

2011

The Future of the Habitat and Recreation Lands Coordinating Group



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Executive Summary

In 2007, the Legislature created the Habitat and Recreation Lands Coordinating Group to improve the visibility and coordination of state habitat and recreation land acquisitions and disposals. Since then the lands group created multiple ways to make state acquisition projects more visible and coordinated at key points before, during, and after they are completed.

The lands group is scheduled to sunset July 31, 2012 unless extended. The enabling legislation requires the Recreation and Conservation Funding Board to submit a recommendation to the Legislature on whether the lands group should continue past its sunset date, and if so, whether any modifications to its enabling statute should be pursued.

This report is submitted by the Recreation and Conservation Funding Board in consultation with the lands group. It provides brief background information and progress of the lands group and recommends the Legislature consider three options in deciding whether to continue the group.

The Recreation and Conservation Funding Board appreciates the value and role of the lands group in fostering improved communication, visibility, and coordination among state agencies and others interested in state habitat and recreation land acquisitions. The Recreation and Conservation Funding Board hopes the Legislature will choose to keep the group intact and, at minimum, support the continuation of core functions.

State Habitat and Recreation Land Acquisitions in Washington State

As of 2005, state-owned habitat and recreation land makes up about 1.7 percent of all lands in Washington State (727,000 acres out of a total 43.3 million acres of uplands in the state). Federally-owned habitat and recreation land makes up about 21 percent (9,200,000 acres)¹. Besides state and federal agencies, local governments, tribes, nonprofits, and private parties purchase lands for habitat and recreation purposes.

State habitat and recreation land acquisitions are necessarily strategic and flexible.

State agencies purchase habitat and recreation lands to protect important state resources such as habitat for threatened and endangered species and to provide outdoor recreation

¹ Habitat and recreation lands are defined as lands principally used for outdoor recreation, habitat, or environmental protection. It does not include lands purchased primarily for non-habitat or recreation purposes, such as state-owned trust lands. "Toward a Coordinated Strategy for Habitat and Recreation Land Acquisitions in Washington State," Interagency Committee for Outdoor Recreation (2005). See also, "The 1999 Public and Tribal Lands Inventory," Interagency Committee for Outdoor Recreation (2001). Examples of habitat and recreation lands include parks, trails, camping areas, fishing sites, boat launches, water access areas, picnic areas, fairgrounds, playfields, habitat areas, natural areas, preserves, wilderness areas, wildlife areas, watershed protection areas, environmental restoration and mitigation sites.

opportunities. As population increases, there is greater need to preserve these resources for current and future generations. At the same time, population growth and declining revenues has led to an increased desire to find innovative ways to meet multiple state objectives on the same land, such as protecting habitat while encouraging agricultural productivity.

State habitat and recreation land acquisitions are necessarily strategic and flexible. They are strategic because each acquisition project must meet priorities identified in each purchasing agency's plan to be selected to compete for grant funding. They also must compete against other potential projects for grant funding by meeting detailed grant program evaluation criteria. These state agency and grant program priorities ensure that the best state habitat and recreation lands are acquired.

Citizens and local governments want to know: Which agencies are planning to buy land in a region? What land is planned for purchase? Why is the land being purchased? How can they get involved in the planning?

State land acquisitions must be flexible because the purchases are from willing sellers. The highest priority projects will not be purchased if the seller is unwilling. Sellers may have a variety of different motivations for selling, including a desire to protect the land from development and selling price. Agencies have some tools that allow them to make purchase offers more desirable, such as purchasing conservation easements that allow the seller to remain on the property. Some constraints limit the agency's flexibility to negotiate with the landowner such as the law against offering more than fair market value.

State agencies have had to become more strategic in planning for acquisitions during difficult economic times. With agency staff cuts and reductions in grant funding for land purchases, agencies must make careful decisions about which projects to pursue and how to better coordinate with other agencies on land transactions.

Similarly, with an increasing demand for public accountability, it is more important than ever to ensure that each project is a good investment of public resources. To decide whether it's a good investment, the public wants to know how purchased land will be maintained. While acquisitions and land management are budgeted separately, there is increasing demand to understand how the capital investment in buying the land relates to the impact on the operating budget for managing the land.

Open, visible state land acquisition processes help make strong public investments. As agencies work to protect natural resources under increased scrutiny, transparent land transactions help inform local and state decision makers.

Improving Visibility and Coordination

Visibility: Ensuring Good Public Investments

Citizens and local governments have difficulty finding out about plans for state land purchases in their area. Local communities are concerned that the agencies purchasing habitat and recreation lands have not adequately engaged communities in the planning processes, which should consider local priorities. A combination of state, federal, and nonprofit land buyers using different planning processes has made it difficult for citizens to know what is going on in their region. Citizens and local governments want to know: Which purchasers are planning to buy land in a region? What land is planned for purchase? Why is the land being purchased? How can citizens get involved in the planning process?

Citizens and local governments are concerned about the impact of state land purchases on the local tax base. In a few Washington counties, the majority of the land is in public ownership (state and federal) and some citizens and officials feel that local communities are not compensated adequately for public land purchases.

As a result, citizens, local officials, and others want planning processes and information about state land purchases to be more visible. They want:

- Early notification about planned purchases in their area.
- Meaningful opportunity to engage in the planning process for purchases in their area.
- Complete, consistent, and accessible information about proposed projects, such as why the project is proposed for purchase, who proposed purchasers are, what the proposed funding sources are, and maps.
- State land purchase data on a county-wide and statewide scale.
- Follow-up information that shows how well the project results met the intended objectives.

State lawmakers want to know: Are state agencies acquiring habitat and recreation lands for a strategic reason, and not just as opportunities arise? Are state agencies talking to each other? Are agencies duplicating one another's roles, or do the habitat and recreation land programs within different agencies have distinct purposes that complement one another?

Coordination: Toward a Statewide Land Acquisition Strategy

In the past, state habitat and recreation lands generally were uncoordinated. State agencies typically consulted with one another only when it was necessary to complete the land transaction. As a result, state lawmakers want to know: Are state agencies acquiring habitat and recreation lands for a strategic reason and not just as opportunities arise? Are state agencies talking to each other? Are agencies duplicating one another's roles, or do the habitat and recreation land programs within different agencies have distinct purposes that complement one another?

In 2004, the Legislature passed a bill that was focused on establishing a statewide strategy for land acquisitions and disposals. Substitute Senate Bill 6242 directed the Recreation and Conservation Office to submit a report to the Legislature that included recommendations for working toward a statewide strategy for state habitat and recreation land acquisitions. The goal was to develop a plan for a central interagency point of coordination to ensure that state acquisitions are consistent with the statewide priorities and to provide greater visibility and accountability to state and local decision makers.

These are among the outcomes noted in the 2005 report submitted to the Legislature:

- State natural resource agencies generally agree that increasing communication between the agencies would increase the likelihood of better coordination.
- Interagency coordination should focus on:
 - Habitat and recreation lands purchased by the Department of Natural Resources, State Parks and Recreation Commission, and Department of Fish and Wildlife.
 - Acquisitions funded through state and federal grant programs.
 - State acquisitions of private lands, rather than land transfers between agencies.
- The Legislature desires greater awareness and involvement in state habitat and recreation land acquisitions.
- A state agency coordination strategy should use a pragmatic, incremental approach, potentially moving stepwise toward a more comprehensive approach.
- Long-term state land acquisition planning and consistent, centralized documentation will improve interagency coordination as well as coordination with constituents.

A Vehicle for Visibility and Coordination

The lands group is comprised of representatives from the following Washington State natural resource agencies:

- Department of Fish and Wildlife
- Department of Natural Resources
- State Parks and Recreation Commission
- Recreation and Conservation Office
- State Conservation Commission
- Department of Transportation
- Department of Ecology
- Puget Sound Partnership

The lands group also includes representatives of nonprofit organizations, local governments, the Legislature, private interests, and others. The Recreation and Conservation Office provides staff support and hosts the lands group's Web site at www.rco.wa.gov/boards/hrlcg.shtml.

Since 2007, the lands group has been the vehicle for improving the visibility and coordination of state habitat and recreation land acquisitions. The lands group makes state acquisition projects more visible and coordinated at key points before, during, and after they are completed. By using consistent data, it allows users to make data comparisons and see broad, county-wide and statewide assessments of acquisitions. It can be expanded over time to include other topics, such as state land transfers and land management.

The lands group makes state acquisition projects more visible and coordinated at key points before, during, and after they are completed.

The lands group visibility and coordination process occurs on the biennial funding cycle and has the following components:

- **Annual Coordinating Forum:** The Annual State Land Acquisition Coordinating Forum brings together state agencies, local governments, non-government organizations, landowners, tribes, and citizens to learn about and share ideas on proposals for state habitat and recreation land purchases and disposals.
- **Biennial Forecast Report:** The "Biennial State Land Acquisition Forecast Report" gives information about the state land purchases and disposals that are being planned around the state.
- **Biennial Performance Monitoring Report:** The "Biennial State Land Acquisition Performance Monitoring Report" shows whether state agencies achieved their initial acquisition project objectives

Visibility

The lands group makes state habitat and recreation land acquisitions more visible.

- **Easily accessible project information:** The lands group provides summarized information about state acquisition projects in one centralized place – the lands group Web site. Through the annual forums and regular reports, the project information is refreshed allowing the public to keep constantly aware of what’s happening with regard to state habitat and recreation land purchases and disposals.
- **Early notification about projects:** Local, state, federal, and tribal government representatives, as well as nonprofit, private landowner, and other partners are invited to learn about projects planned for near-term funding at the annual coordinating forum. The forum is scheduled to give stakeholders time to affect acquisition plans before funding requests are made. The biennial forecast report gives an early, comprehensive look at acquisition proposals for the upcoming biennium. The forecast is published a full year before final state capital funding is approved by the Legislature.
- **Opportunities to communicate:** Through the annual coordinating forum, the lands group regularly invites the public to participate in a broad discussion about state land purchases and about specific planned or proposed projects.
- **Uses clear and accessible data:** The lands group presents project data such as: project description, number of acres, cost, type of acquisition, and source of funding. Participating state agencies work towards standardizing the data, including Geographical Information Systems (GIS) data, and presenting it in an accessible format on the lands group Web site.
- **Shows project results:** The biennial performance monitoring report looks back at funded state land acquisition projects and compares the proposals with the current results. The information can be used to identify opportunities for improvement.

Coordination

The lands group makes state habitat and recreation land acquisitions more coordinated.

- **Regular communication:** Through quarterly meetings and the annual forum, the lands group regularly brings agencies together to communicate about acquisition priorities and practices. When agencies review each project together, they might identify overlapping priorities or share ideas about “best practices.” These discussions can lead to cost savings on land purchases.
- **Addresses local concerns:** The annual forum and the biennial reports show where, why, and how state agencies are purchasing and disposing of habitat and recreation land. The

statewide and county-wide data help answer questions about the effects of state land purchases on local areas.

- **Uses a practical, incremental approach:** The lands group can be used as a vehicle for broader coordination in the future. For example, the annual forum could include discussion about land management or inter-agency land transfers. Starting in a step-wise fashion allows the coordination to improve immediately.
- **Centralized documentation:** The lands group pulls together acquisition data and presents it at the annual forums and in the biennial reports. Using standardized data makes it possible to analyze state land purchases on a statewide, county-wide, or agency-wide basis.

Recommendations

The Recreation and Conservation Funding Board puts forward three options for the Legislature to consider on whether to continue the lands group past the July 2012 sunset date:

Option A – The lands group continues with a budget sized to the scope of the statute.

Option B – The lands group continues with a limited budget and limited scope.

Option C – The lands group sunsets.

Budget Background and Context

During the 2007 legislative session, the Recreation and Conservation Office and the Department of Fish and Wildlife agreed that they could support and participate in the lands group with existing agency resources. To participate in the lands group, State Parks identified an \$18,820 biennial fiscal impact and the Department of Natural Resources identified a \$68,000 biennial fiscal impact².

In 2007, the Legislature made equal appropriations to State Parks, Department of Fish and Wildlife, and Department of Natural Resources to participate in the lands group: \$42,000 for each fiscal year 2008 and 2009.

In the 2008 supplemental budget appropriations bill, the Legislature modified these appropriations to reflect the fiscal note: State Parks' appropriation was reduced to \$9,000 for fiscal year 2008 and 2009; Department of Fish and Wildlife's appropriation was cut out for the biennium; and Department of Natural Resources' appropriation was reduced to \$34,000 for each fiscal year³. The funded agencies have tracked their own expenditures of those appropriations.

² Multiple Agency Fiscal Note for Substitute Senate Bill 5236;
<https://fortress.wa.gov/ofm/fnspublic/legsearch.asp?BillNumber=5236&SessionNumber=60>

³ 2008 ESHB 2687 Sections: 303(12); 307(19); and 308(14) respectively.

In 2009, the budget eliminated funding for agencies to participate in the lands group. In addition, recent budget cuts have increasingly challenged the agencies to provide the staff time and resources to fully achieve the lands group goals. While all agencies have benefited from the greater visibility and coordination that the lands group makes possible, they only can perform the core functions of the group within existing resources.

The Recreation and Conservation Funding Board would like the lands group to remain intact and perform core functions during this difficult budget period, with hopes that with additional resources in the future the group could continue working toward achieving all of its goals, including improving coordination of GIS-based documentation and federally funded acquisitions, and centralizing habitat and recreation land acquisition data.

Options for Continuing the Lands Group

	Option A The lands group continues with a budget	Option B The lands group continues with a limited budget and limited scope	Option C The lands group sunsets
Description	<ul style="list-style-type: none"> The statute would be modified to allow the lands group to continue. The group would continue to host the annual coordinating forums, publish the biennial forecast report, publish the biennial performance monitoring report, hold quarterly meetings, and host the lands group Web site. The group would focus on achieving all lands group goals, including improving coordination of GIS-based documentation and federally funded acquisitions and centralizing habitat and recreation land acquisition data. 	<ul style="list-style-type: none"> The statute would be modified to allow the lands group to continue. The group would continue to host the annual coordinating forums, publish the biennial forecast report, publish the biennial performance monitoring report, hold quarterly meetings, and host the lands group Web site. The lands group goals would remain in statute with hope it can be fully achieved with future funding. 	The lands group would sunset in July 2012.
What Would Change	<ul style="list-style-type: none"> The sunset date would be extended. RCO would receive funding equivalent to ¼ full-time equivalent to coordinate the lands group, produce the reports, and host the Web site, as well as funding to improve GIS coordination and data centralization. 	<ul style="list-style-type: none"> The sunset date would be extended. The Recreation and Conservation Office would receive funding equivalent to ¼ full-time equivalent to coordinate the lands group, produce the reports, and host the Web site. 	The annual coordinating forums, reports, and lands group Web site would be discontinued.
Cost	<ul style="list-style-type: none"> Nominal costs to agencies to provide project information to the coordinator, attend the quarterly meetings, and participate in the annual forum. About \$25,000 a year for the Recreation and Conservation Office to produce and publish the annual progress reports and biennial acquisition reports, coordinate the quarterly meetings and annual forums, and host the Web site. About \$200,000 to design and build the GIS component and to coordinate gathering and standardizing the data. 	<ul style="list-style-type: none"> Nominal costs to agencies to provide project information to the coordinator, attend the quarterly meetings, and participate in the annual forum. About \$25,000 a year for the Recreation and Conservation Office to produce and publish the annual progress reports and biennial acquisition reports, coordinate the quarterly meetings and annual forums, and host the Web site. 	None

Appendix A – Lands Group Enabling Legislation

Revised Code of Washington 79A.25.260

Habitat and recreation lands coordinating group — Members — Progress reports — Duties.
(Expires July 31, 2012.)

- (1) The habitat and recreation lands coordinating group is established. The habitat and recreation lands coordinating group must include representatives from the *committee, the state parks and recreation commission, the department of natural resources, and the Washington state department of fish and wildlife. The members of the habitat and recreation lands coordinating group must have subject matter expertise with the issues presented in this section. Representatives from appropriate stakeholder organizations and local government must also be considered for participation on the habitat and recreation lands coordinating group, but may only be appointed or invited by the director.
- (2) To ensure timely completion of the duties assigned to the habitat and recreation lands coordinating group, the director shall submit yearly progress reports to the office of financial management.
- (3) The habitat and recreation lands coordinating group must:
 - (a) Review agency land acquisition and disposal plans and policies to help ensure statewide coordination of habitat and recreation land acquisitions and disposals;
 - (b) Produce an interagency, statewide biennial forecast of habitat and recreation land acquisitions [acquisition] and disposal plans;
 - (c) Establish procedures for publishing the biennial forecast of acquisition and disposal plans on web sites or other centralized, easily accessible formats;
 - (d) Develop and convene an annual forum for agencies to coordinate their near-term acquisition and disposal plans;
 - (e) Develop a recommended method for interagency geographic information system-based documentation of habitat and recreation lands in cooperation with other state agencies using geographic information systems;
 - (f) Develop recommendations for standardization of acquisition and disposal recordkeeping, including identifying a preferred process for centralizing acquisition data;
 - (g) Develop an approach for monitoring the success of acquisitions;

(h) Identify and commence a dialogue with key state and federal partners to develop an inventory of potential public lands for transfer into habitat and recreation land management status;

(i) Review existing and proposed habitat conservation plans on a regular basis to foster statewide coordination and save costs.

(4) The group shall revisit the *committee's and Washington wildlife and recreation program's planning requirements to determine whether coordination of state agency habitat and recreation land acquisition and disposal could be improved by modifying those requirements.

(5) The group must develop options for centralizing coordination of habitat and recreation land acquisition made with funds from federal grants. The advantages and drawbacks of the following options, at a minimum, must be developed:

(a) Requiring that agencies provide early communication on the status of federal grant applications to the *committee, the office of financial management, or directly to the legislature;

(b) Establishing a centralized pass-through agency for federal funds, where individual agencies would be the primary applicants.

(6) This section expires July 31, 2012. Prior to January 1, 2012, the *committee shall make a formal recommendation to the appropriate committees of the legislature as to whether the existence of the habitat and recreation lands coordinating group should be continued beyond July 31, 2012, and if so, whether any modifications to its enabling statute should be pursued. The *committee shall involve all participants in the habitat and recreation lands coordinating group when developing the recommendations.

[2007 c 247 § 1.]

Notes:

*Reviser's note: Chapter 241, Laws of 2007 amended RCW 79A.25.010, changing the definition of "committee" to "board."

Appendix B – Lands Group Membership

Lands Group Members – December 2011

Affiliation / Organization	Members/Alternates
Washington State Legislature	Senator Linda Evans Parlette Alternate: Sean Graham
Washington Recreation and Conservation Office	Kaleen Cottingham Alternate: Steve McLellan Dominga Soliz
Washington Department of Natural Resources	Pene Speaks Alternate: Clay Sprague
Washington State Parks and Recreation Commission	Steve Hahn Alternate: Shannon Stevens
Washington Department of Fish and Wildlife	Elizabeth Rodrick
Washington State Conservation Commission	Ron Shultz Alternate: Josh Giuntoli
Washington Department of Ecology	Jeanne Koenings Alternate: Kathy Taylor
Washington Department of Transportation	Paul Wagner
County Governments/Okanogan County	Andrew Lampe
City Government Park Planners/Washington Recreation and Parks Association	Leslie Betlach Alternate: Shelley Marelli
Pacific Coast Joint Venture	Lora Leschner
The Nature Conservancy	Bill Robinson
Green Diamond Resources	Eric Beach
Puget Sound Partnership	Michael Grayum
Trust for Public Land	Mike Deller Alternate: Bill Clarke