Manual 13

Nonhighway and Off-road Vehicle Activities

Education and Enforcement Category

May 1, 2014

WASHINGTON STATE
Recreation and Conservation Funding Board

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Section 1: Introduction

In this section, you'll learn about:

- ✓ The NOVA program overview
- ✓ The Recreation and Conservation Funding Board
- ✓ Where to get information
- ✓ The grant process and timeline

The NOVA Program Overview

In 1972, the Legislature set aside 1 percent of the state's gasoline excise tax[1] to provide funding for what today is called the Nonhighway and Off-road Vehicle Activities (NOVA) program. NOVA is charged with creating access to activities such as cross-country skiing, hiking, horseback riding, mountain bicycling, hunting, fishing, sightseeing, trail and competition motorcycling, and riding all-terrain and four-wheel drive vehicles.

This manual provides information on the Education and Enforcement Category, one of four categories in the NOVA program.[2]

The Education and Enforcement Category is intended to encourage environmentally responsible use of the outdoors and minimize conflict between users through positive management techniques. By law[3], the grants may be used only for activities directly related to the activities supported by the NOVA program.

[1] Under Revised Code of Washington 46.09
[2] See the Recreation and Conservation Funding Board's *Manual 14, Nonhighway and Off-road Vehicle Activities* for information on the Nonhighway Road, Nonmotorized, and Off-Road Vehicle Categories.
[3] Revised Code of Washington 46.09.520

About the Recreation and Conservation Funding Board

The Recreation and Conservation Funding Board was created in 1964 by a vote of the citizens of Washington, and it administers NOVA grants. The board is a governor-appointed board composed of five citizens and the directors (or designees) of three state agencies – Department of Fish and Wildlife, Department of Natural Resources, and Washington State Parks and Recreation Commission.

The Recreation and Conservation Office (RCO) supports the board. RCO is a small state agency that manages multiple grant programs to create outdoor recreation opportunities, protect the best of the state's wildlife habitat and farmland, and help return salmon from near extinction.

This manual provides basic information on procedures and policies used by the Recreation and Conservation Funding Board to administer this program.

Manual Authority

This manual is created under the authority granted to Recreation and Conservation Funding Board in NOVA's enabling legislation and Revised Code of Washington 46.09.530(2). It reflects the specific statutory requirements of Revised Code of Washington 46.09, Title 286 of the Washington Administrative Code, and the Recreation and Conservation Funding Board's policies.

Where to Get Information

Recreation and Conservation Office
Natural Resources Building
1111 Washington Street
Olympia, WA 98501
E-mail: info@rco.wa.gov

Telephone: (360) 902-3000
FAX: (360) 902-3026
TTD: (360) 902-1996
Web site: www.rco.wa.gov

Mailing Address
PO Box 40917
Olympia, WA 98504-0917

RCO grant managers are available to answer questions about this manual and grant program. Please feel free to call.

Other Grant Manuals You Will Need

These manuals are available on RCO's Web site, www.rco.wa.gov. Each can be made available in an alternative formats.

- *Manual 7, Long-Term Obligations*
- *Manual 8, Reimbursements*
- *Manual 14, Nonhighway and Off-road Vehicle Activities*

Statewide Strategic Plans

Every third biennium, the Recreation and Conservation Funding Board adopts a plan to guide distribution and expenditure of NOVA funds[4]. Policies in this manual are based on priorities and recommendations from the NOVA plan, state trails plan, and State Comprehensive Outdoor Recreation Plan. RCO encourages applicants to review current statewide plans prepared by RCO that relate to program policies and priorities. A summary of the current NOVA plan priorities is found in Appendix A.

- *2013-2018 Washington State Nonhighway and Off-road Vehicle Activities (NOVA) Plan*
- *2013-2018 Washington State Trails Plan*
- *Outdoor Recreation in Washington, The 2013 State Comprehensive Outdoor Recreation Plan*

Grant Process and Timeline

RCO offers grants in even-numbered years, in conjunction with the state budget. The grant process, from application to grant award, spans about 18 months, and is outlined below. While the order of the steps in this process remains consistent, for precise dates, visit the RCO Web site.

Even-Numbered Years

Workshops. RCO conducts workshops (usually as an online meeting) in the winter or early spring to provide information about the grant programs offered that year.

Entering Applications. RCO strongly encourages applicants to start the online application early. Applicants log into PRISM Online and select the "Get Started/Start a New Application" button to enter grant application information. RCO uses this

[4] Revised Code of Washington 46.09.370

information to assign an outdoor grants manager. This manager guides applicants through the process, reviews application materials, helps determine whether proposals are eligible, and may visit the project sites to discuss site specific details.

Applications Due. Applications are due in early July of even-numbered years. The application includes the data entered into PRISM and all required attachments. Applicants should "submit" the application before the deadline. The "Check Application for Errors" button on the Submit Application screen will indicate which pages are incomplete. Incomplete applications and applications received after the deadline will be returned unless RCO's director has approved a late submission in advance.

Technical Reviews – Written Process. The NOVA Advisory Committee and RCO staff will review projects to ensure they are eligible, identify any issues of concern, assess the technical merits of projects, and provide feedback on the strengths and weaknesses of each proposal. Applicants then can make changes to improve the projects, if needed.

Technical Completion Deadline. RCO will establish a technical completion deadline will be established by which applicants must make all changes to their applications. After this date, applicants will not be able to make any further changes. RCO will score applicable evaluation criteria as of this date.

Project Evaluation – Written Process. The advisory committee members read the application materials, which include the responses to the evaluation questions, costs estimates, maps, graphics, and photographs. The members score each proposal against a set of criteria approved by the Recreation and Conservation Funding Board.

Post-Evaluation Conference. After project evaluations, RCO staff tabulate the scores and share the results with the advisory committee. The committee discusses the preliminary ranked list and the application and evaluation processes. The public may join this advisory committee conference call; however, to ensure a fair and equitable process; guests may not testify. Shortly after the conference call, staff post the preliminary ranked lists on RCO's Web site. The resulting ranked list of projects is the basis for the funding recommendation to the board.

Odd-Numbered Years

Legislature Approves Funding. The Legislature approves a capital budget that generally includes funding for NOVA.

Proof of Matching Funds. If providing match, applicants must provide proof of the availability of matching funds by the match certification deadline, which is at least one calendar month before board approval of funding.[5]

[5] Washington Administrative Code 286-13-040(3)

Board Approves Funding. After the Legislature and Governor approve the capital budget, the board approves the list of projects and the final grant awards in a public meeting, after considering the recommendations of the advisory committee, written public comments submitted before the meeting, and public testimony at the meeting. Applicants are encouraged, but not required, to attend.

Pre-agreement Materials. After grant awards, applicants have 60 days to submit pre-agreement documents (checklist provided by grants managers.) RCO staff then prepares and issues the grant contracts, called project agreements. Applicants must return the signed agreements within 60 days.[6] Once the agreements are signed, the applicants, now referred to as the project sponsors, may begin their projects, per the terms of the project agreements. Each agreement will be written and monitored for compliance by RCO staff.

Pre-agreement Costs. RCO will pay only for work performed after project agreements have been signed by both RCO and project sponsors.

Successful Applicants' Workshop. After the board approves funding, RCO hosts a workshop for successful grant applicants. This workshop covers:

- Project sponsor responsibility for compliance with the terms of the project agreement.
- Amending the project agreement to address project changes, time extensions, scope modifications, special conditions, and cost increases.
- Project implementation, including meeting milestones, permitting, submitting progress reports, inspections, valuing donations, using RCO's online resources for understanding billing procedures, project close-out, and long-term compliance.

Ongoing

Project Implementation. Sponsors must complete projects promptly. To help ensure reasonable and timely project completion, accountability, and the proper use of funds, applicants will:

- Submit only projects that will be completed within 2 years of the grant awards.
- Provide assurances that the project can be completed within a reasonable time frame, which does not exceed the implementation period approved by the Recreation and Conservation Funding Board.
- Develop milestones for project implementation that does not exceed 2 years.

[6] Washington Administrative Code 286-13-040(4)

- Begin project implementation quickly and aggressively to show measurable progress towards meeting project milestones.
- Submit progress reports at intervals as designated by the RCO project agreement.

RCO may terminate projects that do not meet critical milestones established in the project agreement.

Project Completion. When a project is completed, sponsors have 90 days to submit the final bill, final report, and supporting documents needed to close the project. If the bill and documentation are not submitted within 6 months of the end date within the agreement, the Recreation and Conservation Funding Board may terminate the project without payment.

Section 2: Policies

In this section, you'll learn about:

- ✓ Eligibility applicants, activities, and costs
- ✓ Bid competition for purchased equipment and services
- ✓ Capital equipment policies
- ✓ Requirements and other things to know

Eligible Applicants

Eligible Applicants[7]

The following organizations may apply for NOVA education and enforcement grants:

- Local agencies (cities, towns, counties, port districts, park and recreation districts, etc.)
- Federal agencies
- State agencies
- Tribal governments

[7] Revised Code of Washington 46.09.530

Legal Opinion for First Time Applicants

The Recreation and Conservation Funding Board requires all organizations wishing to apply for a grant for the first time to submit a legal opinion that the applicant is eligible to do the activities below. The legal opinion is required only once to establish eligibility.

- Receive and expend public funds including funds from the Recreation and Conservation Funding Board;
- Contract with the State of Washington and/or the United States of America;
- Meet any statutory definitions required for Recreation and Conservation Funding Board grant programs;
- Commit the applicant to statements made in any grant proposal.

Eligible Activities

Education and enforcement activities may be directed only to the following types of visitors[8] (See state law for precise definitions):

- **Nonhighway road recreational users:** A person who drives on back roads or off road to go hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking or canoeing, or gathering berries, firewood, mushrooms, and other natural products.
- **Nonmotorized recreational users:** A person who drives on back roads or off road to participate primarily in nonmotorized activities, including walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, and horseback riding.
- **Off-road vehicle recreational users:** A person who drives on back roads or off road to participate primarily in motorized activities, including riding all-terrain vehicles, motorcycles, four-wheel drive vehicles, or dune buggies (not snowmobiles or go-karts).[9]

Two primary program activities are eligible for funding:

- **Education.** User education programs may include information on safety, land use ethics, laws, opportunities, and environmental issues. Such programs seek to instruct and coordinate with NOVA recreationists in various ways, including:

[8] Revised Code of Washington 46.09.310

[9] Such vehicles as snowmobiles and "go-carts" are excluded in the legal definition of an off-road vehicle.

- Engaging individual NOVA users (preferably by field contacts).
- Engaging organized NOVA user groups (preferably by field contacts).
- Providing recreation information, education, and enforcement materials for public distribution to equipment dealers and other public and commercial outlets.
- Providing in-school programs geared toward current NOVA users.
- Working with advisory committees.
- Preparing information for maps, Web pages, and other information sources.

- **Enforcement.** Programs providing law enforcement contact with NOVA recreationists are eligible for funding, especially those that encourage responsible recreational behaviors through positive management techniques. Eligible enforcement activities include:
  - Resolving conflicts and complaints.
  - Issuing warnings and citations to violators.
  - Protecting resources and facilities.
  - Preventing vandalism.
  - Providing public outreach.

Eligible Costs

Conducting User Education or Education and Enforcement Programs

Education projects promote safety and environmental protection of recreational areas and trails. In these projects, staff usually patrols trails and recreation use areas, handing out educational information and talking with users about trail safety and environmental protection.

Education and enforcement projects encourage responsible recreational behaviors through positive management techniques. Grants pay for activities that help preserve access for a variety of recreational activities and reducer conflicts between user groups. Typical work includes providing information, resolving conflicts and complaints, issuing warnings and citations to violators, protecting resources and facilities, and preventing vandalism.

Grants may be used only for activities directly supported by the NOVA program.

- **Covering operating expenses:** Typical costs cover staff and direct support expenses. *Costs must be less than $1,000.
  - Advertising
  - Consultants
  - Computer software
  - Equipment rental and leases (amounts not to exceed purchase price)
  - Forms, maps, stationary
  - Insurance, liability or general
  - Laundry
  - Meeting rooms
  - Official vehicle operation: fuel or mileage, lease
  - Per diem for food[10]
  - Postage
  - Printing, binding, copies
  - Publications
  - Repairs, equipment maintenance*
  - Salary and benefits
  - Storage of program-eligible equipment
  - Stakes and flagging
  - Supplies, general*
  - Telephone
  - Tools and minor equipment*
  - Training*
  - Travel and transportation
  - Uniforms and safety gear

- **Developing education materials**
  - Brochure
  - Curriculum
  - Graphics
  - Maps
  - Public service announcements
  - Publications
  - Videos
  - Web site development

[10] RCO uses the Office of Financial Management's policies for state employee travel (www.ofm.wa.gov/policy/10.40.htm) when per diem is allowed.

Purchasing Capital Equipment

- **Purchasing electronic equipment**
  - Cameras
  - Cell phones
  - Computers
  - Monitors
  - Portable display units
  - Printers
  - Projectors
  - Radios
  - Trail counters
  - Video cameras
- **Purchasing accessories and attachments for equipment and vehicles**
  - Accessories to equip an enforcement vehicle (lights, siren, push bumper, storage box)
  - Canopy
  - Ramps for loading and unloading equipment
  - Tracks for all-terrain or four-wheel drive vehicles
  - Other accessories
- **Purchasing sound metering equipment**
  - Anemometers
  - Calibrators
  - Decibel meters
  - Tachometers
  - Sound meters
- **Purchasing vehicles**
  - All-terrain vehicles
  - Four-wheel drive vehicles
  - Motorcycles
  - Mountain bicycles
  - Trailers
  - Vehicles

The cost or use value of equipment acquired with grant assistance may not be used in other or subsequent grants.

Ineligible Costs

Costs not *directly* related to the funded program are not eligible for reimbursement or for use as an applicant's matching share. This includes:

- Overhead and indirect costs
- Any personnel cost related to non-NOVA activities, including dispatch services and overhead costs.
- Purchases not wholly dedicated to education and enforcement (purchased items may not be prorated among programs).
- Supervisory activities.
- Management of field staff including scheduling, equipment coordination, and review of field work.
- Any payment or allocation to an equipment or vehicle replacement fund.
- Charges in excess of the lowest acceptable bid when competitive bidding is required, unless the RCO director agrees to the higher costs before the award of an agreement.
- Costs associated with securing NOVA grants, including preparation of an RCO application, and travel expenses including per diem for attending RCO or Recreation and Conservation Funding Board evaluation and funding meetings.
- Office rental.
- Weapons, ammunition, and shooting supplies.

Bid Competition for Purchased Equipment and Services

A competitive bid process must be used for expendable property, equipment, and other services, including construction, purchased with NOVA funds. This requirement is to ensure that these services are obtained as effectively as possible, without any real or apparent conflict of interest. Such conflicts arise when a person related to the NOVA project sponsor (agent, family member, partner, etc.) has a financial or other interest in the organization selected to provide the needed service. Avoid such conflicts by:

- Conducting all procurement transactions in an open and free competitive manner.

- Keeping a file on bid procedures (request for proposals, bid invitation, independent cost estimates, selection process, etc.)
- Making awards to bidders with offers most responsive to solicitations, considering price, quality, and other factors.
- Sponsors shall establish and follow written procurement procedures or follow **current state procurement procedures. All procurement transactions shall be** conducted in a manner to provide, to the maximum extent practical, open and free competition. Be aware of organizational conflicts of interest. Contractors that develop or draft specifications, requirements, statements of work, invitations for bids, or requests for proposals shall be excluded from competition for such procurements.

Capital Equipment Policies

The sponsor shall use the capital equipment in the project or program for which it was acquired for as long as needed, whether or not support continues through other grants or support from the Recreation and Conservation Funding Board.

Equipment Management

Sponsors must maintain a record of all capital equipment purchased under a Recreation and Conservation Funding Board agreement. The sponsor, not the board or RCO, always takes title. This inventory record begins with the list of any capital equipment purchases proposed in the project application. On board approval of the project, this listing is entered into the project agreement.

The sponsor's capital equipment records shall include:

- A description of the equipment.
- Manufacturer's serial number (model, stock, vehicle identification, or other unique number securely affixed to the equipment).
- Source of the equipment, including grant or other agreement number.
- Acquisition date and cost.
- Percentage of sponsor participation in the cost of the project or program for which the equipment was acquired as specified in the project agreement.
- Location, use, and condition of the equipment and the date the information was reported.

- Ultimate disposition data, including date of disposal and sale price, including the method used to determine current fair market value when a sponsor compensates the Recreation and Conservation Funding Board for its share, if sold.

The sponsor shall conduct a physical inventory of equipment and reconcile the results with previous records at least once every two years. This should continue until final liquidation has been made, and inventory records must be maintained just as other records for audit purposes. Any differences in this physical inspection and those shown in the accounting records shall be investigated by the sponsor to determine the causes of the difference. In connection with the inventory, the sponsor shall verify the existence, current use, and continued need for the equipment. A detailed written report on the results of this inventory shall be provided to RCO upon request.

The sponsor shall institute a control system to ensure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft shall be investigated and fully documented. The sponsor shall promptly notify RCO of any such occurrence.

The sponsor shall establish adequate maintenance procedures to keep the equipment in good condition.

When the sponsor disposes of the capital equipment (see below), procedures that provide for fair competition, to the extent practicable, and result in the highest possible return, shall be established.

In an ongoing maintenance program, sponsors may trade-in or sell equipment and use the proceeds to offset the cost of purchasing new equipment used for allowable NOVA program activities. In this situation, the equipment becomes part of the sponsor's reportable equipment inventory and the sponsor must continue to follow the equipment management procedures in this manual for the new equipment, until liquidated.

Equipment Liquidation

When the sponsor discontinues use of the capital equipment (assets) for the purpose for which it was funded, the following liquidation procedures shall apply:

1. **The sponsor wishes to retain the equipment.** When the sponsor no longer needs the equipment as provided above but wishes to retain it in his or her inventory, it may be used for other activities as follows:

    A) Original cost of $1,000 or less: The sponsor may use the capital equipment for other activities without reimbursement to RCO, or sell the capital equipment and return the proceeds to RCO.

    B) Original cost of more than $1,000: The sponsor compensates the Recreation and Conservation Funding Board the amount computed by

applying the percentage of board participation in the cost of the original project, as specified in the project agreement, to the current fair market value of the equipment.

2. **The sponsor does not wish to retain the equipment.** If the sponsor has no need for equipment but it still has value, the sponsor shall request disposition instructions from RCO. If so instructed,

   A) The sponsor shall sell the equipment and reimburse RCO an amount computed by applying to the sales proceeds the percentage of Recreation and Conservation Funding Board participation in the cost of the original project as recorded in the signed project agreement. The sponsor may retain from the board share an amount that accurately reflects any selling or handling expenses, so long as these expenses do not exceed $100 or 10 percent of the sale amount, whichever is less.

   B) RCO may instruct the sponsor to transfer title to a third party named by RCO who is eligible under existing statutes. In such cases, the sponsor will be compensated in the amount equal to its share of the current fair market value of the equipment.

3. **The equipment has no value.** This occurs when the equipment has lost value or has out lived its useful life, not due to lack of maintenance. The sponsor may notify RCO and if RCO concurs, the equipment will be removed from equipment inventory reporting requirements.

Requirements and Other Things to Know

Universal, Barrier-free Access

Sponsors must ensure that all materials paid for with Recreation and Conservation Funding Board grants meet current barrier-free standards. Sponsors must, to the highest degree reasonable, make project elements accessible. See the Universal, Barrier-Free Access section in *Manual 4, Development Projects* and the RCO Web site.

Plans, project applications, cost estimates, and construction drawings must reflect compliance with facility access and signing requirements. Examples include meeting for public outreach activities and printed materials made available in alternate formats.

Sustainability

The Recreation and Conservation Funding Board encourages greater use of sustainable design, practices, and elements in grant-funded projects. To the board, “sustainability” means to help fund a recreation or conservation project that minimizes impact to the natural environment while maximizing the project’s service life.

Sponsors are encouraged to incorporate sustainable design, practices, and elements into the scopes of projects. Examples may include use of recycled paper for printed materials, recycled materials for signs, onsite recycling stations, and composting.

You Have to Pay First

RCO pays grants through reimbursement. You may request reimbursement only after you have paid your employees and vendors. RCO does not provide money before vendors are paid.

Program Fees and Income

If the grant recipient receives income from a program paid in part by a Recreation and Conservation Funding Board grant, the recipient must comply with the income policy in http://www.rco.wa.gov/documents/manuals&forms/Manual_7.pdf in the project agreement.

Public Disclosure Rules

RCO records and files, including those related to grants, are public records that are subject to the Public Records Act[11]. More information about the RCO's disclosure practices is available on the Web site at www.rco.wa.gov/about/public_records.shtml.

[11] Revised Code of Washington 42.56

Section 3: Money Matters

In this section, you'll learn about:

- ✓ Matching resources and requirements
- ✓ Types of match
- ✓ Supplanting
- ✓ Grant limit
- ✓ Where the money comes from and how it's distributed
- ✓ Records and reimbursement

Matching Resources

Match is the project sponsor's contribution to a project. Although match is not required for the NOVA program, applicants are strongly encouraged to provide matching resources to demonstrate a local commitment to the project and to make funds available to more projects.

To qualify, a match must be composed of elements that would be eligible for a NOVA education or enforcement grant. Project scores are weighted to reward projects that include a matching share made up of non-government (volunteer) contributions.

Eligible Match

A sponsor's matching share may include one or a combination of the following:

- Appropriations or cash
- Bonds – council or voter
- Corrections labor
- Donations – the value of using cash, equipment use, labor, materials, or services (see note below)

- Force account – the value of using sponsor's equipment, labor, or materials (see note below)
- Grants – federal, state, local and private (see notes below)
- Other Recreation and Conservation Funding Board grants that meet the requirements outlined below.

Not Allowed as Match

- Existing sponsor assets.
- Costs that are double counted. (A cost incurred by a sponsor in a project that has been reimbursed by RCO shall not be used as a match on another RCO project.)
- Cost that are not eligible for grant assistance.
- Cost that are not necessary or an integral part of the project scope.

Match Requirements

Recreation and Conservation Funding Board grants are intended to be the last source of funding for a project. In other words, before the board awards the grant, the required match must be secured so the project can move forward. Board grants also are intended to supplement the existing capacity of a sponsor, not to replace existing funding that would have been used for a project without grant funding.

All matching resources must be:

- An integral and necessary part of the approved project,
- Part of the work identified in the application and project agreement,
- For eligible work types or elements, and
- Committed to the project.

RCO rules governing projects apply to the grant applicant's match. For example, if a grant applicant uses a donated motorcycle as a match, RCO rules for equipment management apply to the donated motorcycle as well.

In many grant programs, particularly those where match is not required, the Recreation and Conservation Funding board adopted evaluation criteria to encourage applicants to contribute matching shares. This typically is reflected in the criteria when points are given for non-governmental contributions or for exceeding the minimum match

requirements. Applicants should carefully review the evaluation instrument to determine if this applies to your project.

Except for grant applications submitted within the same biennium, matching resources or board grant funds committed in one board-funded project must not be used as match in another board funded project.

Match Availability and Certification

To help ensure Recreation and Conservation Funding Board projects are ready for implementation upon approval, applicants must have matching funds available for expenditure before the Recreation and Conservation Funding Board approves funding. All applicants are required to sign and submit certification of match forms to ensure their projects are included in the funding recommendation. Applicants are advised to plan ahead for projects whose match depends on citizen votes or passage of ballot measure. This certification is due at least 30 days before Recreation and Conservation Funding Board action.[12] The forms and deadlines for certifying match are on the RCO Web site.

RCO may declare projects ineligible if there is no guarantee that matching funds are available and those projects may be passed over in favor of projects with the match in place. Such decisions are based on the Recreation and Conservation Funding Board's confidence in the applicant's ability to have the match in place when required.

When another Recreation and Conservation Funding Board grant is used as match, the "certification of match" will be tentative, conditioned on receipt of the other grant or on the sponsor providing the match from other resources. The applicant will have 6 months from the time of the first grant award to certify the match requirements of that grant. To prevent a backlog of unspent grants, the sponsor must finish the project by the earliest completion date of the two grants.

Types of Match

Donations and Force Account

Donations are eligible only as matching funds and are not reimbursable. This means RCO will not pay more than the sponsor's out of pocket expenses. Valuing donations of equipment, labor (including inmates, community service labor, and volunteers), and material is discussed in *Manual 8, Reimbursements*. RCO strongly encourages applicants to secure written confirmation of all donations you plan to use as match and attach the donation letters to your PRISM Online application.

[12] Washington Administrative Code 286-13-040 (3)

Force account refers to use of a sponsor's staff (labor), equipment, or materials. These contributions are treated as expenditures.

Other Grants

In some cases, a sponsor may use funds awarded from a separate grant program as match. Other grants are eligible as long as the purposes are similar and grant sources do not restrict or diminish the use, availability, or value of the project area.

The eligibility of federal funds to be used as a match may be governed by federal and state requirements and thus will vary with individual program policies.

Applicants must clearly identify in the grant application all grants to be used as match. RCO will help you determine if the source is compatible with Recreation and Conservation Funding Board grants.

RCO Grants as Match

Another Recreation and Conservation Funding Board grant may be used to help meet the match requirements if:

- The grants are not from the same Recreation and Conservation Funding Board grant program,
- Only elements eligible in both grant programs are counted as the match, and
- Each grant is evaluated independently and on its own merits, as if the match were coming from elsewhere.

For evaluation scoring purpose, an RCO grant used as match will not count toward the award of matching share points.[13]

In the NOVA program, it is likely that only a Recreational Trails Program education or maintenance grant would be eligible for use as a match.

Supplanting

NOVA funding is intended to enhance the capabilities of recreation providers and managers. NOVA funding shall be used to achieve results that would not otherwise be possible without state funding – it shall not replace other funding.

[13] Resolution 2014-06

Grant Limit

The grant limit is $200,000 per project. This includes expenses for capital equipment, salaries, and other operations costs listed above.

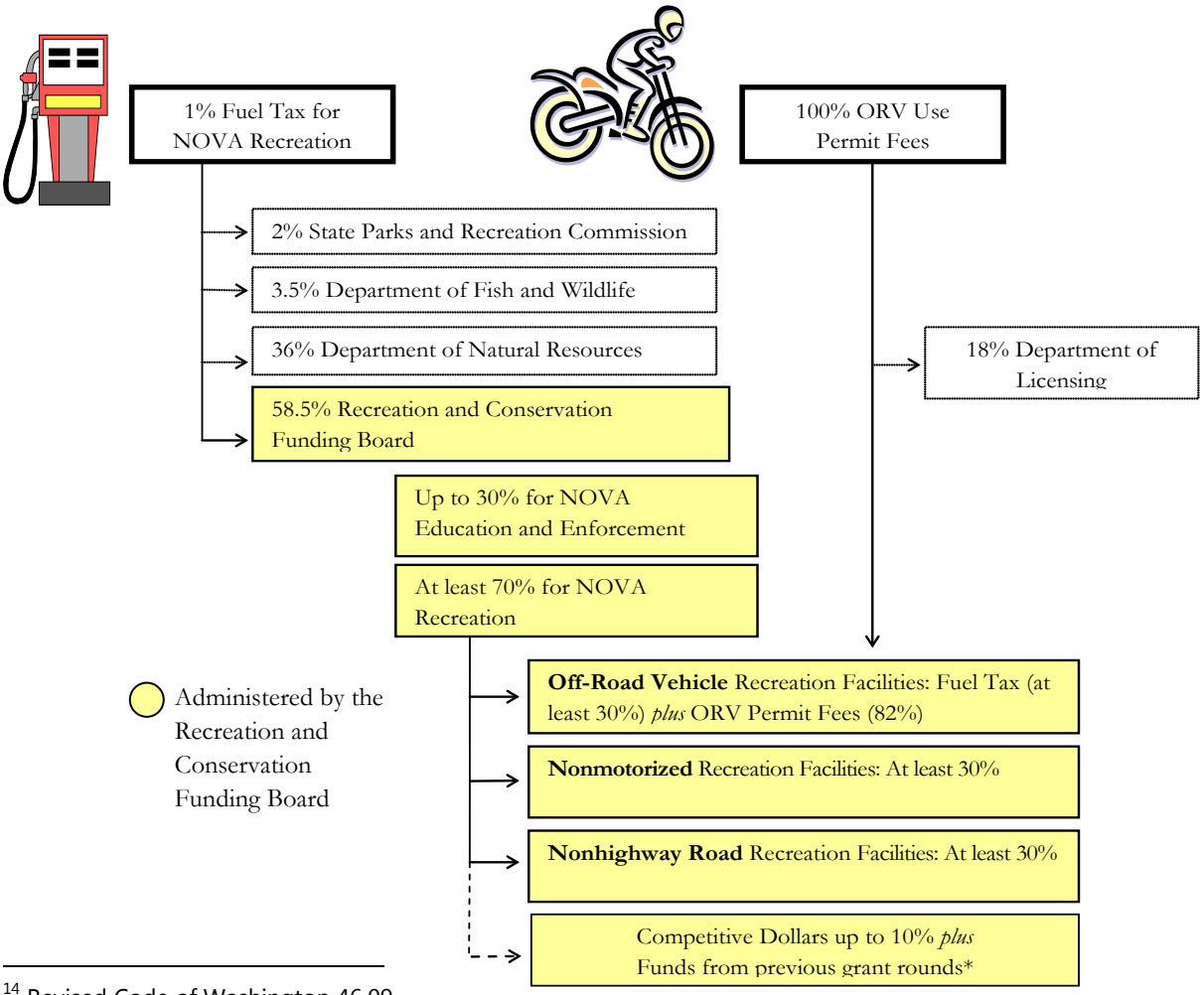
Where the Money Comes From and How It's Distributed

In 1972, the Legislature set aside 1 percent of the state's gasoline excise tax to provide funding for NOVA.[14.] A second source of funding for this program is off-road vehicle registration fees.[15]

Distribution of Money

Each year the state treasurer refunds[16] 1 percent of motor vehicle fuel tax revenues and then distributes the money to NOVA programs as shown in Figure 1.

Figure 1: Allocation of Funds



[14] Revised Code of Washington 46.09
[15] Revised Code of Washington 46.68.045
[16] Revised Code of Washington 46.09.520

* Funds from previous grant rounds include money that remains after all projects applying for grants were funded, or when money is unused because a project couldn't be finished or finished under budget.

The Recreation and Conservation Funding Board distributes its share of NOVA funding as follows:

- At least 70 percent for recreation projects, divided as follows:
    - Nonhighway road recreation (not less than 30 percent of the 70 percent)
    - Nonmotorized recreation (not less than 30 percent of the 70 percent)
    - ORV recreation (not less than 30 percent of the 70 percent) plus ORV registration fees[17)]

The Recreation and Conservation Funding Board may waive any of the "not less than 30 percent" percentages if:

- There are insufficient requests for funds, or
- In the board's view, a project has scored too low in evaluations.

A subset of the above "70 percent for recreation projects" money is the "competitive dollars," which are funds that remain after distribution of the recreation project dollars (Figure 1).

- Up to 30 percent for education and enforcement projects

Funding Process

The Recreation and Conservation Funding Board allocates grants in the Education and Enforcement Category as follows:[18]

1. Staff applies 30 percent of Recreation and Conservation Funding Board's 58.5 percent gasoline tax allocation (Figure 1) to projects that could be fully funded.
2. If any money remains, staff may recommend adding money to the lowest ranked project that is partly above and partly below the funding line. Staff may ask the applicant if it can perform a viable project with reduced funding.

[17] Revised Code of Washington 46.09.110

[18] In a parallel process, the Recreation and Conservation Funding Board allocates NOVA recreation program grants.

3. RCO staff, after consulting with the NOVA Advisory Committee, prepares its funding recommendation for the board, which includes the projects (in ranked order) that can be fully and partially funded.

The board may award less than 30 percent of the gasoline tax allocation to education and enforcement projects under some circumstance, including when there are not enough applications or too few scored high. If this happens, the advisory committee may recommend that remaining dollars be added to the next education and enforcement funding cycle or to the current year's NOVA recreation project categories. The board makes the final decision.

Funding High Benefit Projects

The Recreation and Conservation Funding Board seeks to financially support projects that provide high benefits when compared to costs. At times, this goal becomes a challenge when the number of quality projects exceeds available grant dollars. When this occurs, RCO may ask applicants to voluntarily scale back grant requests or reduce some project elements so more worthwhile projects may be funded.

Records and Reimbursement

Applicants must keep detailed records of all funded project costs including force account values and donated contributions. Refer to *Manual 8, Reimbursements* for details and instructions regarding audits, record retention, and documents required for reimbursement.

Section 4: Project Evaluation

In this section, you'll learn about:

- ✓ The advisory committee
- ✓ How project evaluation works
- ✓ The evaluation criteria

Advisory Committee

RCO manages the NOVA program with the assistance of a standing advisory committee. The NOVA advisory committee's role is to recommend policies and procedures to RCO for administering grant funds and to review, evaluate, and score grant applications. The resulting ranked lists are the basis for funding recommendations to the Recreation and Conservation Funding Board. The Recreation and Conservation Funding Board makes the final funding decision in an open public meeting.

In recruiting members for the committee, RCO seeks to appoint people who possess a statewide perspective and are recognized for their experience and knowledge of nonhighway road, nonmotorized, and off-road vehicle outdoor recreation in Washington.

Check RCO's Web site for the current committee membership and other details at www.rco.wa.gov/grants/advisory_committees/nova.shtml.

RCO's director may appoint *ex officio* members to the committee to provide additional representation and expertise.

How Project Evaluation Works

Project evaluation is based on a set of questions adopted by the Recreation and Conservation Funding Board. The questions are created from statutory and other criteria

developed through a public process. The evaluation questions may be found in the following pages.

There are two sections to the evaluation criteria: Advisory Committee-scored questions and RCO staff-scored questions. In the first section, the NOVA Advisory Committee (see below) uses subjective criteria to score each project. Scores are based on each applicant's written response to evaluation questions, graphics, and summary application material.

In the second section, RCO staff scores the projects using objective measures, such as matching share. Scores are based on material submitted by applicants.

Scores from sections one and two are combined for a project's total evaluation score.

Evaluating Projects

Enforcement and education projects are selected in an open, competitive process. The process features extensive citizen and expert review.

The purpose of evaluations is to assess the merits of each project and rank them. The evaluation questions are meant to gauge:

- Need for the project.
- Benefits of the project.
- Technical merits of the project.
- The degree to which the project meets the policies in the current NOVA plan.

For scoring purposes, RCO will send the advisory committee the following items prepared by the applicant:

- Project description, summary, and metrics from the application.
- Cost estimate summary.
- Evaluation questions responses (Applicants must respond to the six "advisory committee" scored questions individually and attach them to their applications in PRISM. Those without access to PRISM must contact RCO for instructions.) The total of all evaluation responses must not exceed three, single-sided pages.
    - Use white, 8½ x 11 inch paper, with 1-inch margins.
    - Use a regular typeface, such as Arial or Times Roman, 12-point size.

  - At the top of each page, print applicant name, project name, and date written.
  - In order, print the question's number, followed by the question's title, and then the response. Each question must have its own separate answer.

- Visuals (optional; up to two, one-sided pages of photographs or other graphics).
- Maps (two, one-sided pages that show the project's regional location and site location.
- Trail or facility map (one to two, one-sided pages that shows the geographic scope and extent of the project including the trails and trail systems, or the facilities (such as campgrounds and trailheads), to be patrolled.

Letters of Support

Letters and other documented expressions of project support will be available to the NOVA Advisory Committee through PRISM Online for its review. Applicants should summarize this support in a few paragraphs when responding to Evaluation Question 5, "Project Support." A copy of each letter or document of support must be uploaded to the PRISM Online application.

Do Not Fund Recommendation[19]

Occasionally during evaluations, the advisory committee may express significant concerns about a project, such that it would like to discuss a "Do Not Fund" recommendation. If this occurs, the advisory committee may discuss its concerns at the post-evaluation meeting, which takes place after application scores are tabulated.

If a "Do Not Fund" recommendation is scheduled to be considered, RCO will notify the applicant in writing, identify the significant concerns expressed by the evaluators, and invite the applicant to attend the post-evaluation meeting to respond to questions. The applicant also may submit a written response to the evaluators' concerns. To ensure all projects are treated equally, no additional testimony from applicants or visitors is taken at the post-evaluation meeting. The advisory committee determines a "Do Not Fund" recommendation by a simple majority vote of the committee members that participated in application evaluations.

RCO staff will forward to the board a summary of the "Do Not Fund" recommendation and any committee member comments. The board will consider the advisory committee's recommendation at a regularly scheduled public meeting, before the ranked list is adopted (consideration may take place at the same meeting, but the "Do Not

[19] Revised by Recreation and Conservation Funding Board January 9, 2014

Fund" recommendation will be discussed before the ranked list is adopted). The board retains discretion in awarding all grant funds.

Evaluation Criteria

Policies and Priorities in the NOVA Plan[20]

The Recreation and Conservation Funding Board has adopted the policies, shown in Appendix A of the NOVA plan for the education and enforcement program. The evaluation questions foster these policies and are used to score grant applications.

NOVA–Education and Enforcement Evaluation Criteria Summary				
Scoring	**Number**	**Item**	**Maximum**	**NOVA Plan Policy**
Advisory Committee	1	Need	15	A-1, B-1, B-4
Advisory Committee	2	Need satisfaction	15	A-1, B-1, B-4
Advisory Committee	3	In-field contacts	10	B-2
Advisory Committee	4	Targeting current users	10	B-3
Advisory Committee	5	Project support	10	A-1, B-4
Advisory Committee	6	Non-government contributions	5	C-3
RCO Staff	7	Matching shares	5	A-1, B-4
		Total Points Possible	**70**	

KEY:
Item=Criteria title
Plan Policy=Criteria orientation in accordance with the NOVA Plan 2005–2011. The letter-number codes reference corresponding policies in the plan.

[20] See Appendix A.

Evaluation Questions

For each Advisory Committee Scored question (1-6 below) the descriptive text and bullets are provided to help applicants and evaluators. A successful proposal need not address each of these considerations, nor is the listing all-inclusive.

Advisory Committee Scored

1. Need. What is the need for an education and enforcement project in the applicant's jurisdiction?

NOVA Plan Policies A-1, B-1, B-4

Considerations include:

- What NOVA[21] activities now occur in the project area? Few managed (legal) opportunities in the jurisdiction may imply that education and enforcement staff will either have little to do or need to concentrate on stopping use in unsanctioned areas, which implies that the proposal will not directly support NOVA objectives.
- Does the presence of a quality education and enforcement program eliminate a threat to the availability of the NOVA opportunities?
- In comparison to other jurisdictions, how many NOVA recreationists participate in the project area? A high number using facilities in the applicant's jurisdiction implies higher need.

▲ Point Range: 0-5. Evaluators award a maximum of 5 points, which later are multiplied by 3.

0 points	No or very weak need established
1-2 points	Fair to moderate need established
3 points	Strong need established
4-5 points	Very high to exceptional need established

Revised 2004.

[21] NOVA activities are nonhighway road recreation (anglers, hunters, gatherers, sightseers, etc.), nonmotorized recreation (hikers, horse riders, bicyclists, etc.), and off-road vehicle recreation. For further information, see Revised Code of Washington 46.09.310.

2. Need Satisfaction. To what extent will this project meet the service area's education and enforcement needs identified in Question 1, above?

NOVA Plan Policies A-1, A-3, B-1, B-4

A good education and enforcement program will protect NOVA recreationists and reduce inappropriate behavior, thus helping safeguard the availability of NOVA opportunities. A good proposal will preserve or satisfy important service area opportunities or needs through positive management techniques.

Considerations include:

- To what extent do other programs meet education and enforcement needs in this jurisdiction?
- How much experience and training do personnel assigned to this project have?
- To what extent has the applicant proposed using positive tools and techniques?
- Have the results of program effectiveness reports or client feedback surveys been provided?
    - What do the reports or surveys say?
    - What program improvement follow-up actions have been taken and what have been the results?

▲ Point Range 0-5. Evaluators award a maximum of 5 points, which later are multiplied by 3.

0 points	No or weak evidence of need satisfaction
1-2 points	Fair to moderate evidence. Project fills only a small portion of the apparent or expressed need
3 points	Strong evidence. An important need will be addressed by the project, although that need will not be completely filled by the project as proposed
4-5 points	Very high to exceptional evidence. The project fulfills a critical need.

Revised 2004.

3. In-Field Contacts. To what extent will the project address on-the-ground needs, including in-field contact with NOVA users during the high use season?

NOVA Plan Policies B-2.

Considerations include:

- In what seasons will the project be active? How does this correspond to the actual seasons of high NOVA use?
- On which days (weekends, holidays, etc.) will the project be active in the field?
- When are any project employees scheduled to be absent on leave, attend conferences, training sessions, etc.?
- What portion of the budget is allocated to field support (for example, classroom presentations versus fuel for patrols)?
- What is the likelihood that employees will be directed to duties that are not NOVA related, such as highway patrol and related accident investigation, fire fighting, etc.?

▲ Point Range 0-5. Evaluators award a maximum of 5 points, which later are multiplied by 2.

0 points.	Evidence is vague or it appears the proposal does not consider or address in-field contacts or use seasons.
1-2 points	Fair to moderate evidence. The proposal does a poor or below average job of addressing in-field contacts or use seasons.
3 points	Good. The proposal does an above average job of addressing in-field contacts and use seasons.
4-5 points.	Very good to excellent. The proposal does an outstanding or exemplary job of addressing in-field contacts and use seasons.

Revised 2004.

4. Targeting Current NOVA Users. To what extent will the project focus on needs created by current versus potential NOVA recreationists?

NOVA Plan Policy B-3.

Considerations include:

- How successfully does the project directly serve NOVA users? For example, has it been shown that the audience of any proposed classroom instruction, fairs, or mall shows will reach a high number of current NOVA users?
- Have any mass media elements (publications, radio or television spots, Web sites, etc.) been shown to have a favorable benefit-to-cost ratio at reaching current NOVA users?

▲ Point Range 0-5. Evaluators award a maximum of 5 points, which later are multiplied by 2.

0 points	Evidence is vague or it appears the proposal does not consider or address the need to target current NOVA recreationists.
1-2 points	Fair to moderate evidence. The proposal does a poor or below average job of targeting current NOVA recreationists.
3 points	Good. The proposal does an above average job of targeting current NOVA recreationists.
4-5 points	Very good to excellent. The proposal does an outstanding or exemplary job of targeting current NOVA recreationists.

Revised 2004.

5. Project Support. To what extent do users and the public (statewide, community, or user groups) support the project?

NOVA Plan Policy A-1, B-4

Support can be demonstrated in both financial and non-financial ways and varies depending upon the project type. In scoring this question, evaluators consider the type of support that is most relevant to the project. Examples of user and public support and endorsement include:

- Voter-approved initiatives and bond issues.
- Donations of labor, equipment, money or materials to help complete the project.
- Advisory board approval, completion of a public planning process that endorsed this project.
- Positive letters, oral testimony at public meetings, support from friends groups or user groups.
- Positive (or the absence of extensive negative) media coverage.

▲ Point Range 0-5. Evaluators award a maximum of 5 points, which later are multiplied by 2.

0 points	No or very weak evidence presented.
1-2 points	Minimal to fair, specific evidence of support.
3 points	Moderate support.
4-5 points	Exceptional to overwhelming support.

Revised 2004.

6. Non-Government Contributions. Does this project reduce government costs through documented donations (labor, equipment, materials), signed cooperative agreements, or signed memoranda of understanding (including no cost leases, interagency agreements, donations, or similar cost saving arrangements)?

Because contributions sometimes "disappear" after project evaluation, it is very important that applicants provide to RCO staff for the project file such documentation as signed agreements or memoranda of understanding.

Considerations include:

- The significance of the non-governmental contribution for this project
- The longevity of the commitment for this project.

▲ Point Range 0-5. Evaluators award a maximum of 5 points.

0 points	No or weak evidence of non-government contributions provided for the current grant request
1-2 points	Little to modest evidence of non-government contributions provided.
3-4 points	Signed documentation of significant, non-government contributions provided to RCO staff.
5 points	Signed documentation of exceptionally high, non-government contributions provided to RCO staff.

Revised 2007

Scored by RCO Staff

7. Matching Shares. What percentage of the total project cost is the applicant contributing?

NOVA Plan Policies A-1, B-4

RCO staff scores this question based on information provided in the application. Only elements considered reimbursable are eligible for use as an applicant's match. For evaluation scoring purposes, an RCO grant used as match will not count toward the award of matching share points. No additional information is required.

- Point Range 0-5. RCO staff award a maximum of 5 points, which later are multiplied by 1.

0 points	0-10 percent of the project's value will be contributed.
1 point	10.01-20 percent of the project's value will be contributed.
2 points	20.01-30 percent of the project's value will be contributed.
3 points	30.01-40 percent of the project's value will be contributed.
4 points	40.01-50 percent of the project's value will be contributed.
5 points	Over 50 percent of the project's value will be contributed.

Revised January 2014.

Appendix A: NOVA Plan Policies and Priorities

The following policies apply to nonhighway road, nonmotorized, and off-road vehicle capital and maintenance and operation grants. The polices below are an abbreviated list of what was adopted by the Recreation and Conservation Funding Board for the 2008-2011 NOVA plan and were continued by the board into the 2013-2018 NOVA plan. To review the full list, visit the RCO Web site.

A. The NOVA Program

Policy A-1 **The NOVA Program shall allow agencies to provide quality opportunities for nonhighway road, nonmotorized, and ORV recreationists — opportunities that satisfy user needs, are environmentally responsible, and minimize conflict among user groups. Sponsors will demonstrate accountability and help attain this goal, in part, by reporting on project related activities.**

NOVA funding shall augment, not replace, other sources of funding.

The NOVA Program allows user groups and public agencies to work cooperatively to provide nonhighway road, nonmotorized, and ORV recreation opportunities. Because of the program's revenue source and the effects of its funding, the program brings together many interests which are sometimes in conflict. NOVA funds shall be used to provide quality recreation opportunities in a manner that strives to minimize conflict and environmental damage.

NOVA funding is intended to enhance the capabilities of recreation providers and managers. Similar to other RCO funding programs, NOVA funding shall achieve results that would not be possible without state funding. It shall not replace other funding. When NOVA funding is available for maintenance and operation, for example, it shall not be used to replace or divert monies that would otherwise be available for that purpose.

B. Education/Information and Law Enforcement (E&E)

Policy B-1 **E&E programs shall help preserve NOVA opportunities. E&E funding shall encourage responsible recreational behaviors through positive management techniques.**

Because law enforcement can reduce recreationists' inappropriate behavior, it helps protect the availability of sanctioned NOVA opportunities. NOVA funding shall not, however, be used to replace local law enforcement funding. It shall instead augment local capabilities and result in improved NOVA recreation management. In general, projects that focus solely on enforcement of area closures, or within areas with few or no legal opportunities, shall be discouraged.

Policy B-2 **Encourage projects that primarily employ contact with current NOVA recreationists in the field during high use seasons.**

To encourage program efficiency, focus scarce E&E resources on existing users at the place and time of NOVA activity (for example, Dept. of Natural Resources and Forest Service managed lands). This maximizes the benefit to users, while discouraging activities that have fewer benefits, such as "mall shows" and many in-school (K-12, etc.) programs.

Continue to concentrate scarce funding on expenditures most directly related to E&E activities, such as E&E personnel salaries and benefits, and related materials and equipment which will continue to be reimbursable and eligible as matching credit. Costs not reimbursable or eligible for matching credit include administrative and clerical support, dispatch services, supervision, and costs associated with preparation of NOVA grant applications.

Policy B-3 Require E&E project applicants to provide project goal and objective information as part of the application process. Encourage applicants to provide demand and need information as a part of the evaluation process.

It is important that key planning elements, (program goals & objectives, description of demand & need) be retained as part of the application process. Additionally, the requirement for regular progress reports on activities and expenditures will be continued.

Policy B-4 Establish a funding cap of $200,000 per project.[22]

Before adoption of this policy, the limit on E&E project support was based on Full Time Equivalent (FTE) employees ($45,000 per FTE, established in 1982) and capital equipment ($30,000). To adjust for inflation, the FTE amount was increased to $54,000 in 2005. However, caps based on FTEs was cumbersome to calculate, especially when applicants sought funding for multiple FTEs, each of which planned to work a different number of hours annually, and at various hourly rates. As a result, in 2007 the cap method was changed from one based on FTEs and equipment to one based solely on individual projects – the same method used in other RCO grant programs with caps.

Policy B-5 Fund E&E projects for up to two consecutive years.

Allowing E&E funding to be used for two years increases budget certainty for sponsors and may result in higher quality programs. At the same time, it reduces the work associated with annual project evaluation for sponsors, the NOVA Advisory Committee, and RCO.

[22] Amended February 2007, Recreation and Conservation Funding Board Resolution 2007-03.