WASHINGTON STATE
Recreation and Conservation Office

PROPOSED: Washington Administrative Code Changes

Public Comments requested by December 14, 2026

Background

Recreation and Conservation Office (RCO) staff worked with the Recreation and Conservation Funding Board (board) to identify and consider rule changes to Chapter 286-13 of the Washington Administrative Code. The proposed rule changes are as follows:

- **WAC 286-13-015:** Remove Section 2, which describes eligible applicants to the Aquatic Lands Enhancement Account program. This will be replaced with board policy describing eligible applicants.
- **WAC 286-13-035 & 286-13-040:** Remove the six-year planning eligibility period. This will be replaced with board policy allowing an approved plan to be good for a period of up to ten years.
- **WAC 286-13-040:** Clarify the length of time within which applicants must provide additional materials needed to prepare a project agreement.

RCO staff provided initial context and requested board direction on potential rule changes at the October 27, 2026 meeting (Item 7). The specific proposed edits can be found in Attachment A.

How to Comment

RCO is requesting public comment on the proposed policies in this document. Comments can be submitted by completing the web form at this link: https://forms.cloud.microsoft/g/ZaH5Vj3fDm.

Comments will be accepted until **11:59 pm** on **Monday, December 14, 2026**.

Questions?

Questions about the proposed rule changes can be emailed to Nicholas Norton, Policy and Planning Specialist, at nicholas.norton@rco.wa.gov.

Next Steps

RCO staff will utilize public feedback to inform the final proposed rule changes and associated staff recommendations to the board. The current timeline is for the board to review public comments, hold a public hearing, and make final decisions on these rule changes during their January 27-28, 2027 meeting. The public will also have an opportunity to comment on the final proposed changes during the board meeting.

If the board adopts any proposed changes, RCO staff will file the final language with the Office of the Code Reviser and, as of the effective date of the changes, make appropriate updates to *Manual 2: Planning Guidelines* and *Manual 21: Aquatic Lands Enhancement Account*.

Attachment A. Proposed New Rule Language

WAC 286-13-015: Eligible applicants

(1) Eligibility to apply for grant funding is determined by a grant program's statutory requirements unless authority is granted to the board.

~~**(2) Eligible applicants in the aquatic lands enhancement account grant program are any division of local or state government and Native American tribes that are legally authorized to acquire and develop public open space, habitat, recreation lands or natural resources.**~~

WAC 286-13-035: Planning requirement

(1) An applicant must submit a plan in accordance with WAC 286-13-040 in order to apply for a grant from any of the following programs:

(a) Boating facilities program pursuant to the Marine Recreation Land Act, chapter 79A.25 RCW;

(b) Land and water conservation fund pursuant to the Land and Water Conservation Fund Act of 1965;

(c) Nonhighway and off-road vehicle activities account pursuant to chapter 46.09 RCW, except when applying for a grant for an education and enforcement project or a maintenance and operation project; or

(d) Washington wildlife and recreation program funded under chapter 79A.15 RCW, except when applying for a grant for a project funded from the farm and forest account.

(2) At a minimum, the plan must include:

(a) A statement of the applicant's long-range goals and objectives;

(b) An inventory;

(c) An analysis of demand and need, that is, why action is required;

(d) A description of how the planning process gave the public ample opportunity to be involved in development of the plan;

(e) A current capital improvement program ~~**of at least six years**~~; and

(f) Evidence that this plan has been approved by the applicant's governing entity most appropriate to the plan's scope. For example, a city or county-wide plan must be approved at

the council or commission level. Plans with a different scope may be approved by department heads, district rangers, regional managers or supervisors, etc.

WAC 286-13-040: Grant program deadlines

(1) Applications must be submitted at least four calendar months before the meeting of the board at which the applicant's project is first considered. Applications must be completed in final form and on file with the office by the deadline established by the director. The only exceptions are applications for programs where the director specifically establishes another deadline to accomplish new or revised statutory direction, board direction, or to meet a federal grant application deadline.

(2) Plans required for participation in board grant programs must be complete and on file with the office at least three calendar months before the meeting of the board at which the applicant's project is first considered. ~~**On the director's acceptance of the plan, the applicant shall be granted eligibility to submit applications for a period of up to six years**~~.

(3) To develop the director's funding recommendations, written assurance must be provided whenever matching resources are to be considered as a part of an application. This assurance must be provided by the applicant to the office at least one calendar month before the meeting of the board at which the project is to be considered for funding.

(4) To prepare a project agreement, other documents or materials in addition to the application may be required by the office. These documents or materials must be provided by the applicant to the office ~~**at least**~~ **within** two calendar months after the date the board or director approves funding for the project or earlier to meet a federal grant program requirement. After this period, the board or director may rescind the offer of grant funds and reallocate the grant funds to another project(s).

(5) An applicant has three calendar months from the date the office sends the project agreement to sign and return the agreement to the office. After this period, the board or director may reject any agreement not signed and returned and reallocate the grant funds to another project(s).

(6) Sponsors must submit a request for reimbursement at least once each year as described in the agreement.

(7) Sponsors must submit final project deliverables at the completion of the project as described in the agreement.

(8) Compliance with the deadlines is required unless an extension is approved by the board or director. Requests to extend a deadline must be submitted to the office before the deadline. Extensions are considered based on several factors which may vary with the type of extension requested, including any one or more of the following:

(a) Current status and progress made to meet the deadline;

(b) The reason the established deadline could not be met;

(c) When the deadline will be met;

(d) Impact on the board's evaluation process;

(e) Equity to other applicants; and

(f) Such other information as may be relevant.