO-funded projects throughout western Washington. She has conducted cultural resources training for construction crews and land managers, helped train dozens of new archaeological technicians, and completed hundreds of archaeological surveys and investigations.

Karl Jacobs, a senior outdoor grants manager with the Recreation and Conservation Section has been promoted to assistant section manager. Karl started as an outdoor grants manager and was promoted to a senior grants manager about eight years ago. He is responsible for leading daily grants administration for a team of ten grants managers. Karl previously worked for the Washington State Parks and Recreation Commission for more than eight years, first on environmental permitting for capital projects and then on a variety of real estate transactions. Before coming to RCO, he spent two years handling commercial leasing and long-range facility planning on behalf of tenant state agencies, while at the Department of Enterprise Services. Karl has received a Washington State Parks Division Merit Award and is the recipient of both the RCO's Director's Achievement Award and Director's Award for Excellence.



Kat Moore, who has spent thirteen years at RCO and ten as the senior grants manager for the Salmon Recovery Grants Team, has been promoted to assistant section manager. She has led the team in resolving project issues, developing policies, updating manuals, training new staff, refreshing experienced staff, and improving the PRISM database. Kat also has coordinated the board's technical review panel.



Christy Rains joined RCO in February as the assistant salmon section manager for office programs. She spent the past nine years at the Washington Department of Fish and Wildlife's Habitat Program doing fish passage work. She began her state career as a technician on the fish passage barrier inventory and assessment crew and most recently filled the Fish Passage Section manager roles for both the Inventory and Assessment and Project Scoping sections. Christy received her bachelor's degree in environmental science from Drexel University in Philadelphia. Then she joined Virginia Tech's Stream Team, where she earned a master's degree in stream ecology. Before realizing streams were her passion, she thought she'd be a herpetologist, participating in a nesting ecology study of leatherback sea turtles in Costa Rica, a population dynamics study of the Nile crocodile in Botswana, and the effects of a crude oil spill on turtles in Philadelphia. When she first



moved to Washington in 2013, she volunteered as a Green Kent park steward, leading community events to remove invasive plants and replanting with natives, which helped her learn our native flora.

Elizabeth Spaulding will join RCO April 16 as the habitat policy specialist in the Governor’s Salmon Recovery Office. This new position and new role will help the state natural resources agencies align and advance priorities for riparian areas and other habitats across the state. Elizabeth came from the Department of Natural Resources where she served as a policy lead and the habitat strategic initiative lead. Before that, she spent ten years as a public policy facilitator and project manager, leading collaborative decision-making and stakeholder engagement processes for complex environment issues across the western United States. Elizabeth has a law degree in environment and natural resources law, a master of science degree in conflict and dispute resolution, and a bachelor of arts degree in journalism, all from the University of Oregon. Having grown up in Washington, Elizabeth is excited to have returned home after twenty years.



Nicole Tjoa joined RCO in April as the web and geographic information system specialist with our Information Technology Section. She came to us from Meta, where she was the senior quality analyst and participated in all phases of development of both hardware and software for mobile mapping equipment. She also coordinated large, international data collection projects. Before that, Nicole worked for Apple, where she was a maps analyst and the production lead for a large-scale internal Apple Maps project. She also developed software and an ArcGIS Online application for scientific and technical internal use. Nicole holds a bachelor of science degree in geology from Western Washington University, where her focus was on planetary geology, geophysics, and geomorphology.

Troy Wilson joined RCO in February 2024 as a cultural resource specialist. Previously, he worked for Archaeological and Historical Services at Eastern Washington University. Troy also taught a wide range of anthropology courses at Washington State University, Lewis-Clark State College, Whitman College, and University of South Carolina-Aiken. He holds a bachelor of arts degree from Carroll College and a master’s and PhD degree from Washington State University.



Legislative and Policy Update

Staff will provide an update on legislative outcomes from the 2024 legislative session, including bills and budget, and outline the process for development of the 2025-2027 budget requests.

News from the Boards

The **Habitat and Recreation Lands Coordinating Group** will meet on April 24.

The **Washington Invasive Species Council** met March 21. The meeting topics included an update on Urban Forest Pest Readiness efforts from the Department of Natural Resources, presentations on updates to the Prioritization Assessment Tool and creation of the Volunteer Recognition Program, and a call for general state agency updates and fiscal outlooks for 2024.

The **Salmon Recovery Funding Board** met March 6 to discuss the board's monitoring program and other salmon related issues

Grant Management Section

Governor Gives RCO Award for Smart Project

The Port of Kennewick and its project partners, including RCO, were winners of the Smart Partnerships category for a sixteen-year effort to restore Clover Island from an economically distressed area into a destination waterfront. A representative of the Governor's Office presented the award in a March 12 ceremony.



In addition to RCO, the port's partners included the Confederated Tribes of the Umatilla Indian Reservation, U.S. Army Corps of Engineers Walla Walla District, Benton County, and the City of Kennewick. Using five different RCO grants totaling nearly \$1.5 million, the port stabilized about a mile of the Columbia River shoreline, created a riverwalk, improved walkways that provide access to the lighthouse, installed ten pieces of public art, and renovated a boat launch, a restroom, paved parking, benches, a picnic area, five educational panels, and eleven scenic viewpoints. The shoreline restoration included plantings to improve habitat for salmon.

Applications Are Rolling In

Applicants have started 180 grant applications for the six grant programs offered this spring. RCO is soliciting applications for habitat conservation, outdoor recreation, and working lands for the following board and office programs: Aquatic Lands Enhancement Account, Boating Infrastructure Grant (BIG), Community Forests Program, Land and Water Conservation Fund, Washington Wildlife and Recreation Program, and Youth Athletic Facilities. May 1st is the application deadline for all programs except BIG. The final application deadline for BIG is July 1st to ensure applicants have up-to-date information from the U.S. Fish and Wildlife Service for this federal grant program.

Project Administration

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

Program	Active Projects	Board and Director Approved Projects	Total Funded Projects
Aquatic Lands Enhancement Account (ALEA)	24	0	24
Boating Facilities Program (BFP)	61	1	62
Boating Infrastructure Grant (BIG)	9	0	9
Community Forests Program (CFP)	6	1	7
Firearms and Archery Range Recreation (FARR)	12	0	12
Land and Water Conservation Fund (LWCF)	26	0	26
Local Parks Maintenance (LPM)	37	3	40
No Child Left Inside (NCLI)	98	2	100
Nonhighway and Off-road Vehicle Activities (NOVA)	104	13	117
Outdoor Learning Grants (OLG)	27	0	27
Planning for Recreation Access (PRA)	51	2	53
Recreation & Conservation Office Recreation Grants (RRG)	4	1	5

Recreational Trails Program (RTP)	39	4	43
Washington Wildlife and Recreation Program (WWRP)	256	10	266
Youth Athletic Facilities (YAF)	41	4	45
Total	795	41	836

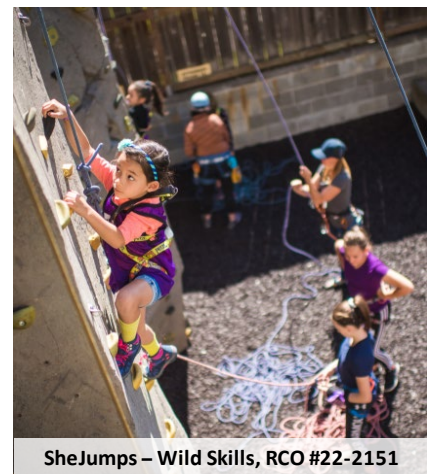
Viewing Closed Projects

Attachment A lists projects that closed between January 1 and March 31, 2024. The team closed sixty-three projects. Select the project number to view the project description, grant funds awarded, photos, maps, reports, etc.

Grant Services Section,

No Child Left Inside Grant Program

With returned funding from the 2021-2023 grant cycle, Washington State Parks and RCO were able to fund an additional eight No Child Left Inside projects on the ranked lists. This brings the total of funded projects in the current biennium to **100!** Projects will serve more than 50,000 youth across the state and provide 1.7 million hours of outdoor education and recreation experiences to underserved youth. That’s an average of thirty-five hours outside per student. What an impact for Washington youth! Research is clear, time outside improves student’s academic performance, mental health and overall wellbeing.



RCO and State Parks staff are coordinating on several policy updates to the NCLI program in advance of the 2024 grant application cycle that opens in August. Changes are being considered to further align policy and the evaluation criteria with the program's core values and Washington State Parks priorities, are responsive to applicant and advisory committee feedback, and applying an equity lens to the granting process. A policy workgroup is being formed that is comprised of Advisory Committee members, along with recent sponsors and applicants.

Below are some of the specific program/policy areas that will be addressed:

- Updates to evaluation criteria
- Adjustments to grant limits (min/max)
- Modify match requirements
- Consider changes to the process for funding tier allocations

- Eligibility for indirect/administrative overhead costs
- Modifications of evaluation procedures (written vs. presentation formats)

Fiscal Report

For July 1, 2023-June 30, 2025, actuals through January 31, 2024 (Fiscal Month 07). Percentage of biennium reported: 29.2 percent. The "Budget" column shows the state appropriations and any received federal awards.

Grant Program	BUDGET	COMMITTED		TO BE COMMITTED		EXPENDITURES	
	Includes Re-appropriations 2023-2025	Dollars	% of Budget	Dollars	% of Budget	Dollars	% Expended of Committed
Grant Programs							
ALEA	\$19,241,000	\$16,800,755	87%	\$2,440,245	13%	\$2,173,064	13%
BFP	\$40,165,000	\$39,035,401	97%	\$1,129,599	3%	\$2,929,673	8%
BIG	\$7,828,000	\$7,828,000	100%	\$0	0%	\$368,943	5%
FARR	\$2,099,000	\$1,326,378	63%	\$772,622	37%	\$119,379	9%
LWCF	\$42,140,000	\$42,140,000	100%	\$0	0%	\$3,810,089	9%
NOVA	\$25,022,000	\$23,665,645	95%	\$1,356,355	5%	\$2,153,125	9%
RTP	\$11,384,000	\$10,911,926	96%	\$472,074	4%	\$1,084,818	10%
WWRP	\$300,016,000	\$279,076,061	93%	\$20,939,939	7%	\$15,272,130	5%
RRG	\$6,576,000	\$6,277,954	95%	\$298,046	5%	\$1,211,838	19%
YAF	\$37,339,000	\$31,870,636	85%	\$5,468,364	15%	\$2,224,557	7%
Subtotal	\$491,810,000	\$458,932,756	93%	\$32,877,244	7%	\$31,347,616	7%
Administration							
General Operating Funds	\$13,053,797	\$13,053,797	100%	\$0	0%	\$3,336,045	26%
Grand Total	\$504,863,797	\$471,986,553	93%	\$32,877,244	7%	\$34,683,661	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, 2023-June 30, 2025, actuals through January 31, 2024 (Fiscal Month 07).
 Percentage of biennium reported: 29.2 percent

Program	Biennial Forecast		Collections
	Estimate	Actual	% of Estimate
Boating Facilities Program (BFP)	\$18,661,000	\$5,489,340	29.4%
Nonhighway, Off-Road Vehicle Program (NOVA)	\$13,611,721	\$4,112,883	30.2%
Firearms and Archery Range Rec Program (FARR)	\$719,512	\$165,082	22.9%
Total	\$32,992,233	\$9,767,305	29.6%

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.
- FARR revenue is from \$2.16 of each concealed pistol license fee.
- These figures reflect the most recent revenue forecast in November 2023. The next forecast will be in June 2024.

WWRP Expenditure Rate by Organization (1990-Current)

Agency	Committed	Expenditures	% Expended
Local Agencies	\$388,444,693	\$330,858,764	85%
Department of Fish and Wildlife	\$249,100,447	\$217,470,837	87%
Department of Natural Resources	\$219,477,206	\$162,055,048	74%
State Parks and Recreation Commission	\$186,098,473	\$148,371,668	80%
Nonprofits	\$70,714,547	\$46,698,779	66%
Conservation Commission	\$14,839,070	\$3,029,894	20%
Tribes	\$2,307,431	\$1,742,117	76%
Other			
Special Projects	\$735,011	\$735,011	100%
Total	\$1,131,716,878	\$910,962,118	80%

Performance Measures for Fiscal Year 2024

The following performance data are for recreation and conservation projects in fiscal year 2024 (July 1, 2023 – June 30, 2024). Data current as of December 27, 2023.

Recreation and Conservation Funding Board Performance Measures

Measure	Target	Fiscal Year-to-Date	Status	Notes
Grant agreements mailed within 120 days of funding	90%	67%	●	178 of 266 agreements have been mailed on time this fiscal year.
Grants under agreement within 180 days of funding	95%	79%	●	201 of 253 projects were under agreement within 180 days.
Progress reports responded to within 15 days	90%	96%	●	RCFB staff received 376 progress reports and responded to them in an average of 5 days.
Projects closed within 150 days of funding end date	85%	62%	●	29 of 47 projects have closed on time.
Projects in Backlog	5	19	●	There are 19 RCFB projects in the backlog needing to be closed out.

Attachments

Attachment A: Table of Closed Projects from January 1 – March 31, 2024

Projects Completed and Closed from January 1, 2024, to March 31, 2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2101	Manson Parks and Recreation District	Manson Bay Marina Breakwater Replacement	Boating Facilities Program: Local	2/20/2024
20-2119	Port of Friday Harbor	Jackson Beach Parking Overlay and Restroom Upgrade	Boating Facilities Program: Local	1/31/2024
16-2386	City of Seattle	South Leschi Transient Moorage	Boating Facilities Program: Local	3/26/2024
16-2357	City of Seattle	Stan Sayres Boat Launch Renovation	Boating Facilities Program: Local	3/14/2024
21-1251	Mason's Resort	Transient Moorage Dock Replacement	Boating Infrastructure Grant: Tier 1	3/20/2024
18-1250	City of Wenatchee	Lincoln Park Renovation	Land and Water Conservation Fund	1/17/2024
20-2159	Department of Natural Resources	Capitol State Forest Education and Enforcement	Nonhighway Off-road Vehicle Activities: Education and Enforcement	1/22/2024
20-2273	Department of Natural Resources	Northwest Region Education and Enforcement North Zone	Nonhighway Off-road Vehicle Activities: Education and Enforcement	3/01/2024
20-2008	Department of Natural Resources	Pacific Cascade Region Education and Enforcement	Nonhighway Off-road Vehicle Activities: Education and Enforcement	2/07/2024
20-2130	Department of Natural Resources	Snoqualmie Corridor and Middle Fork Valley Education and Enforcement	Nonhighway Off-road Vehicle Activities: Education and Enforcement	3/14/2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2210	US Forest Service, Colville National Forest	Colville National Forest Off-Highway Vehicle Forest Ranger Program	Nonhighway Off-road Vehicle Activities: Education and Enforcement	2/27/2024
20-2292	US Forest Service, Mt Baker-Snoqualmie National Forest, Snoqualmie Ranger District	Snoqualmie Ranger District Front Country Patrol 2022-23	Nonhighway Off-road Vehicle Activities: Education and Enforcement	3/06/2024
20-2260	Washington State Parks and Recreation Commission	Riverside Education and Enforcement 2021-2023	Nonhighway Off-road Vehicle Activities: Education and Enforcement	2/15/2024
18-2426	Department of Natural Resources	Green Mountain State Forest Summit Vista Renovation	Nonhighway Off-road Vehicle Activities: Nonhighway Road	2/23/2024
18-2371	US Forest Service, Okanogan-Wenatchee National Forest, Methow Valley Ranger District	Hart's Pass Trailhead Development	Nonhighway Off-road Vehicle Activities: Nonhighway Road	2/27/2024
20-2133	US Forest Service, Okanogan-Wenatchee National Forest, Methow Valley Ranger District	Methow Valley Ranger District Developed Recreation Campground Maintenance 2022-23	Nonhighway Off-road Vehicle Activities: Nonhighway Road	3/28/2024
20-2011	Department of Natural Resources	Capitol and Yacolt State Forests Facilities Maintenance and Operation	Nonhighway Off-road Vehicle Activities: Nonhighway Road	2/05/2024
20-2071	Department of Natural Resources	Samish Overlook and Lily-Lizard Lakes Campgrounds	Nonhighway Off-road Vehicle Activities: Nonhighway Road	2/13/2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2316	US Forest Service, Okanogan-Wenatchee National Forest, Wenatchee River Ranger District	Wenatchee River Ranger District Developed and Dispersed Maintenance and Operation 2022-23	Nonhighway Off-road Vehicle Activities: Nonhighway Road	3/06/2024
20-2097	Department of Natural Resources	Capitol Forest Nonmotorized Trail and Facility Maintenance	Nonhighway Off-road Vehicle Activities: Nonmotorized	3/07/2024
20-2028	US Forest Service, Mount Baker-Snoqualmie National Forest, Darrington Ranger District	Mountain Loop Trailhead and Trail Maintenance	Nonhighway Off-road Vehicle Activities: Nonmotorized	3/28/2024
20-2179	US Forest Service, Mount Baker-Snoqualmie National Forest, Mount Baker Ranger District	Mount Baker Ranger District Trail Maintenance	Nonhighway Off-road Vehicle Activities: Nonmotorized	3/26/2024
20-2234	US Forest Service, Mount Baker-Snoqualmie National Forest, Skykomish Ranger District	Skykomish Ranger District Trail Maintenance 2022	Nonhighway Off-road Vehicle Activities: Nonmotorized	3/06/2024
20-2235	Department of Natural Resources	Snoqualmie Corridor - Facilities and Trails Maintenance and Operation	Nonhighway Off-road Vehicle Activities: Nonmotorized	1/09/2024
20-2152	Department of Natural Resources	Ahtanum Off-Road Vehicle Facilities and Trail Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/21/2024
20-2161	Department of Natural Resources	Capitol Forest Off-Road Vehicle Trail and Facility Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	/28/2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2164	Department of Natural Resources	Elbe Hills Off-Road Vehicle System Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	1/24/2024
20-2010	Department of Natural Resources	Pacific Cascade Motorized Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/28/2024
20-2104	Department of Natural Resources	Reiter Foothills Forest Maintenance and Operations	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	3/07/2024
20-1997	Department of Natural Resources	Straits Off-Road Vehicle Trail and Facility Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	1/26/2024
20-1983	Department of Natural Resources	Tahuya 4x4 Trails Maintenance and Operation	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/21/2024
20-1957	Department of Natural Resources	Tahuya-Green Mountain Trail Facilities Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	3/08/2024
20-2212	Department of Natural Resources	Walker Valley Off-Road Vehicle Trails Maintenance and Operation	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/23/2024
20-2337	Grant County Sheriff Department	Grant County Off-Road Vehicle Maintenance and Operation	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/02/2024
20-2156	US Forest Service, Gifford Pinchot National Forest, Cowlitz Valley Ranger District	Gifford Pinchot National Forest Motorized Trails Operation and Maintenance	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	3/26/2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2136	US Forest Service, Okanogan-Wenatchee National Forest, Methow Valley Ranger District	Methow Valley Ranger District Motorized Trail Maintenance 2022-2023	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	3/26/2024
20-2402	Washington Off Highway Vehicle Alliance	Washington Off Highway Vehicle Alliance 2 Track Volunteer Support	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	1/16/2024
20-2259	Washington State Parks and Recreation Commission	Riverside Off-Road Vehicle Area Maintenance and Operation 2021 - 2023	Nonhighway Off-road Vehicle Activities: Off-Road Vehicle	2/27/2024
22-2368	Mountains to Sound Greenway Trust	Mountains to Sound Greenway Trailhead Ambassadors	Recreational Trails Program: Education	1/26/2024
20-2004	Back Country Horsemen of Washington	Rehabilitating Olympic Peninsula Trails	Recreational Trails Program: General	2/21/2024
20-2005	Back Country Horsemen of Washington	Maintaining Endangered Trails	Recreational Trails Program: General	1/11/2024
20-2100	Evergreen Mountain Bike Alliance	Eastern Washington Volunteer Trail Maintenance 2021-2023	Recreational Trails Program: General	1/04/2024
20-2099	Evergreen Mountain Bike Alliance	Western Washington Volunteer Trail Maintenance 2021-2023	Recreational Trails Program: General	1/04/2024
20-2281	Mountains to Sound Greenway	Mountains to Sound Trail Maintenance 2021-22	Recreational Trails Program: General	3/20/2024

Project Number	Sponsor	Project Name	Program	Closed On
20-2419	Northwest Motorcycle Association	Northwest Motorcycle Association Heavy Maintenance Crew Statewide Maintenance	Recreational Trails Program: General	2/09/2024
20-2421	Northwest Motorcycle Association	Northwest Motorcycle Association Moto-Volunteer Central Washington Division	Recreational Trails Program: General	2/09/2024
20-2262	Pacific Northwest Trail Association	Pacific Northwest Trail Statewide Stewardship	Recreational Trails Program: General	1/11/2024
20-2251	Washington State Parks and Recreation Commission	Blue Mountains Snowmobile Trails	Recreational Trails Program: General	3/27/2024
20-1985	Washington State Parks and Recreation Commission	Northwest Region Trail Maintenance	Recreational Trails Program: General	2/27/2024
20-2271	Washington State Parks and Recreation Commission	Selkirk Snowmobile Trails	Recreational Trails Program: General	2/28/2024
20-1989	Washington Trails Association	Statewide Youth Trail Maintenance	Recreational Trails Program: General	1/03/2024
20-1990	Washington Trails Association	Statewide Backcountry Trail Maintenance	Recreational Trails Program: General	1/03/2024
20-1686	Snohomish County	State Route 530 Oso Slide Memorial Park	Washington Wildlife and Recreation Program: Local Parks	2/13/2024

Project Number	Sponsor	Project Name	Program	Closed On
18-1860	Department of Natural Resources	Morning Star Natural Resources Conservation Area Boulder-Greider Bridges	Washington Wildlife and Recreation Program: State Lands Development	3/14/2024
18-1847	Department of Fish and Wildlife	Scotch Creek Riparian Restoration	Washington Wildlife and Recreation Program: State Lands Restoration	3/21/2024
16-1811	Department of Fish and Wildlife	Skagit River Delta Restoration	Washington Wildlife and Recreation Program: State Lands Restoration	3/13/2024
18-1774	Department of Fish and Wildlife	Rock Creek Cleman Ridge Forest Restoration	Washington Wildlife and Recreation Program: State Lands Restoration	1/25/2024
20-1194	Capitol Land Trust	Lower Henderson Inlet Habitat Protection Phase 2	Washington Wildlife and Recreation Program: Urban Wildlife	2/12/2024
18-1326	City of Bonney Lake	Allan Yorke Park Athletic Field with Lighting	Youth Athletic Facilities: Large	1/18/2024
18-1360	City of Pasco	A Street Sports Complex Phase 1	Youth Athletic Facilities: Large	2/02/2024
20-1356	City of Port Angeles	Volunteer Field Turf	Youth Athletic Facilities: Large	2/14/2024
18-1246	City of Wenatchee	Lincoln Park Soccer-Lacrosse Field Construction	Youth Athletic Facilities: Large	1/17/2024
20-1810	Kalispel Tribe of Indians	Usk Basketball Courts	Youth Athletic Facilities: Large	2/21/2024

Recreation and Conservation Funding Board Decision Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Nonhighway Off-road Vehicle Activities Policy Changes

Prepared By: Adam Cole, Natural Resources Policy Specialist

Summary

This memo summarizes proposed grant limits and evaluation process changes to the Nonhighway and Off-road Vehicle Activities grant program. Staff seek Recreation and Conservation Funding Board feedback and direction on policy changes before gathering public comment. If directed, staff will return in July for a final policy decision prior to the Recreation and Conservation Office accepting applications in August.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

The Nonhighway and Off-road Vehicle Activities (NOVA) grant program is popular with land managers needing additional resources to maintain and develop back-country recreation facilities.¹ NOVA projects must be Off-road vehicle riding areas or facilities accessed by a nonhighway road, which generally means a roadway open to the public for recreation travel but not supported by state gas tax revenues. Examples of nonhighway roads include a United States Forest Service (USFS) road and campground access roads.

Applicants, Recreation and Conservation Office (RCO) staff, and our Advisory Committee manage over 100 NOVA grant applications and awards each biennium. Relatively low grant limits and resource intense application and evaluation processes require substantial administrative effort.

¹ Those accessed by or adjacent to a "non-highway road", see [RCW 46.09.500-520](#)

At this meeting, staff will present proposed policy and administrative changes designed to create efficiencies in the program and improve impact, while preserving the state-wide distribution of program funds. This year, staff met with the NOVA Advisory Committee to scope these proposed changes:

1. Policy: Increased grant limit maximums in all NOVA categories (Motorized Recreation, Nonmotorized, Nonhighway Road, and Education and Enforcement).
2. Administrative: Changes to the grant evaluation process.

For a program overview, see Attachment A or program webpages and manuals for [Motorized, Nonmotorized, and Nonhighway Road](#), and [Education and Enforcement](#) grant categories.

Grant Limit Increases (Policy)

Purpose

Staff propose to raise grant limits in all four grant categories in NOVA: Motorized, Nonmotorized, Nonhighway Road, and Education and Enforcement. Raising grant limits:

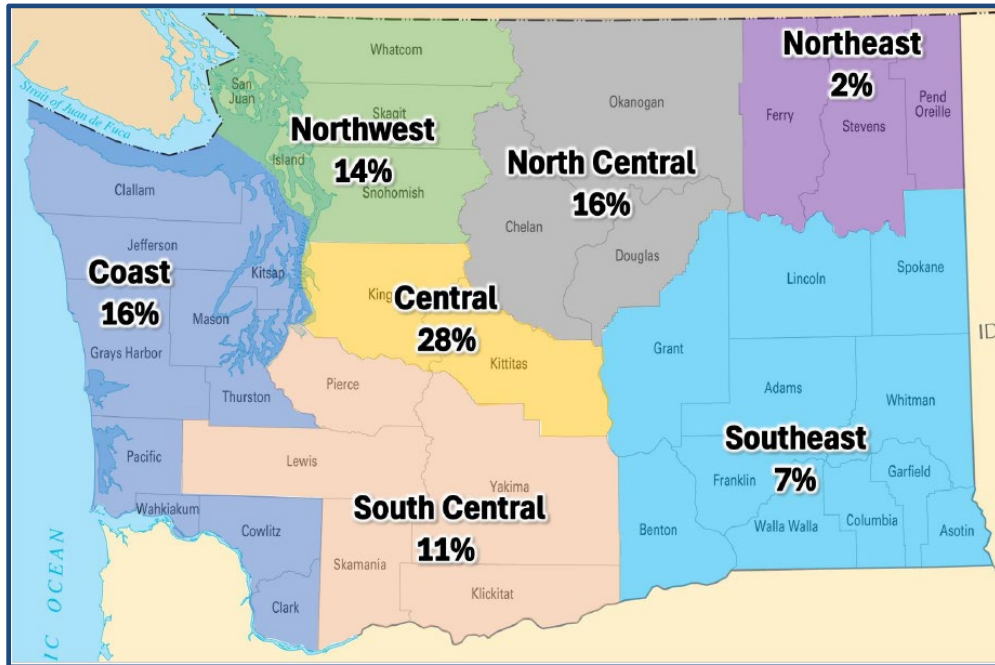
1. Aligns grant amounts to reflect inflation since 2016, the last time grant limits were raised. Keeping grant limits in-line with inflation maintains project impact over time.
2. Allows applicants to bundle multiple grant requests into a single application for administrative efficiency ("consolidation"). Bundling also achieves economies of scale in staffing, purchasing, productivity, and project scope ("impact").
3. Allows higher impact and larger scale projects that were previously out of reach in the program due to low grant limits.

Possible Concerns:

1. Because NOVA funding is relatively consistent year to year, raising grant limits will likely result in fewer awards. Given this concentration, the fund may lean towards consolidation by region or by applicant type.
2. The program mostly funds maintenance and operations projects as compared to development or acquisition grants that create new recreation sites. Inviting larger

scale development projects via grant limit increase may reduce the number of maintenance grants funded, which our applicants rely on to do seasonal work.

NOVA Fund Distribution 208-2022 (by functional regions of the state)



Grant Limit Increase Policy Options by NOVA Grant Category

The “Policy Choice” terms below describe the various intent of grant increase options:

1. “No Change” considers no grant limit increase, which maintains the status quo. This continues the practice of issuing a high number of grant awards each biennium and likely continues the programs state-wide distribution and focus on maintenance and operations activities over larger scale capital projects.
2. “Inflation Adjustment” means an increase closely resembling cumulative inflation since 2016, around 30 percent.
3. “Future Inflation Adjustments” means a greater increase to reflect the exaggerated impact consumer inflation has on government projects and accommodates anticipated future inflation over the next few biennia.

4. "Grant Consolidation/Impact" represents an option whereby applicants could combine what would have been two or more grant requests into a single grant application or submit a single higher cost and larger scale project.

Table 1. EDUCATION AND ENFORCEMENT Grant Category Policy Options

Policy Choice				
	Option 1	Option 2	Option 3	Option 4
Project Type	"No Change" Current Maximum Grant Award	"Inflation Adjustment"	"Future Inflation Adjustment"	"Consolidation/Impact"
Education and Enforcement	\$200,000	\$250,000	\$350,000	\$500,000

Table 2. MOTORIZED Grant Category Policy Options

Policy Choice				
	Option 1	Option 2	Option 3	Option 4
Project Type	"No Change" Current Maximum Grant Award	"Inflation Adjustment"	"Future Inflation Adjustment"	"Consolidation/Impact"
Development, Acquisition, Planning	No Limit	N/A	N/A	N/A
Maintenance and Operations	\$200,000	\$250,000	\$350,000	\$500,000

Table 3. NONMOTORIZED AND NONHIGHWAY ROAD Grant Category Policy Options

Policy Choice				
Project Type	Option 1 "No Change" Current Maximum Grant Award	Option 2 "Contemporary Inflation Adjustment"	Option 3 "Future Inflation Adjustment"	Option 4 "Consolidation/Impact"
Development, Acquisition, Planning	\$200,000	\$250,000	\$300,000	\$500,000
Maintenance and Operations	\$150,000	\$200,000	\$250,000	\$350,000*

* This amount is less compared to the other grant categories because both of these grant categories are typically oversubscribed and therefore the most competitive, thus ensuring more rather than less maintenance and operations projects receive funding.

Grant Evaluation Process Changes (Administrative)

Rationale

Staff are exploring administrative changes to the evaluation process. Currently, the Education and Enforcement grant category is a written evaluation process, meaning evaluators score projects on their own, based on written grant application materials.

Motorized, Nonmotorized, and Nonhighway Road categories are evaluated during a weeklong intensive (eight-hour days) meeting of the NOVA Committee. Committee members score projects during a Zoom meeting PowerPoint presentation by each applicant. Each of the following options provides some relief to the Advisory Committee Members and streamlines the evaluation process for applicants as well:

- 1) Transition to Written Evaluations Only for all Grant Categories. Switching from week-long, Zoom presentations to written application evaluation means Advisory Committee members would evaluate projects by written application at their own time. Applicants would not create PowerPoint presentations and give Zoom presentations during the evaluation period.

- 2) Written/Zoom Presentation Hybrid. This option consists of a written evaluation and a short full committee Zoom meeting to answer questions committee members may have about individual applications/projects. The committee may meet prior to the Q&A period to discuss various projects' impact for users and regional issues as may be needed. This would create some efficiencies for the Advisory Committee members and applicants, compared to the full zoom PPT presentation option method.
- 3) Subcommittees. Rather than a full Advisory Committee Zoom meeting to evaluate applications, RCO would establish Advisory Committee subcommittees, one assigned to each of the three grant categories (E&E would still be written), thereby reducing individual members' workload by three-fourths. This option would require additional Advisory Committee members for the evaluation period.

Next Steps

Contingent on feedback and direction from the board, RCO staff will revise these recommendations, publish a public comment package on policy changes, and return at the July board meeting with final recommendations. Staff will consult with the NOVA Advisory Committee and other stakeholders throughout this process.

Attachment

- A. NOVA Program At-A-Glance

NOVA Program At-A-Glance

The [Nonhighway and Off-road Vehicle Activities \(NOVA\) program](#) is a motor vehicle fuel-tax refund grant program that provides grants for planning, acquiring land, constructing, and maintaining facilities for a variety of back-country activities.² These activities include car camping, backpacking, cross-country skiing, hiking, horseback riding, mountain biking, boating, hunting, fishing, sightseeing, motorcycling, and operating all-terrain and four-wheel drive vehicles. A portion of NOVA funding is set aside for education and enforcement programs as well. Applicants (government agencies and nonprofit off-road vehicle organizations) must meet eligibility requirements and compete for funding per board adopted policies.³

The board approved \$34.5 million in NOVA grants over the last three biennia.

Eligibility

NOVA projects must be facilities accessed by a nonhighway road, which generally means a roadway open to the public for recreation travel but not supported by state gas tax revenues. Examples include US Forest Service roads open to recreation travel and campground access roads.

Allocation

The Legislature approves and the State Treasurer credits one percent of the motor vehicle fuel tax revenues to recreation programs at multiple state agencies, as outlined in statute.⁴ The board receives fifty-eight and a half percent of those funds for NOVA recreation grants.⁵ The statute further splits these funds into four grant categories:

- Education and Enforcement ("E&E")
- Nonhighway Road recreation
- Nonmotorized recreation⁶

² [RCW 46.09.500-520](#)

³ [Manual #14](#), for Nonhighway Road, Non-motorized, and Motorized projects. [Manual #13](#) for Education and Enforcement projects. [2023 State Recreation and Conservation Plan, NOVA Advisory Committee](#).

⁴ Per [RCW 46.09.520](#) to Washington Department of Fish and Wildlife, Washington State Parks, Department of Natural Resources, and the Recreation and Conservation Funding Board

⁵ The Treasurer distributes the remainder of the funds for NOVA-related programs as follows: Department of Natural Resources (36%), the Department of Fish and Wildlife (3.5%), and Washington State Parks (2%)

⁶ Also called the Ira Spring outdoor recreation facilities funds ([RCW 46.09.520\(2\)\(d\)\(ii\)\(B\)](#))

- Off-road Vehicle recreation (this category receives additional funding from ORV permit fees.)

Grant Limits

Nonhighway Road and Nonmotorized project categories have maximum grant limits of \$200,000 for each project, with maintenance and operation projects limited to \$150,000. Off-road Vehicle category maintenance and operation project limits are higher, limited to \$200,000, but there is no limit for other project types in this category. Education and Enforcement grants are limited to a maximum of \$200,000.

Grant Round Example: 2022-23 Biennium

In 2022, applicants submitted ninety-seven NOVA grant applications to RCO, requesting \$16.3 million from the \$12.2 million available. In early 2023, NOVA Advisory Committee members evaluated and ranked these projects during a week-long, Zoom evaluation meeting. In addition to that week-long review meeting, Advisory Committee members evaluated Education and Enforcement projects on their own via a written process. At the June 2023 Recreation and Conservation Funding Board (board) meeting, the board approved the [ranked project list](#) for funding.

The following is an example of how the NOVA allocation looked for the 2022-23 grant round:

Table 1. 2022-23 NOVA Program Allocation by Grant Category

NOVA Category	Percent Allocated	Further Divided	Fuel Tax Dollars	Add ATV Permit Fees
Education and Enforcement	30%	100%	\$2,803,307	
Non-Highway Road	70%	30%	\$1,962,315	
Nonmotorized		30%	\$1,962,315	
Off-road Vehicle*		30%	\$1,962,315	\$2,718,644
"Competitive Dollars" (for any non-E&E Project)		10%	\$654,104	
Total	100%		\$9,344,356	\$2,718,644

*With the addition of ORV permit fees, the total for the ORV category was \$4,680,959.

Table 2. 2022-23 NOVA Applications, and Funded Projects

Category	Grant Applications	Grants Funded	Applications Funded %
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Education and Enforcement	25	15.80	63.2%
Nonhighway Road	20	13.96	69.8%
Nonmotorized	25	11.58	46.3%
Off-road Vehicle	26	25.61	98.5%
Total	96	66.95	69.5%



Recreation and Conservation Funding Board Decision Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Compliance Corrective Action Policy Proposal

Prepared By: Myra Barker, Compliance Unit Manager

Summary

The purpose of the proposed policy is to address a period of non-compliance by providing an option for a sponsor to remove the inconsistent and ineligible use and return the project area to full compliance.

Staff are requesting Recreation and Conservation Funding Board approval of the proposed policy.

Board Action Requested

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

Resolution: 2024-03

Purpose of Resolution: To approve the compliance corrective action policy.

Background

The Recreation and Conservation Funding Board’s (board) compliance policies are applied when an inconsistent use or action is planned or found at a project area. An inconsistent use or action may include a non-public or private use, a use unrelated to or that conflicts with public outdoor recreation or habitat protection, or a use or structure that would not be eligible for funding.

An inconsistent or ineligible use may be discovered by the Recreation and Conservation Office (RCO) during a compliance inspection or reported by a sponsor or the public.

Allowable use, exceptions to conversion, and conversion are the board's current compliance policies that apply to inconsistent uses or actions. These policies address a variety of permanent and temporary¹ uses.

An inconsistent use or action that does not fall within the allowable use or exceptions to conversion policy is deemed a conversion. A conversion requires prior approval and replacement of land or facilities or both.

Not all compliance issues can be reversed or corrected and therefore require approval through the conversion process. The proposed policy does not diminish or limit RCO from determining a use or action will or has created a conversion and requires replacement.

Policy Proposal

Staff are proposing a Corrective Action² policy to address a period of non-compliance. The policy would provide flexibility and the option for a sponsor to resolve an identified compliance issue and return the project area to its intended purpose and function.

The proposed policy reads as follows:

A sponsor and RCO mutually may develop a corrective action plan to address a compliance issue on a state-funded site. The plan must identify the required actions the sponsor will take and deadlines for completion. Failure to complete the actions will result in conversion. The director may approve deadline extensions.

Examples

An adjacent landowner is using a portion of the grant-funded site for storing personal vehicles and equipment. This encroachment can be corrected by removing the use, delineating the grant boundary, and restoring the disturbed area.

An ineligible building remains on the grant-funded site. This compliance issue can be corrected by removing the building and restoring the disturbed area.

A grant-funded site is closed to the public. This compliance issue can be corrected by opening the site to the public.

¹A temporary non-conforming use or closure is limited to a two-year period under the Exceptions to Conversion policy.

²The Corrective Action policy would not apply to federally funded projects.

Expected Outcome/Results

The proposed policy could apply to over seventy unresolved compliance issues. Those issues include project areas with encroachments, sites that are closed or unavailable to the public, sites that remain undeveloped for public use, and ineligible structures that remain or have been constructed within the grant boundary.

Public Outreach

The proposed policy was posted on the RCO website on February 9 for public comment. The public comment period ended on March 15.

Staff directly emailed forty project sponsors requesting review and comment on the proposal. Staff shared the proposed policy with the Washington Recreation and Park Association (WRPA).

Four comments in support of the policy were received during the public comment period. (Attachment A)

Staff Recommendation and Next Steps

Staff recommend approval. If the board approves the policy, staff will add the policy to Manual 7. Staff will initiate outreach to sponsors with unresolved compliance issues that may be addressed through the corrective action policy.

Attachments

Attachment A: Public Comments

Attachment B: Resolution 2024-03

Attachment A: Public Comments

Name	Organization	Comment
Dave Erickson	City of Wenatchee	The proposed policy language looks appropriate to me and may provide some improved flexibility for sponsors (albeit maybe more work for RCO staff).
Heather Ramsay Ahndan	King County	<p>I think this is an excellent addition to RCO’s compliance toolkit. One thing that may already be part of your thinking is to include an option that is short of conversion for those long-term temporary impacts that remain unresolved past the deadlines in the corrective action plan. For example, if a compliance item remains outstanding at the point of deadline, consider allowing the applicant a choice between conversion or modification of the corrective action policy. These modifications would then include some type of additional mitigation for the longer temporary impacts. For example, if the original corrective action plan called for removing and restoring an encroachment, the non-conversion penalty could require additional plantings or similar commensurate with the degree and duration of impact.</p> <p>I think this would give RCO and your partners flexibility to address unforeseen difficulties – such as a longer time horizon than anticipated on a court proceeding for trespass, or construction of additional park features requested by public as part of re-opening a closed park. Perhaps this flexibility is already what is being envisioned in giving the director discretion to approve an extension?</p>

		Either way, this seems like a tremendously common sense approach to resolving many types of non-compliant projects.
Jennifer Burbidge	City of Lacey	I'm writing to support the proposed policy change which would provide flexibility for a sponsor to resolve a non-compliant use by working with RCO to mutually develop a corrective action plan that will return the funded project area to full compliance.
Mary Dodsworth	City of Lakewood	The City of Lakewood is in favor of the updated language which allows agencies to develop a plan with RCO to address compliance issues in advance of conversion procedures. The City of Lakewood became aware of a 25+ year old conversion issue that occurred before we incorporated as a city. As the property owner, we are required to remedy the situation. In the meantime, we were docked points on a grant application due to the compliance issue. We are definitely interested in working with RCO on an appropriate solution to remedy the issue to meet RCO policies in advance of going through a complicated conversion process. Thanks for allowing me to send a comment regarding this potential policy change.

**Recreation and Conservation Funding Board
Resolution 2024-03
Corrective Action Policy**

WHEREAS, the Revised Code of Washington 79A.15.030 authorizes the Recreation and Conservation Funding Board (board) to adopt rules and procedures governing approval of conversions; and

WHEREAS, updating the board’s compliance policies is desired for transparency and flexibility in having sponsors meet the board’s long-term grant obligations and the Recreation and Conservation Office’s grant management and contracting requirements; and

WHEREAS, retaining compliance policies help ensure completed projects remain in the public domain for the respective compliance period; and

WHEREAS, the board solicited and heard public comments on the corrective action policy recommended in this memorandum in an open public meeting on April 16, 2024; and

WHEREAS, staff reviewed and considered public comments on the recommendations contained in this memo;

NOW, THEREFORE BE IT RESOLVED, that the board approves Resolution 2024-03 and the policy:

A sponsor and RCO mutually may develop a corrective action plan to address a compliance issue on a state-funded site. The plan must identify the required actions the sponsor will take and deadlines for completion. Failure to complete the actions will result in conversion. The director may approve deadline extensions.

Resolution moved by: Member Burgess

Resolution seconded by: Member Craig

Adopted/Defeated/Deferred (underline

one) Date: April 16, 2024



Recreation and Conservation Funding Board Decision Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Bellingham Frank Geri Field #4, RCO #96-1178D
Non-Conforming Use Extension Request

Prepared By: Myra Barker, Compliance Unit Manager

Summary

At the October 2022 meeting, the board approved an extension of the non-conforming use of the field’s parking area to June 30, 2024. The City of Bellingham is requesting a six-month extension through December 31, 2024.

Board Action Requested

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

Resolution: 2024-04

Purpose of Resolution: To deny or approve an extension of the non-conforming use through December 31, 2024.

Non-Conforming Use Policy

The Recreation and Conservation Funding Board (board) Exceptions to Conversion policy includes an exception for a non-permanent non-conforming use or temporary closure. The policy states:

A non-permanent, non-conforming use or temporary closure that will have minimum impact to the project area (or portion of) that will last 180 days or less does not require RCO review. A non-permanent, non-conforming use or temporary closure that exceeds 180 days and will last no more than 2 years must be reviewed by RCO and may be approved by the director. The project area impacted must be restored¹

¹ The portion of the project area impacted by the action is returned to its original (or better) surface condition.

in a specified period of time following the use. The board may approve an extension of the non-permanent, non-conforming use or temporary closure.

Bellingham Frank Geri Field 4 Non-Conforming Use

Frank Geri Field 4 was developed with a grant from the Washington Wildlife and Recreation Program, Local Parks category. Development included the ballfield, lighting, and parking.

The City of Bellingham (City) permitted the installation of temporary housing units at the parking area for Field 4 beginning on December 20, 2020. The two-year limit for a non-conforming use was to end on December 20, 2022.

At the board's October 2022 meeting, the City requested an extension. The board approved an extension through June 30, 2024. Details of the non-conforming use may be found described in [Item 18](#) of the board's October 2022 meeting materials.

The City is requesting an additional six-month extension through December 31, 2024. The City has experienced a delay in relocating the temporary housing units due to the following:

- Infrastructure costs significantly increased at the location where the housing units were to be relocated, making it no longer feasible.
- A new/alternate site has been identified and is currently under contract for purchase. Environmental studies have been completed and design and permitting are underway.
- Electrical service at the new/alternate site is delayed due to vendor availability.

Throughout the period of the non-conforming use, the funded field has remained open and available for games and practices. Parking is available at other areas within the athletic complex.

Options for Board Consideration

The board has the authority to approve or deny extensions. The options include:

Option 1: Approve the six-month extension.

Option 2: Approve the six-month extension with the condition that if the City is unable to meet the deadline, a conversion may be declared.

Option 3: Deny the extension request.

Attachments

A. Resolution 2024-04

Resolution 2024-04
Non-Conforming Use Extension Request: Bellingham Frank Geri Field 4
RCO #96-1178D

WHEREAS, the City of Bellingham (City) used a Washington Wildlife and Recreation Program – Local Parks category grant to develop Frank Geri Field 4 and parking area at the Civic Athletic Complex; and

WHEREAS, the City has permitted a non-conforming use of temporary housing to be in the parking area on a portion of the funded site; and

WHEREAS, the Recreation and Conservation Funding Board (Board) has adopted policy that allows for a non-conforming use at a project area; and

WHEREAS, the current approval of the non-conforming use expires on June 30, 2024; and

WHEREAS, the City is asking the Board to approve a six-month extension of the non-conforming use through December 31, 2024; and

WHEREAS, upon the end date of the extension, the impacted area will be restored and returned to normal operation and public use; thereby supporting the Board’s goals to provide funding for projects that result in public outdoor recreation purposes;

NOW, THEREFORE BE IT RESOLVED, that the Board hereby approves:

Option 1: A six-month extension through December 31, 2024.

Option 2: A six-month extension through December 31, 2024, with the condition that if the City is unable to meet the deadline, a conversion may be declared.

Option 3: The board denies the extension request.

Resolution moved by: Member Bugert

Resolution seconded by: Member Burgess

Adopted/Defeated/Deferred (underline one)

Date: April 16, 2024



Recreation and Conservation Funding Board Decision Memo

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: City of Medical Lake: Eligibility for Acquisition of Waterfront Park

Prepared By: Allison Dellwo, Outdoor Grants Manager

Summary

The City of Medical Lake is asking the Recreation and Conservation Funding Board to waive a policy that prohibits acquisition of land already managed for public outdoor recreation. With approval of the policy waiver request, the city could apply for board grants to assist with the acquisition of Waterfront Park.

Board Action Requested

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

Resolution: 2024-05

Purpose of Resolution: Approve the Medical Lake Waterfront Park property as eligible for acquisition grant funding.

Background

The City of Medical Lake (city) intends to apply for funding through the Washington Wildlife and Recreation Program (WWRP) to purchase 57.44 acres of land, locally known as Waterfront Park. The property, currently owned by the Washington State Department of Social and Health Services' (DSHS) Eastern State Hospital, is shown in Attachment B.

The city leases the property from DSHS and manages the site for public recreation. The park was constructed in part with various Recreation and Conservation Funding Board grants dating back to the first grant awarded in 1969. Existing park elements include a playground, two softball fields, two restrooms, two shelters, two boat launches, a sand volleyball court, a three-mile trail system, three parking areas, picnic tables and benches, an RV site with no services, a built-in stage for events, and a beach. All of the recreation

facilities and support amenities were developed by the city. In addition, the city covers all maintenance costs for the leased property, which is approximately \$125,000 a year.

The city has leased and operated Waterfront Park since 1967 under a long-term \$250 lease agreement. When the lease expired, the city began discussions with DSHS about renewing the lease. During the discussions, the city learned that a new lease would cost approximately \$47,400 per year for the next ten years. With the high maintenance costs along with the high current market value lease pricing, it is not sustainable for the city to continue to manage the leased land.

The city is now engaged in discussions with DSHS regarding the potential property purchase per RCW 39.33¹ (See letter from DSHS to the city in Attachment C). If successful, the city hopes to secure funds to purchase and protect the property for public outdoor recreation use in perpetuity.

Conflict with Existing Policy

Acquisition of the Waterfront Park property is not eligible for board funding assistance based on the policy outlined in Manual 3, *Acquisition Policies*, which states: "In general, property that already is under public ownership or management is not eligible for RCO grant funding." And "There is one exception to this policy that allows existing public property to be eligible for RCO grant funding, if all the following conditions are satisfied:

1. State law requires that the agency selling the land must receive compensation, and
2. The land was not originally acquired by the selling agency for... recreation use (for outdoor recreation proposals), and
3. The land has never been publicly managed for... recreation."²

DSHS is required to receive compensation and did not originally acquire the property for recreational use, so this property meets the first two of these conditions. However, the city has developed and managed the property as a park for outdoor recreation. As a result, the property does not meet the third condition and is not eligible for grant funding under this policy.

Request for Decision

¹ Revised Code of Washington (RCW). Retrieved from <https://app.leg.wa.gov/RCW/default.aspx?cite=39.33>

² Recreation and Conservation Funding Board (2018). Manual 3: *Acquisition Projects*. Retrieved from: <https://rco.wa.gov/wp-content/uploads/2019/07/Manual3.pdf>

The City of Medical Lake is asking the board to waive condition three of the policy cited above so it can seek grant funding to assist in the purchase of the property. A policy waiver would not guarantee funding. Rather, it would allow the city to compete for funds through the established application review and evaluation process.

Similar Decisions by the Board

In 2014, the board waived this policy to allow the City of Edmonds authority to pursue grant funds to purchase Civic Center Field from the Edmonds School District. The city had leased and managed the property as a park since 1977.

In 2012, the board waived this policy to allow the City of Vancouver authority to acquire John Ball Park when the Vancouver School District announced its intention to sell the property for development. The city began leasing the property for outdoor recreational purposes in 1959.

In 2000, the board waived this policy to allow the City of Edmonds authority to acquire Marina Beach when the private landowner announced their intention to sell the property for development. The city had leased and managed the extremely popular Marina Beach Park for many years.

In all three instances, the cities successfully secured WWRP grants to acquire and protect these properties for public outdoor recreation.

Strategic Plan Link

Consideration of this request 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 this policy waiver to allow the Waterfront Park property in the City of Medical Lake to be eligible. This action would permit a grant application to proceed through the board approved evaluation process.

Attachments

- A. Resolution 2024-05
- B. Maps of Waterfront Park and Vicinity in Medical Lake, WA
- C. Washington State Department of Social and Health Services Letter

**Recreation and Conservation Funding Board
Resolution 2024-05
Approve the Eligibility of Acquisition of Medical Lake Waterfront Park**

WHEREAS, for the last fifty five years, the City of Medical Lake (city) has leased Waterfront Park from the Washington State Department of Social and Health Services (DSHS); and

WHEREAS, the city has received five Recreation and Conservation Funding Board grants for development of this property and has managed and maintained it for public outdoor recreation use; and

WHEREAS, the Department of Social and Health Services' plan to increase the lease fees for this property is proving to be cost-prohibitive; and

WHEREAS, the city wishes to retain this valuable recreation area for public use by purchasing and protecting it in perpetuity; and

WHEREAS, the city is asking the board to waive the policy that limits the eligibility of existing public property by allowing it to pursue grants to purchase Waterfront Park even though it has been publicly managed for outdoor recreation; and

WHEREAS, approval of this waiver request supports the board's goal to help partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems;

NOW, THEREFORE BE IT RESOLVED that the board hereby approves the eligibility of the Medical Lake Waterfront Park property for acquisition assistance.

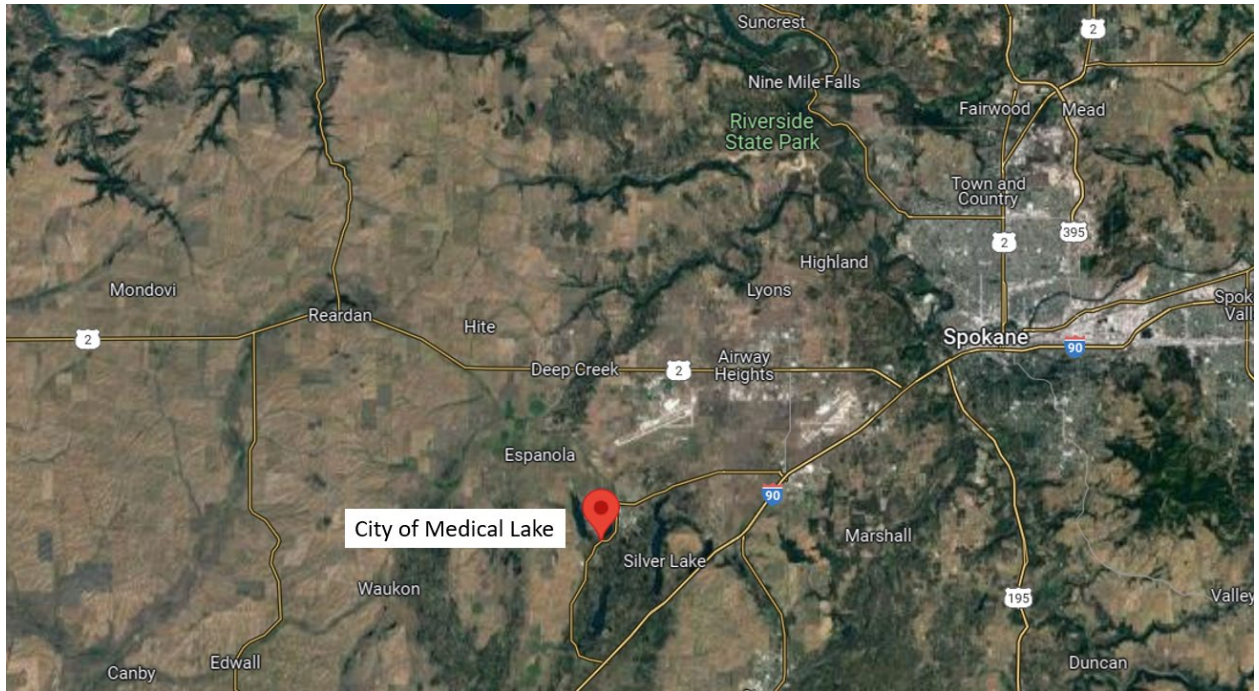
Resolution moved by: Member Burgess

Resolution seconded by: Member Herzog

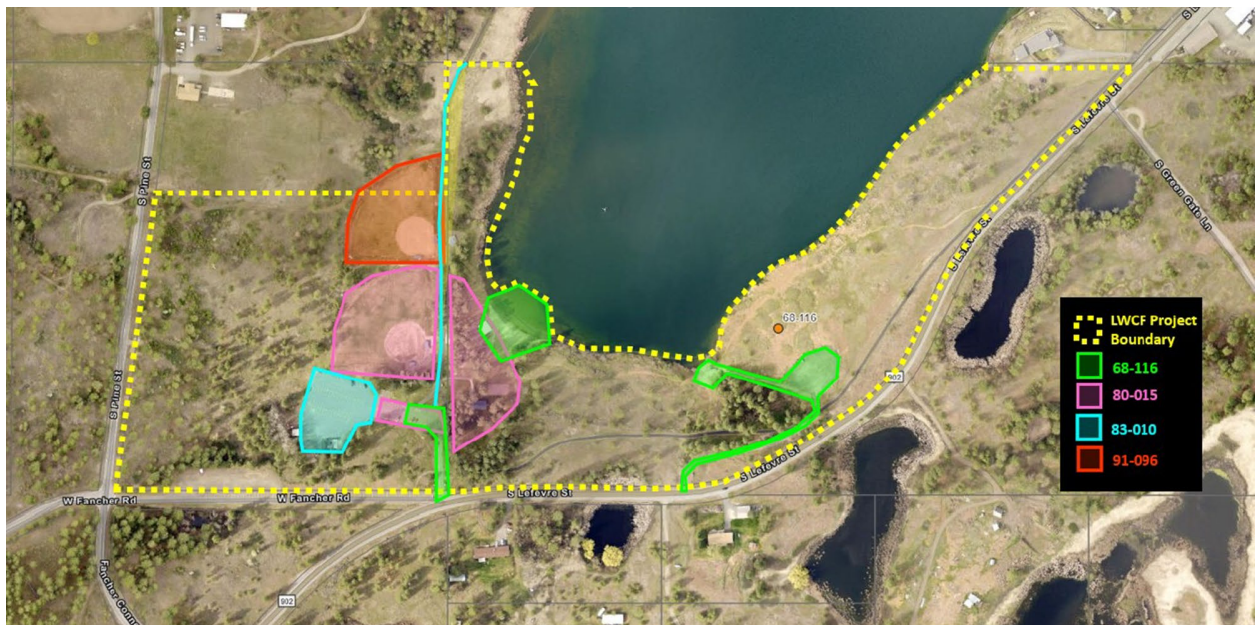
Adopted/Defeated/Deferred (underline one)

Date: April 16, 2024

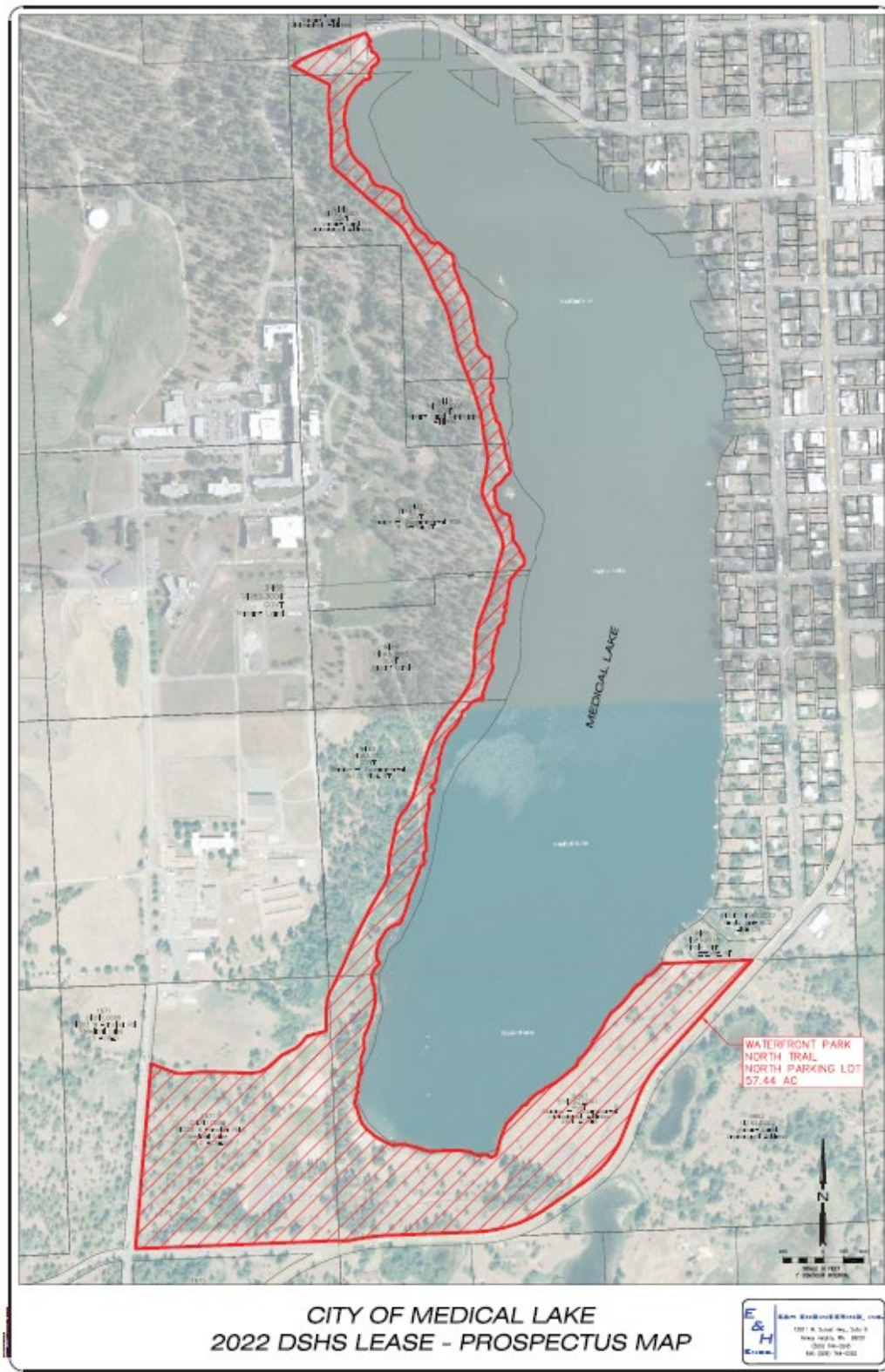
Maps of Waterfront Park and Vicinity in Medical Lake, WA



Vicinity Map of Medical Lake (1 of 3)



RCO-Funded development in South segment of Waterfront Park (2 of 3)





STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

OFFICE OF CAPITAL PROGRAMS
1115 SE Washington Street, PO Box 45848, Olympia, Washington 98504-5848

February 7, 2024

The Honorable Terri Cooper
Mayor of Medical Lake
PO Box 369
Medical Lake WA 99022

RE: Acquisition of the Medical Lake Waterfront Park

Dear Mayor Cooper:

The Washington State Department of Social and Health Services (DSHS) has engaged in discussions with the City of Medical Lake (City) regarding the potential acquisition of DSHS owned property that is known as the Medical Lake Waterfront Park. The park has been maintained by the City under a 55-year lease agreement. Per the provisions of RCW 39.33.010, the State can facilitate the acquisition of the property to the City in compliance with state laws. As a responsible state agency and custodian of taxpayer funds, DSHS must ensure that any acquisition of property complies with the State's approval requirements and laws, which include fair market value and within.

Although the State has not declared this property surplus, it is within DSHS's authority to engage with the City to discuss a potential acquisition of property. Acquisition of property will need to be approved by the Office Financial Management and the Washington State Legislature. Management of the Waterfront Park does not align with DSHS's core responsibilities, and the City has effectively managed the park since its inception, allowing us to better focus our energy on our patients. DSHS agrees with the City that the sale of the property would align with both entities' core goals and specialties.

Please do not hesitate to contact me if you have any inquiries or concerns.

Sincerely,

Richard Pannkuk

Richard Pannkuk
Assistant Secretary/Chief Financial Officer

APPROVED BY RCO DIRECTOR MEGAN DUFFY

Meeting Date: April 16, 2024

Title: Washington Wildlife and Recreation Program Farmland Program Review

Prepared By: Nicholas Norton, Policy and Planning Specialist

Summary

This memo introduces a proposed staff review of the Washington Wildlife and Recreation Program's Farmland Preservation Program. This farmland program review will happen over the next year and include a comprehensive look at program policies, evaluation criteria, and conservation easement requirements.

This agenda item includes a briefing with key context for the effort, core issues to be addressed, and a description of the proposed approach and timeline. In addition, staff is requesting board direction regarding clear delegation of decisions on farmland conservation easement language to the Recreation and Conservation Office director.

Board Action Requested

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

Background

The Farmland Preservation Program (FPP) was established in 2005 as part of an update to RCW 79A.15 that created a Farm and Forest account (RCW 79A.15.130) within the Washington Wildlife and Recreation Program (WWRP). Currently, FPP receives 90 percent of the Farm and Forest Account, while the remaining 10 percent is allocated to the Forestland Preservation Program. To date, FPP has seen the completion of seventy-eight projects, protecting a total of 24,629 acres of farmland across the state involving just over \$26,000,000 in RCO funding.

Since the establishment of FPP, the board has made several policy and funding decisions related to the administration of the program. Notable changes include an increase in grant limits in 2007, the inclusion of nonprofits and the Washington State Conservation Commission (WSCC) as eligible entities in 2009, an update and condensing of evaluation criteria in 2015, and a 2022 decision to waive the 10 percent non-state, non-federal match requirement, allow for cost increases, and move to a written evaluation process during the 2022 and 2024 grant rounds. A comprehensive review of farmland-related board decisions can be found in Attachment A.

Given several ongoing issues identified by staff and external partners as described below, Recreation and Conservation Office (RCO) staff will be engaging in a thorough farmland program review over the next twelve to fourteen months. This encompasses current agency policies, project evaluation criteria, and conservation easement language. The review will involve engagement with advisory committee members, key stakeholder groups, technical experts, and the public. RCO policy staff will engage executive leadership and the Recreation and Conservation Funding Board (board) to implement recommendations as appropriate and feasible. A more detailed description of the timeline and key steps is shown in Attachment B.

Core Issues

RCO staff have previously engaged in some updates at the level of the policy manual to respond to statutory changes and emergent issues. However, the intent of this program review is to be more pro-active and comprehensive by 1) examining foundational policies that impact project scoping and applications, and 2) addressing more staff-driven issues related to the legal instruments used to protect farmland. This process may end up daylighting issues that implicate existing statute and rules. Below are some known issues that fall within the scope of this program review:

- **Easement Provisions and Authority** – The board approved a recommended easement template in 2007. This template needs a thorough review, and there is a lack of clear delegation of authority that complicates project implementation (see more discussion below in the “Easement Provisions and Authority” section). This review will assess alternate approaches for securing the state’s investment in property, create a clear delegation of authority, improve transparency and flexibility in the use of specific terms and conditions, and align with farmland easement best practices.
- **Eligible entities** – Currently, FPP is open to cities, counties, eligible nonprofits, and the WSCC. Since the last change to eligibility, RCO has received multiple inquiries about expanding eligible entities. We anticipate that this issue will arise

as part of the stakeholder engagement and public outreach associated with this program review.

- **Project Development** – Since its inception, FPP has seen multiple grant rounds where funding requests have been at or below the amount available based on the WWRP allocation. In addition, FPP has gone from being dominated by county governments to, more recently, land trusts. This review will examine reasons for the shift in interested entities and lack of applications and assess internal policy changes that could help promote a more consistently competitive program.
- **Innovative Approaches** – Since FPP was established, many areas of the state have seen a drastic increase in development pressure in rural and peri-urban areas, as well as an aging cohort of agricultural producers and/or landowners. In this context of increasing land value and high-turnover, innovative approaches such as [buy-protect-sell](#) are becoming more important in securing and permanently protecting Washington’s most productive farmland. This review will seek to look at different options for how policy changes could help better align with emergent best practices and new sources of funding.
- **Evaluation criteria** – A significant number of the current FPP evaluation criteria are mandated by existing statute. As mentioned earlier, there was a significant update made to the evaluation criteria in 2015. However, there remains a consistent perception that the current criteria skew towards irrigated agricultural operations in Western Washington, and that there is a large amount of variation in how reviewers interpret and apply the existing criteria. This review will build on past efforts to further change, streamline, and adapt evaluation criteria to encompass the diversity of agricultural operations across the state and support a consistent review process.

Easement Provisions and Authority

FPP is a unique program at RCO, in that it only allows for the acquisition of less-than-fee interests in land (perpetual easement, term easement, or lease). The overwhelming majority of funding requests are for perpetual farmland conservation easement acquisitions. Perpetual conservation easements represent a unique type of legal instrument, with an equally unique set of due diligence and associated ongoing long-term monitoring. As part of the initial creation of policies for the program, the board adopted a conservation easement template developed by outside legal experts. This was approved as a recommended but not required tool to be used by RCO staff and project sponsors when completing a conservation easement transaction.

This approach has created complications within FPP over time. The level of authority to approve deviations from those deed terms for the program as a whole or for an individual project is unclear. In addition, this approach also does not provide clarity about which specific easement terms would be necessary to secure the state's investment versus those that could be adapted to better fit with a specific site or matching funding source. Lastly, it doesn't provide a clear pathway to update easement terms on a regular basis to address evolving best practices in the field. The result is significant additional work for RCO staff through the negotiation process, frustration and confusion from sponsor organizations, and the potential for inconsistent application of critical deed language depending on the grant manager, sponsor, source of matching funds, or site constraints.

A high priority for this program review is to help alleviate some of these issues. Specifically, to promote an approach that improves clarity for RCO staff and applicants, helps support timely easement negotiation on a case-by-case basis, and creates a legal foundation that aligns with current best practices in the field. An important first step is clearly delineating authority relative to decision-making. Specifically, staff would recommend that the board clearly delegate authority to the RCO director to make programmatic and project-level decisions regarding conservation easement terms, in consultation with staff, the office of the Attorney General, and outside legal expertise as needed. As part of this meeting, staff are requesting board direction on their willingness to clearly delegate that authority as part of a decision at a future meeting.

Attachments

- A. Farmland Related Decisions
- B. Farmland Program Review – Key Steps and Timeline

Attachment A: Farmland Related Decisions

Resolution Number	Resolution Description
2006-06	Original adoption of farmland preservation manual after the Farm and Forest Account added to the Washington Wildlife and Recreation Program.
2007-10	Allocated additional money left after first farmland grant round to provide technical assistance to counties to develop farmland preservation strategies.
2007-11	Approved minor updates to current policies based on experience in the initial grant round; Board adopted the model agricultural easement as a recommended template.
2007-22	Increased the grant request limit from \$750,000 to \$1,000,000.
2008-04	Approved minor changes to criteria descriptions and adding a few points to certain criteria.
2008-26	Made it such that entities purchasing farmland in fee-title could only be reimbursed for the appraised value of the conservation easement.
2009-24	Made unspent funds available to counties as technical assistance to develop farmland preservation strategies.
2009-29	Updated farmland definition based on new legislation; Added nonprofits and the Washington State Conservation Commission as eligible entities to align with a statutory update to WWRP; Changed the "Environmental Values" criterion.
2009-31	Extended the match certification deadline for four projects that had not received federal funds.
2010-5	Changed the "Environmental Values" criterion; Made community gardens ineligible for funding; Updated farmland definition based on new legislation.
2010-7	Added policies to further define nonprofit eligibility requirements.

2015-23	Approved a major update of evaluation criteria that included condensing into less sections; Changed policy related to definition of farmland, allowed for the acquisition of multiple parcels, changed impervious surface limits to better align with federal funds, allowed for future public access consideration, and clarified process for scope amendments.
2016-14	Updated definition of farmland to align with updates to the Open Space Tax Act.
2019-3	Authorized a supplemental grant round for the Farm and Forest Account due to remaining, unallocated funds.
2022-05	For the 2022 and 2024 grant rounds, changed to a written evaluation process, waived the ten percent non-state, non-federal match requirement, and allowed cost increases.

Attachment B: Farmland Program Review – Key Steps and Timeline

Activity	Description	Tentative Date
Executive Direction	Understand issues identified by staff, agree on approach and timeline.	March 2024
Initial Board Briefing	Share scope, core issues, process, and timeline with the board. Receive direction on delegation of authority regarding easement terms.	April 2024
Internal Policy Research	Detailed review of current policies and past application trends, implementation issues, etc.	April to May 2024
Stakeholder Engagement	Listening sessions and interviews with key groups to daylight and prioritize key policy, criteria, and easement issues.	May to July 2024
Executive Direction	Initial direction on priority easement issues, approach to working group.	August 2024
Advisory Committee Debrief	Extended results meeting to gather input on policy issues and evaluation criteria.	August 2024
Board Delegation	Board provides authority to the RCO director to approve required conservation easement language and exceptions.	October 2024
Board Direction	Board provides direction on initial policy recommendations from stakeholder engagement.	October 2024
Easement Working Group	Work with team of internal staff, external practitioners, and legal experts to examine current easement model, update minimum deed terms and easement template, etc.	September 2024 to February 2025
Executive Direction	Concurrently with easement working group, executives are engaged to make key decisions on easement provisions.	September 2024 to February 2025

Public Comment	Staff requests public comment on policy recommendations that are of interest to the board.	November 2024
Board Decision	Board approves changes to policy manual in advance of 2026 grant round.	January 2025