

RECREATION AND CONSERVATION FUNDING BOARD SUMMARY MINUTES

Date: April 16, 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. Member Windrope was absent from the meeting. Member Burgess was absent at the time of roll call and joined at 9:02 a.m.

Motion: Move to Approve April 16, 2024, Agenda

Moved By: Member **Herzog**

Seconded by: Member **Bugert**

Decision: **Approved**

Members briefly introduced themselves.

Item 1: Consent Agenda

Chair Shiosaki noted that the consent agenda includes the minutes from the January 30, 2024, meeting; thirteen time-extensions; one project cost increase; and five advisor recognitions.

Motion: Move to Approve **Resolution 2024-02**, Consent Agenda
Moved By: Member **Ohlson-Kiehn**
Seconded by: Member **Lam**
Decision: **Approved**

Item 2: Director's Report

Director Megan Duffy gave an overview of the updates provided in the meeting [materials](#), highlighting structural changes and staff additions.

The 2024 Grant Cycle is under way for several programs including Washington Wildlife and Recreation Program (WWRP), Aquatic Lands Enhancement Act (ALEA), Boating Infrastructure Grant (BIG), Community Forests Program (CFP), Land and Water Conservation Fund (LWCF), and Youth Athletic Facilities (YAF). The board approved changes to YAF, WWRP, ALEA, and LWCF in 2023, which are being implemented during this grant cycle.

Director Duffy recognized the official Legislative confirmation of Chair Shiosaki as board Chair.

Legislative Update

Brock Milliern, Policy and Legislative Director, provided a brief update from the conclusion of the 2024 Legislative Session, noting the fast pace of the session was likely due to balancing policy bills and fixes along with budgetary items and the upcoming election year that will include a lot of statewide change over.

RCO received \$150,000 to update the [Economic Analysis of Outdoor Recreation in Washington State](#) that will be led by Leah Dobey; \$600,000 for a Lower Snake River Dam Recreation Impacts Study in partnership with the United States Army Corps of Engineers (Corps) to look at the impacts on recreation if the Lower Snake River Dams are removed; and \$5.8 million for the Community Forest Program (CFP), which would be funded on January 1, 2025, pending a citizen's vote on the Climate Commitment Act (CCA) funding in November.

[House Bill \(HB\) 2165](#) passed, which allows DNR to charge for recreation permits and fees on Department of Natural Resources (DNR) lands. [Senate Bill \(SB\) 5785](#) which allows the use of volunteer and nonprofit organizations on Washington State Department of Fish and Wildlife (WDFW) lands also passed.

Ahead of the 2025 Legislative session, staff have been working on a draft budget that the board will make decisions on in August. The Washington Wildlife and Recreation Coalition (WWRC) plans to set their budget in July.

Mr. Milliern noted that changes in elected officials from the November election and leadership positions in the Legislature may impact priorities. Additionally, the budget will be based on current CCA funding, which is subject to a public vote, further complicating the uncertainty of predicting funding.

Grant Management Report

Marguerite Austin, Recreation and Conservation Grants Section Manager, highlighted the 2024 Grant Cycle that started with multiple application webinars, noting that at this time there are slightly fewer applications this year compared to last year, specifically the WWRP – Outdoor Recreation Account (ORA), possibly due to the Community Outdoor Athletic Facilities (COAF) program funding opportunity.

RCO received an additional \$1.8 million from the Federal Highway Administration for the Recreational Trails Program (RTP). This will fund an additional twenty-four maintenance projects and six education projects in 2024.

Ms. Austin reported that RCO, the Port of Kennewick, and other partners were recognized by Governor Inslee with a Smart Communities Award for multiple RCO funded projects on Clover Island, which will be a stop during the July travel meeting.

Ms. Austin highlighted the structural changes on the board grants team that included hiring two Assistant Section Managers, Karen Edwards and Karl Jacobs.

BREAK: 9:25 A.M. – 9:40 AM

General Public Comment

None.

Item 3: Nonhighway Off-Road Vehicle Activities (NOVA) Featured Projects

Dan Haws, Outdoor Grants Manager, highlighted the Capital State Forest (CSF), which uses a variety of Nonhighway Off-road Vehicle Activities (NOVA) funds. The Department of Natural Resources (DNR) estimates that over half a million users visit the forest annually. Capital Forest spans 110,000 acres and is uniquely divided between motorized and non-motorized trail systems.

Additional nonhighway road activities within CSF include picnicking, camping, sightseeing, foraging, birdwatching, wildlife viewing, and hunting and fishing. To keep

recreationists safe and to protect natural resources, education and enforcement wardens funded through the NOVA - Education and Enforcement program, patrol the forest.

Sam Henshold, DNR Recreation Operations Manager, explained that CSF is a great “big picture” example of DNR NOVA funds uses from all NOVA categories. The \$5.4 million in grant awards for DNR are almost entirely from RCO and account for nearly one-fifth of DNR’s overall recreation budget. Eighty-two percent of DNR’s grant awards in the 2023-2025 biennium are from NOVA. DNR has been using NOVA funds in CSF since 1990 to install signs and drainage features; bridge, culvert, and trail maintenance; facility maintenance and repairs; staff recreation wardens and trail crews; and build additional miles of trails.

Mr. Henshold emphasized how critical partnerships are to CSF operations and other DNR lands. In addition to NOVA funds, volunteers committed over 43,000 hours of labor statewide in Fiscal Year 2023, with nearly one-third of these hours occurring in CSF.

Brian Carpenter, Outdoor Grants Manager, presented the United States Forest Service (USFS) Cle Elum Ranger District’s (district) Off-road Vehicle (ORV) maintenance program, emphasizing that this project has been awarded grants for twenty-seven years. Being centrally located within Washington, the district’s 420,000 acres receives visitors from across Washington, Oregon, Idaho, and Canada seeking to explore the hundreds of miles of dirt bike and off-road vehicle trails.

The district’s multi-use trail system is one of the most popular off-road destinations in the state, and the thorough maintenance program keeps the trails and surrounding areas from becoming damaged from use.

There are a variety of other activities that users enjoy throughout the district, such as dispersed camping, foraging, sightseeing, hunting, and fishing. Within NOVA, the district has been awarded grants in the Off-road Vehicle, Nonhighway Roads, Nonmotorized, and Education and Enforcement categories.

Mr. Carpenter noted that as funding has changed over the years, the USFS has changed how they apply for NOVA funds. **Member Craig** asked if USFS has provided any feedback on the process. Mr. Carpenter replied that each district is working on prioritizing projects within their district, but there has not been much coordination between districts.

Item 4: Nonhighway Off-road Vehicle Activities Policy Change Recommendations

Adam Cole, Policy Specialist, provided an overview of the NOVA program and explained programmatic changes that are being considered based on feedback from the NOVA Advisory Committee and staff.

Mr. Cole explained that current grant limits and the evaluation process are being considered for potential changes. This information is included in the [materials](#). The existing low grant limits lead to a high volume of applications, which when combined with the current evaluation process, creates an administrative burden to applicants and evaluation committees. The changes under consideration could increase the value and efficiency of the NOVA program.

Mr. Cole gave a brief summary of his presentation at the [January meeting](#), summarizing the NOVA advisory committee and how funds are distributed within the NOVA program as outlined in [Revised Code of Washington \(RCW\) 46.09](#).

Member Ohlson-Kiehn asked about the status of criteria changes that were discussed at the January meeting. Mr. Cole answered that criteria changes will be addressed as part of potential long-term changes as that requires significant analyses and discussion.

Member Herzog asked if staff and the advisory committee have considered making planning projects a separate category. Mr. Cole answered that it had not been considered, but it could be included.

Member Craig asked if the funding breakdown was in statute and if it changed with the addition of ORV permit funds. Mr. Cole answered that funding is defined by statute.

Brock Milliern added that the allocation was decided after the ORV permit funds occurred. Additionally, the overall state fuel tax funding is decreasing, which impacts RCO and DNR who receive funding from this source. The Washington State Transportation Commission (STC) is looking at replacing the fuel tax with a road usage charge and RCO is active in the conversation to ensure that recreation is included in future solutions. Mr. Milliern plans to discuss the fuel tax issue at the Outdoor Recreation Caucus in June. Mr. Cole added that when NOVA was originally created, all funding went to ORV projects until an update in the early 2000s included other nonmotorized categories. At that time, a fuel use study was conducted, as required by statute. Conducting a new fuel use study was included in the [2023 Washington State Recreation and Conservation Plan \(SCORP\)](#) and will happen as part of the long-term goals for NOVA and statewide strategy.

Mr. Cole explained that the last time grant limits were increased was in 2016, and since then inflation has increased by around 30 percent, creating a need to raise limits to meet costs. Mr. Cole noted a partial increase in NOVA funds in 2022 from an increase in ORV fees, and Mr. Milliern added that this increase was also due to a budgetary fix for funds that had previously been misappropriated to DNR.

In general, applicants tend to complete multiple applications for the same project area to get the necessary funding. Increasing grant limits could improve the process for applicants. Mr. Cole shared the options for increasing grant limits:

Category	Option 1 Current M=maintenance C=planning, development, acquisition	Option 2 Inflation Adjustment	Option 3 Peak Inflation	Option 4 Consolidation/ Impact
Education and Enforcement	\$200,000	\$250,000	\$350,000	\$500,000
Off-road Vehicle	\$200,000 (M) None (C)	\$250,000 (M) None (C)	\$350,000 (M) None (C)	\$500,000 (M) None (C)
Nonhighway Road	\$150,000 (M) \$200,000 (C)	\$200,000 (M) \$250,000 (C)	\$250,000 (M) \$300,000 (C)	\$350,000 (M) \$500,000 (C)
Nonmotorized	\$150,000 (M) \$200,000 (C)	\$200,000 (M) \$250,000 (C)	\$250,000 (M) \$300,000 (C)	\$350,000 (M) \$500,000 (C)

The advisory committee was surveyed and preferred Option 2 and Option 3 across categories. Additional trends from the advisory committee survey indicate agreement that current grant limits are too low and that members of the advisory committee wish to maintain a distributive program that focuses on maintenance needs. There was mixed feedback on higher grant limits for development projects and members agreed that each category can be treated differently, and the increase can be treated differently by project type.

Members Ohlson-Kiehn, Craig, and Herzog shared support for Option 2. Member Herzog also shared support for Option 1. Member Ohlson-Kiehn did not support Option 3.

Member Bugert asked if demographics and equity were considered by the advisory committee and staff while drafting these options. Mr. Cole answered that these issues

are part of the longer-term discussion as there is not enough time before August to appropriately address them.

Member Ohlson-Kiehn recommended encouraging people to explain the rationale behind their choices and input when these options go out for public comment. **Member Burgess** noted that funding seems to be distributed statewide and projects are being completed, and wondered if raising grant limits is the best way to make a difference in this program. Mr. Cole explained that most applicants are requesting the maximum grant amount for projects while also providing match, including volunteer hours.

Mr. Cole explained longer-term policy topics that the board may consider but were too challenging to address prior to the upcoming NOVA grant round. These include considering block grants or noncompetitive grants by sponsor; multiple biennium grant awards; combining categories or project types, except for education and enforcement; adding underserved user outreach to the qualifying comprehensive plan; prioritizing underserved populations in the evaluation criteria; and completing a vehicle use study.

Member Bugert asked if these long-term topics would require legislative changes. Mr. Cole answered that most would not require a statutory change, but changes like multiple biennium grant awards may require legislative change or a check to see if this is compliant with current rules.

Mr. Cole plans to present Options 1, 2, and 3 for public comment to gauge what the public's preference on: what is the preferred ed option is and why; if all categories should be treated the same or whether any should be treated uniquely, and what potential unanticipated consequences of raising grant limits might be. The public comment period will take place in May for a period of about three weeks.

Finally, Mr. Cole shared that changes to the evaluation process do not require board approval but wanted to keep the board aware of any changes to the program. The proposed changes to the evaluation process are favored by the advisory committee and would reduce the current twenty-minute presentation to a hybrid process that would include a ten-minute presentation and a written evaluation.

LUNCH: 11:40 AM – 1:15 PM

Item 5: Compliance Corrective Action Policy

This item was presented after Item 9: State Agency Partner Reports.

Myra Barker, Compliance Unit Manager, presented a Corrective Action policy as outlined in the meeting [materials](#). This policy was developed to provide flexibility in

compliance issue resolution; provide an option for sponsors to remove or reverse the action that created the issue and return the project to its intended purpose and function; and could be applied to unresolved compliance issues such as ineligible buildings, no public access, closed sites, encroachments, and ineligible uses. The proposed policy was posted on the RCO website for public comment and directly emailed to forty project sponsors. Four comments were received in support. 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.

Staff recommend approving the proposed corrective action policy to be added to [Manual 7](#).

Regarding the final sentence of the policy that says the director may approve deadline extensions, **Member Burgess** asked if there were circumstances where the board should approve extensions. Ms. Barker explained that the practice has been that the director has the discretion to raise any concerns to the board.

Member Bugert asked if there was potential for this to be accepted by the National Parks Service (NPS) for the Land and Water Conservation Fund (LWCF). Ms. Barker has shared this policy with NPS compliance staff but is unaware of any policy changes at this time.

Motion: Move to Approve **Resolution 2024-03**
Moved By: Member **Burgess**
Seconded by: Member **Craig**
Decision: **Approved**

Public Comment:

None.

Item 6: Bellingham Frank Geri Field Four Non-Conforming Use Extension Request

This item was presented after Item 8: Washington Wildlife and Recreation Program Farmland Program Review.

Myra Barker explained that the City of Bellingham (city) is requesting a six-month extension for a non-conforming use at the Frank Geri Field Four at the city's Civic Athletic Complex. Ms. Barker explained the Exception to Conversion policy for a non-conforming use as it is found in [Manual 7](#). Field Four was originally permitted for temporary housing units in December 2020 with a two-year limit on the non-conforming use. At the [October 2022 meeting](#), the board approved extending the non-conforming use limit until June 30, 2024. The city is requesting an extension through December 31, 2024, due to delays in relocating the temporary housing units. The city has acquired a new piece of property that the temporary housing units will be relocated to but permit delays have caused the need for an extension.

Ms. Barker outlined the options that the board has the authority to approve or deny for extensions:

- 1) Approve the six-month extension through December 31, 2024.
- 2) Approve the 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.
- 3) Deny the extension request.

Ms. Barker was joined by Nicole Oliver, Bellingham Parks and Recreation Director, to help answer questions from the board regarding the extension. Ms. Oliver explained that the villages are expected to be moved to their new location by the fall of 2024. The new property will hold two temporary housing villages and has street frontage, existing services, and is an existing paved lot. Establishing restroom and kitchen facilities is underway. There will be a public process for approving this new site, but community feedback indicates there is support for the new location over the previous one. Ms. Oliver noted that Puget Sound Energy is currently experiencing a backlog of requests adding to the delay but anticipates a resolution by the deadline.

Member Burgess hoped this story and project is shared with the Washington Association of Cities and expressed support for Option 2. **Member Bugert** also supported Option 2.

Motion: Move to Approve **Resolution 2024-04**

Moved By: Member **Bugert**

Seconded by: Member **Burgess**

Decision: **Approved**

Public Comment:

None.

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

This item was presented after Item 5: Compliance Corrective Action Policy.

Allison Dellwo, Outdoor Grants Manager, explained that the City of Medical Lake (city) intends to apply for Washington Wildlife and Recreation Program (WWRP) funding to purchase Waterfront Park from Washington State Department of Social and Health Services (DSHS); however, based on the policy outlined in [Manual 3](#) and included in the meeting [materials](#), the acquisition of Waterfront Park is not eligible for board funding as it does not meet the third condition: *The land has never been publicly managed for... recreation*. The city previously leased Waterfront Park from DSHS until 2023 when the lease was renegotiated, and the new cost was determined to be unsustainable for the city. Purchasing the property would keep it functioning as a park under the city's care. Ms. Dellwo provided examples of past decisions by the board that waived this policy to allow sponsors to secure WWRP funds to acquire and protect properties for public outdoor recreation.

Staff recommend waiving condition three of the cited policy allowing City of Medical Lake to pursue acquisition grant funding.

Member Lam asked what DSHS planned if the city was unable to purchase. Ms. Dellwo answered that DSHS does not run parks and they prefer the city own and manage it.

Member Bugert asked if there was a need to review the policy to decide whether there is utility to the third condition. **Director Duffy** answered that it would make sense to keep this policy in place and track the number of times an exception is approved.

Member Burgess asked if the timing was right for the city for the board to waive the policy. Director Duffy answered that the city needs certainty that they are eligible for RCO funding. Ms. Dellwo echoed Director Duffy, adding that the city is having conversations now about acquiring the property, but need assurance that they would be able to apply for acquisition funding.

Motion: Move to Approve Resolution 2024-05

Moved By: Member **Burgess**

Seconded by: Member **Herzog**

Decision: **Approved**

Public Comment:

None.

BREAK: 1:34 PM – 1:45 PM

Item 8: Washington Wildlife and Recreation Program Farmland Program Review

Nick Norton, Policy Specialist, provided background information on the Washington Wildlife and Recreation Program (WWRP) Farmland Preservation Program (FPP) that staff plan to thoroughly review over the next year to address several ongoing issues identified by staff and partners and outlined in the meeting [materials](#).

There has been no comprehensive review of WWRP – FPP since being established in 2005 and between ongoing issues, a changing landscape, and temporary decisions, now is a good time to conduct a review of the program. Some of the core issues staff plan to review in the next twelve to fourteen months include easement provisions, eligible entities, project development, innovative mechanisms, and evaluation.

Mr. Norton explained that the twelve-to-fourteen-month review timeline includes an analysis, board direction, a public process, and ends with a board decision ahead of the 2026 grant round. Mr. Norton said that changes could have implications for existing statute and need to be addressed separately. The conservation easement tool will be reviewed, but not as a policy item.

Kim Sellers, Outdoor Grants Manager provided a background on the farmland easement template authority. The board previously adopted a recommended farmland easement which created a lack of clarity about staff and director authority to adjust easement terms, which is necessary for most projects.

There have been many changes in farmland funding and technology since 2007, such as removing obsolete Natural Resource Conservation Service (NRCS) funding language; accommodating other funding source requirements; new technologies such as methane separators, carbon credits; and changes in county zoning and requirements.

Staff were seeking feedback from the board on their willingness to clearly delegate authority to the director to make decisions about conservation easement terms and conditions at the project and program level.

Member Bugert and **Member Burgess** agreed that this would be a cumbersome process for the board to deliberate on quarterly.

Member Herzog asked if general board guidance would be helpful in framing an agreement. Ms. Sellers answered that that option would be considered in the review process. **Director Duffy** noted that if something big stood out, she would bring that to the board or staff would present it in a more holistic way.

Chair Shiosaki encouraged staff to proceed with the review.

Item 9: State Agency Partner Reports

This item was presented after Item 4: Non-Highway Off-road Vehicle Activities.

Governor's Office

Jon Snyder shared that Governor Inslee had not yet started to prepare for his final budget this fall. As this will be his last before leaving office, there will not be large policy shift items ahead of the next administration.

Mr. Snyder recently reviewed a Washington State Department of Transportation (WSDOT) request for a proclamation for a bike month that used RCO's 2020 economic impact report and looked forward to the report being updated this year.

Mr. Snyder visited Ferndale's Metalworks Skatepark ([RCO #18-1787](#) and [20-1802](#)) groundbreaking with outdoor grants manger Andrea Hood, and noted this is a great example of where state funds can help small towns to complete long-term projects.

Department of Natural Resources

Member Kristen Ohlson-Kiehn shared DNR has continued work on their Outdoor Access and Responsible Recreation planning process to develop a strategic vision for recreation on DNR managed lands. This work began last year at DNR's Tribal Summit followed by four Tribal forums in September and October, and a follow-up meeting with Tribes to summarize feedback in December, which was later shared with DNR's trust beneficiaries. Work has continued with the trust beneficiaries and recreation partners to further develop the purpose and goals of the strategic vision. DNR expects to have a draft plan by early fall and a final plan by the end of 2024.

The Legislature passed [House Bill 2165](#) which allows DNR the ability to determine recreation use fees for activities on DNR managed public lands, including recovering costs for permitted events. DNR will need to establish a fee schedule through the Board of Natural Resources.

DNR received funding for a recreational target shooting decision package, which gives DNR the ability to proactively address target shooting. This funding will allow DNR to establish two pilot shooting sites in Clallam and Stevens County.

Together with Washington State Parks and Recreation Commission (State Parks) and WDFW, DNR launched a pilot program to reduce financial barriers for accessing public lands in the Everyone Outdoors program, a part of the Discover Pass. The pilot provides

up to \$1,000 per month in Discover Passes to eligible applicants or organizations. DNR's funding for this came from the [Healthy Environment for All \(HEAL\) Act](#) and has already begun to receive applications.

DNR continues to work with other agencies and Tribes to address recreation impacts on state lands.

State Parks and Recreation Commission

Member Peter Herzog shared that State Parks asked for an additional \$12 million in the general fund and CCA funding for operations and received \$7.1 million in the general fund and \$2.1 million in CCA funding. This funding will be used to move from Tumwater to the Washington State Department of Ecology building in Lacey; maintenance and development at Fort Warden State Park; equipment replacement; ecological integrity assessments; and restoration activities at Ginko Petrified Forest State Park. State Parks received additional funding to add a full-time employee to their Tribal Affairs program.

From the capital budget, State Parks received \$5.5 million for a roundabout at the entrance to the new Nisqually State Park; theater restoration at Fort Flagler State Park; planning for a dock at Lake Sammamish State Park; and \$50,000 for a noxious weed study along the Palouse to Cascades Trail.

State Parks had two pieces of request legislation that did not pass. One would have allowed State Parks to keep the accrued interest from funds collected through fees, and the other would have made the agency's Parkland Acquisition Account a non-appropriated account.

Mr. Herzog noted projects that are on the State Parks extension list have moved towards completion, including two projects in the Willapa Hills that are under construction; bridges in Pacific County; and resurfacing a trail section from Raymond to Menlo.

Finally, Mr. Herzog noted that the Interagency Tribal Recreation Impacts process is working on a charter and formalizing the decision-making process, which will be presented at a meeting of state agency and Tribal leadership on May 22.

Washington State Department of Fish and Wildlife

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

ADJOURN: 2:25 PM

Motion: Move to **Adjourn**

Moved By: Member **Bugert**

Seconded by: Member **Lam**

Decision: **Approved**

The next meeting will be a travel meeting in Richland, Washington on July 24 and 25, 2024. One day of this meeting will be a regular board meeting at the Hampton Inn, 486 Bradley Boulevard, Richland, Washington, 99352 and available in-person and virtually on Zoom and TVW. Please note, one day of the meeting will be a tour and available in-person only. The agenda is currently under development.

Approved by:



Michael Shiosaki, chair