

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
SUMMARY MINUTES - REGULAR MEETING

DATE: November 18, 1993
TIME: 8:00 a.m.

PLACE: Natural Resource Building, Room 172
Olympia, Washington

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INTERAGENCY COMMITTEE MEMBERS PRESENT:

Eliot Scull	Chair, Wenatchee
William Fearn	Spokane
Joe C. Jones	Seattle
Donna Mason	Vancouver
Cleve Pinnix	Director, Parks and Recreation Commission
Art Stearns	Designee for the Honorable Jennifer Belcher, Commissioner of Public Lands, Department of Natural Resources
Jenene Ratassepp	Designee, Department of Wildlife
Robert Turner	Director, Department of Fisheries
Rich Costello	Designee for Director, Department of Fisheries

IT IS INTENDED THAT THIS SUMMARY BE USED IN CONJUNCTION WITH THE NOTEBOOK PROVIDED IN ADVANCE OF THE MEETING.
A VERBATIM RECORDED TAPE OF THE MEETING'S PROCEEDINGS IS RETAINED BY IAC AS THE FORMAL RECORD OF MEETING.

I. MEETING CALLED TO ORDER

Eliot Scull, Chair, called the November 18 meeting to order at 8:07 a.m. He welcomed attendees and determined a quorum was present. IAC members, staff and audience participants introduced themselves.

The Chair moved for approval of the summary minutes as distributed from the September meeting held in Bellevue. Art Stearns **moved** to accept the minutes.
Motion carried.

Director Eckert reviewed the proposed agenda for the meeting. She requested addition of a comment item under the heading of "cost increase matters" following the Initiative 215 Project report. She also explained that a public hearing, within the meeting, would be held at 1:00 p.m. to receive comments on possible changes to IAC administrative rules regarding rail-to-trail conversions. A further addition to New Business addressing a request for a Declaratory Order will be the final agenda item. With no further additions or changes, Joe Jones **moved** to approve the November agenda. **Motion carried.**

Director Eckert requested Committee approval of the 1994 Meeting Schedule (Resolution #93-33). The Chair read the Resolution and Cleve Pinnix asked for a deferral of the vote. With Committee agreement, the Chair announced a re-introduction of the Resolution later in the meeting.

II. MANAGEMENT AND STATUS REPORTS

The Director's report was presented by Laura Eckert. She highlighted the following items:

- The appointment of Jim Fox as Special Assistant to the Director. Director Eckert requested Committee approval of a Resolution recognizing the services of James R. Fox. Joe Jones **moved** to approve the Resolution. **Motion Carried.** (Resolution #93-34)
- Discussions about the WWRP evaluation process for 1995-97
- Completion of the NOVA Plan.
- An apparent successful bidder for the SCORP project has been selected.
- The Federal Land & Water Conservation program will allot the same amount of money as the previous fiscal year. The LWCF may undergo a radical change in the next two years.
- Jim Fox and Carolyn Hendricks have joined the IAC staff. Dennis Burns and Jeanne Lawrence have left the agency.
- IAC is the Washington State representative to the National Outdoor Recreation Liaison Officers. Awards from that organization have been presented to the Washington Wildlife and Recreation Coalition and co-presented to Governor Mike Lowry and Former Governor Dan Evans.
- Jim Fox reviewed the impact of Initiative 601. The Initiative will (1) limit the growth of state spending from the general fund to a physical growth factor and (2) require extraordinary measures to raise taxes. IAC may be impacted by a general budget reduction plan for state government. However, since IAC's operating budget is not appropriated through the state general fund, that program funding should not be affected. WWRP funds may be closely scrutinized.

Debra Wilhelmi presented IAC's financial report. She highlighted the following:

- Toni Lick, IAC Financial Manager, was introduced.
- Revised Financial reports (through October) were reviewed. The operating budget for the 1993-95 biennium is on target and the capital budget is under the projected figures but this was anticipated.

- WWRP reports (through October, 1993) were reviewed.
- Final reports for the 1991-93 biennium were presented.
- A supplemental budget request for IAC Capital programs has been submitted to OFM. The request is for \$12.9 million. Additionally, IAC has asked for a minor technical correction to a NOVA funding proviso.
- The Capital Budget Committee staff has been reviewing the WWRP in detail. A hearing on WWRP is planned in December.
- Staff will be working to develop an automated project management system over the next year.
- The Governor has requested a proposal for a 2% reduction in spending from all funding sources. Reduction options totalling \$52,000 have been submitted and are currently under review.

The Project Services report was presented by Eric Johnson. Work has focussed on the completion of project evaluations for the local agency boating projects and the Nonhighway and Off-Road Vehicle Capital Projects. In addition:

- Staff is currently managing 417 active projects
- Staff is preparing for the March, 1994 funding session for firearms range projects, NOVA maintenance and operation projects and NOVA Education and Enforcement projects.
- The Firearms Range Program has added five new members to the Advisory Committee (FRAC).
- The 1994 Project Services Division Schedule has been developed by staff.
- Marguerite Austin has been leading a multi-agency work group from natural resource agencies which has been focussing on ways each agency can accomplish barrier-free access by sharing information and ideas. State Parks is the leader in a project for which OFM has set aside \$400,000 for barrier-free pilot projects.
- A few controversial projects in both the NOVA/ORV program and the Boating Facilities program will be presented today. Testimony for and against those projects will be expected later in the meeting.

Greg Lovelady presented the Planning Services report. He highlighted the following activities:

- Staff recently reviewed 13 Boating Program and 11 NOVA Off-Road Vehicle Program proposals.
- Materials for the 1994 funding cycle are being prepared and workshops have been scheduled.
- Local agencies are beginning to send draft Growth Management Plans for the SEPA (State Environmental Policy Act) review process.
- NOVA program comprehensive plans and feasibility studies are being reviewed.
- Rita Blunk has been appointed to the State Trails Advisory Committee (STAC). STAC is reviewing the State Recreational Trail Systems Act and is expected to make a recommendation to the Director in late 1994.
- Staff is close to selecting a consultant for the 1994 Assessment & Policy Plan.
- Activity continues on the process review for WWRP. Committee members will be asked to approve a NOVA plan later today. Initiative 215 activity continues.

III. INITIATIVE 215 ISSUES

Jim Eychaner presented Chapter 4, "Issues" of the Initiative 215 review (notebook). Committee members reviewed the first three chapters at the September, 1993 meeting. Fifteen issues have been identified for discussion purposes including: difficulty finding water access sites, appropriate levels of development with I-215 funds; the amount of state gasoline tax which can be attributed to recreational motor boat use; the challenge of compliance, what is needed to form a "Washington marine board;" and other issues. The Committee could be asked to address the draft document at the March, 1994 meeting.

IV. Initiative 215 Local Agency Boating Projects

Eric Johnson announced that thirteen local agency Initiative 215 boating projects have been evaluated according to three criteria: state needs, local needs and technical merits. Staff used slides and narrative to exhibit and elaborate on the projects. TABLE 1 (notebook) presents the entire summary of results including the IAC and Sponsor share for all 13 projects. TABLE 2 (notebook) represents staff's funding recommendations for Projects 1-6.

Following the staff presentation, public comment was invited. The following individuals expressed their position and/or comments:

Dan Bernard	Property Owner	Port of Kingston	Opposed
Ayres Johnson	Property Owner	Port of Kingston	Opposed
Jack Murgatroyd	Property Owner	Port of Kingston	Opposed
Gary Johnston	Port Manager	Port of Kingston	Supported
Phil Menees	Port Commissioner	Port of Kingston	Supported
Geralyn Sander	Admin. Manager	Port of Edmonds	Supported
Jerry McDonald	Property Owner	Boston Harbor	Supported

Questions regarding the use of Eminent Domain and IAC project funding were asked. Eric Johnson explained that only in the case of WWRP funding is Eminent Domain statutorily prohibited.

Additional concerns regarding the difficulty small (i.e. few dollars) projects have when competing for funding with larger projects were noted.

After a short break, Committee members continued their discussion of the Initiative 215 Projects. The Chair asked for comments and after lengthy discussion, Cleve Pinnix made a **motion** to approve funding of the Port of Kingston project subject to a requirement that condemnation of private properties not be used. Joe Jones **seconded. Motion Failed.**

Cleve Pinnix made a **motion** to approve Projects 1-6 on Table 1, to delete the Port of Kingston project and that those funds be used to fund Projects 9, Boston Harbor Boat Ramp, Project 10 Fair Harbor Ramp Parking, and Project 11, Quilcene Sewage Facility. **Motion failed for lack of a second.**

Jenene Ratassepp made a **motion** that Projects 1-6 be approved with the reduction of Project # 6 (Public Launcher/Port of Edmonds) by \$72,556 and that those funds be used to fund Projects 9, 10 and 11 (Boston Harbor, Fair Harbor and Quilcene Sewage Facility). Bill Fearn **seconded. Motion Carried.** (Resolution #93-35 and TABLE 3 are attachments to these minutes.)

V. DOUBLE BLUFF DISCUSSION

Larry Kwarsick, Island County Planning Director, was given the opportunity to address the Committee on the Double Bluff Project. Island County has encountered a funding shortfall in terms of being able to purchase the entire piece of property. The original Fisheries grant submitted in 1992 estimated the cost of the project of \$1.2 million. The County applied for an additional grant of \$900,000. Due to an increase in the appraisal, there is a funding shortfall of \$300,000. Mr. Kwarsick is requesting that IAC allocate additional funds (\$150,000) to the project. Additional funding will assure the purchase of all three parcels to complete the project. Director Eckert reminded the Committee members that they had decided not to establish a cost-increase policy for WWRP projects which cost more than originally requested and, currently, there are no unallocated funds available. Additionally, Director Eckert reminded Committee members that cost increases should be made accessible to all project sponsors. The

Committee agreed to address the issue at a future date if funds become available. No formal action was taken.

VI. NONHIGHWAY ROAD PROJECTS (Item #5 on original agenda)

Eric Johnson announced that sixteen Nonhighway Road projects were evaluated using the evaluation criteria adopted by IAC members. Projects staff continued their presentation with slides and narrative for the sixteen projects. Staff recommendations (TABLE 2/attachment) include full funding for Projects 1-5, partial funding for Project 6 (North Fork Quinault), and funding for Project 14 (Porter Creek) as an ORV project.

Following staff presentations, public testimony was invited. The following individual offered his comments and expressed his support/opposition:

Tom Davis Mt. Baker-Snoqualmie N.F. W. Cady Ridge Supported

Cleve Pinnix **moved** that Staff Funding Recommendations be adopted. Jenene Ratessepp **seconded**. **MOTION CARRIED**. (Resolution #93-36)

VII. PROPOSED RULE MAKING FOR WASHINGTON ADMINISTRATIVE CODE IAC PARTICIPATION MANUAL #7, Procedures for Funded Projects (Item #8 on the original agenda)

After a noon lunch break, Chairman Scull reconvened the meeting at 1:00 p.m. and announced that this portion of the meeting would be a public hearing followed by committee consideration of possible adoption of amendments to Washington Administrative Code (WAC) Rules. The Chair further stated that the subject matter of this hearing would be the modification of two existing IAC rules and one associated policy manual. The hearing would not be a formal response to the September Declaratory Order Request filed by R. Welsh. That request will be responded to separately, no later than December 8, 1993. The second Declaratory Order Request, dated November 16, 1993, filed by R. Welsh, is a new business item and will be addressed in that portion of today's IAC meeting. The Chair announced the procedure to be followed:

- (1) The Chair will preside as the official hearings officer in the matter.
- (2) IAC Staff will give a brief overview of the proposed rule changes and the reasons for adoption.
- (3) The Chair will open the public hearing portion to receive public comment and testimony which will be taken in the order of sign-up.
- (4) After comments, the public hearing record will be closed.
- (5) In public session, the Committee will discuss the proposed rule changes and will proceed to vote.

Director Eckert explained that IAC received a letter from Richard Welsh on September 8, 1993, requesting a Declaratory Order process be instituted. That request was discussed by the Committee at its September meeting and the Director was delegated the authority to take whatever action was necessary. Staff has reviewed the matter and is recommending that the Committee amend two existing WAC rules and an associated policy manual. The first WAC rule is found under 286-20-010 and the second is found under 286-27-060. Based on staff review, it was determined that a rule change was needed. Rule adoption notices were duly filed with the Office of the Code Reviser and public notice was published in the State Register at Volume 93-20. Time and place for both the hearing and the Committee's consideration of adoption were set for today (November 18, 1993) at 1:00 p.m. at the Natural Resources Building. Copies of the meeting agenda were provided to IAC's regular mailing list and to all those who requested specific mailing in this case, including petitioner, Mr. Welsh. Director Eckert further noted that staff recommends the Committee adopt the rule changes in identical format for both emergency form and permanent form. If adopted, the rule amendments would take effect upon filing with the Code Reviser.

The issue arises under the National Trail Systems Act which provides for interim use of established railroad right-of-ways. The intent is to protect rail transportation corridors and to encourage energy efficient transportation use. Separately, the IAC received funding from the Legislature under the Washington Wildlife and Recreation Program (WWRP) for trail projects, in particular, a State Parks project that runs from Chehalis to South Bend. Future projects may also be included in the Rail-to-Trail conversion interim use.

Mr. Welsh, citing RCW 43.99.100 (Conversion of Marine Recreation Land) and RCW 43.99.126 and WAC 286-20-060, contends that state statutes are in conflict with federal rails-to-trails legislation.

Staff does not find the referenced RCWs directly applicable but have found other matters which do require the rule change. The proposed amendments will do two things: (1) make it clear that there is a general introductory WAC to all of IAC programs which needs to be clarified so that it does not apply to WWRP and (2) the change will eliminate the need for IAC pre-approval for project conversions authorized in the specific and narrow instance of National Trails Systems Act projects. Projects authorized by the ICC under the National Trails Systems Act shall automatically convert, upon reactivation of the rail line, under an ICC order, and substitution or replacement of natural resources facilities or money may still be required but is not an absolute requirement. Without the amendments, staff believes that the Committee might not be able to fund projects that would otherwise be fully authorized under the WWRP and under Section 8-D of the National Trails System Act. In addition, the amendments to the two WACs and the associated policy manual would eliminate confusion, protect the investments that have already been made under the WWRP trail program, and will prevent unnecessary expenses on certain forthcoming projects.

Following the staff presentation, public testimony was invited. The following individuals commented and/or expressed support or opposition:

Linda Dougherty	King County Parks Division	Rule Change	Supported
Richard Welsh	NARPO	Rule Change	Opposed
Mike Parman	Snohomish County Parks	Rule Change	Supported
Jon Aarstad	Skagit County	Rule Change	Supported
Joe Ganem	Rails to Trails Conservancy	Rule Change	Supported

The Chair closed the Public Hearing portion of the meeting and announced that written commentary had also been accepted.

Cleve Pinnix asked for clarification of the consistency of the proposed WAC changes and current statutes. Assistant Attorney General Margie Smitch responded.

Bill Fearn read the resolution and **moved** for adoption. Cleve Pinnix **seconded**. **MOTION CARRIED.** (Resolution #93-40)

Cleve Pinnix read the resolution and **moved** for adoption. Joe Jones **seconded**. **MOTION CARRIED.** (Resolution #93-41)

**VIII. OFF-ROAD VEHICLE PROJECTS
(Item #5 on original agenda)**

Eric Johnson announced that eleven Off-Road Vehicle Projects have been evaluated and were ranked using the existing criteria adopted by the IAC members. Approximately \$1.5 million was available and projects submitted totalled less than that amount.

Projects staff continued the presentation using slides and narrative to describe the eleven NOVA ORV capital projects. Staff recommended approval of the projects shown on Table 2 (attachment).

After the staff presentation, public comment was invited. The following individuals commented and expressed support or opposition.

Rod Jones	NW Motorcycle Association	Langille-Juniper	Supported
Jack Stiverson	U.S. Forest Service	Langille-Juniper	Supported
Dave Olson	U.S. Forest Service	Langille-Juniper	Supported
Ira Spring	Private Citizen	Langille-Juniper	Opposed
Dan Nelson	WA Trails Association	Langille-Juniper	Opposed
Gary Ruse	NW Trail Riders Association	Langille-Juniper	Supported

Cleve Pinnix **moved** approval of funding for Off-Road Vehicle Projects. Donna Mason **seconded**. **MOTION CARRIED.** (Resolution #93-37).

IX. 1994 CALENDAR APPROVAL

(Item #1 on original agenda)

Cleve Pinnix **moved** approval of the 1994 Meeting Calendar. Art Stearns **seconded**.
MOTION CARRIED (Resolution #93-33)

X. WWRP PROCESS REVIEW

(Item #9 on original agenda)

Greg Lovelady advised the Committee that staff is seeking approval on a series of recommendations regarding the Washington Wildlife and Recreation Program (WWRP) process and reviewed the materials presented in the notebooks. IAC member agencies, representatives from the WWR Coalition, Nature Conservancy, Trust for Public Land and local agencies have been involved in the review process.

Referring to the Executive Summary, the following recommendations and discussion items were presented:

1. Threatened and Endangered Species (applies to all HCA evaluation instruments)- *Scores for sites with multiple designated habitats/species/stocks are increased (CH); scores for sites with multiple designated candidate/sensitive elements are increased (CH-NA-UWH); a new "priority habitats/species" category is added (CH-NA-UWH); new categories for depressed and critical fish stock are added (CH); the multiplier for UWH projects is lowered and; application submission requirements are clarified.*
2. Population (applies to all HCA & ORA evaluation instruments save CH & NA)- *Sites within GMA boundaries are scored equally to those in areas which are now "urban;" city and county listings are deleted.*
3. Submission Restrictions (presented for discussion only; applies to WWRP Manual 10)- *The total dollar amount that may be submitted by any agency could be restricted to 150 percent of the statutory amount IAC estimates will be available in that category; a 25 percent of available-category-dollars-cap could be placed on individual projects.*
4. "Public Use" Criterion (applies to HCA's critical habitat evaluation instrument), *No significant change is recommended (a minor "housekeeping" text update is included).*
5. Plan Consistency (all evaluation instruments)- *Text is revised to clarify the types of plans accepted for scoring; natural area preserves are guaranteed maximum points in the natural areas category.*
6. Habitat/Species Diversity Definition (all HCA evaluation instruments)- *This criterion will now be prescored; a list of qualifying habitats for the CH and UWH is presented; reliance on the Natural Heritage Program's data base for*

diversity is confirmed in the NA category.

7. Category Definitions (WWRP Manual 10)- *"Housekeeping" type text changes.*
8. Partnership and Support (all evaluation instruments)- *The evaluation criterion title is changed; in the CH and NA categories the multiplier is reduced from 1 to 0.5.*
9. Core and Buffer Sites (all HCA evaluation instruments)- *Revisions are made to make it clear that projects are to be evaluated based on core site values; the criterion is streamlined so that a single variable is measured, rather than two.*
10. State Agency Project Evaluations (WWRP Manual 10)- *"Housekeeping" text update to correct a technical error.*
11. Process Rules (WWRP Manual 10)- *Projects recommended for funding under statutory limits are removed from the list of those competing for unallocated category funds before applying the Z-score formula to the project list; low outliers (those that fall farther than 1.5 to 2.0 standard deviations below the mean) are eliminated prior to developing the final list of projects evaluated in each account (ORA and HCA).*
12. Evaluation Team Make-Up (Evaluation Manual 6, HCA categories)- *CH, NA, UWH evaluation teams are modified by giving preference to individuals with background in the habitat conservation area.*
13. Evaluation Team Make-Up (Evaluation Manual 6, merged lists). *In order to cover a gap in coverage, a policy regarding a merged lists evaluation team is established.*
14. Evaluation Team Instructions (Evaluation Manual 6, HCA categories)- *Special instructions on core, buffer, and multi-site projects are provided to assist evaluators in ranking projects.*
15. Applicant Issues (Application Manual 5, all categories)- *Special instructions regarding graphics and support letters are provided to assist applicants in presenting projects.*
16. Z-Scores, Merged Lists (WWRP Manual 10, HCA and ORA)- *Rules are established governing the circumstances under which the Z-score or merged lists systems will be used.*

In the course of the discussion, Mr. Lovelady noted that items two and three, above, were the only points where consensus is lacking.

At the conclusion of the staff presentation, public testimony was invited. The

following individual commented.

Leslie Betlach	City of Renton	T. E. & S for U.W.H. Category	Comments
		Proximity to human population	Comments

At this point Director Eckert commented on the differences in approach to threatened and endangered species issues between Washington State and the federal government. At a November 9th meeting, representatives of WWRC recommended that IAC weigh federally designated species higher than state designated species. It was indicated that IAC staff has no strong recommendation on this subject.

At the same meeting, WWRC also recommended that the Public Use evaluation criterion not be changed at this time (except for a minor housekeeping point).

IAC staff then recommended that the Committee approve each of the 16 items presented in the Executive Summary (see above; as supported in the Process Review document, Attachment C), except for discussion item 3.

Betty Rodrick	WDW	General comments: a species which is federally listed is also state listed. Once in awhile, state listings appear sooner.
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At this point, Bob Turner, referred to a November 10th memorandum, from Director Eckert to Committee members, which contains three recommendations regarding changes to the critical habitat category's threatened/endangered species criterion:

- ▶ Attachment A - IAC staff's recommended changes
- ▶ Attachment B - WWRC's recommended changes
- ▶ Attachment C - IAC staff and WWRC's recommended changes combined with redundancies removed and formatting made consistent with IAC standards.

Director Turner indicated a preference for Attachment C but wanted to know the history of these documents.

Director Eckert responded by noting that the issue was one of determining whether or not federally designated species should receive one more evaluation point than state designated species. Attachment B was based on an early version of Attachment A.

Betty Rodrick	WDW	More comments regarding the difference between state listing and federal listing. Federal- species is endangered in its region; State- endangered within the boundaries of the state.
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Director Pinnix suggested that Committee adoption resolutions be divided into groups:

Resolution #42-A (Attachment to these minutes)

Critical Habitat Evaluation Instrument -Threatened and Endangered Species
(Executive Summary item 1.a)

► To adopt for purposes of changing the manual - Attachment C, dated 11/12/93.

Cleve Pinnix **moved** and Donna Mason **seconded**.

Motion Carried

Resolution #42-B (Attachment to these minutes)

Natural Areas Evaluation Instrument - Threatened and Endangered Species
(Executive Summary item 1.a)

► To approve staff recommendations for the Natural Area category for those items appearing on pages 7 and 8 of the Process Review.

Jenene Ratassepp **moved** and Art Stearns **seconded**.

Motion Carried.

Resolution #42-C (Attachment to these minutes)

Urban Wildlife Habitat Evaluation Instrument-Threatened and Endangered Species
(Executive Summary item 1.a)

► To approve staff recommendations (pertaining to threatened, endangered, sensitive elements) as they appear on the bottom of page 8 and page 9 through item F, just before "Population" in the Process Review.

Jenene Ratassepp **moved** and Cleve Pinnix **seconded**.

Motion Carried.

Resolution #42-D (Attachment to these minutes)

All HCA and ORA Evaluation Instruments, save Critical Habitat and Natural Areas
(Executive Summary item 2.b)

► To approve staff recommendations for "proximity to human populations."

Donna Mason **moved** and Jenene Ratassepp **seconded**.

Motion Carried.

(two dissenting votes, Pinnix and Jones)

Committee discussion followed regarding submission restrictions and the so-called "flooding of applications" issue (Executive Summary item 1.c). Director Eckert explained that staff is not making a recommendation at this time. Ms. Ratassepp stated that Department of Wildlife staff has discussed various mechanisms other than "caps," such as threshold points, which potentially will not cause harm to competitors. IAC staff was directed to continue to monitor this situation and to advise the Committee if the problem persists.

Resolution #42-E (Attachment to these minutes)

Critical Habitat Evaluation Instrument (Executive Summary item 1.d)

► To adopt staff's recommendation regarding "Public Use Potential."

Donna Mason **moved** and Jenene Ratassepp **seconded**.

Motion carried.

Resolution #42-F (Attachment to these minutes)

Various Evaluation Instruments (Executive Summary item 2.a-l)

► To adopt staff recommendations on "Topics With Consensus"

Cleve Pinnix **moved** and Joe Jones **seconded**.

Motion carried.

After a short break, Chairman Scull reconvened the meeting at 3:25 p.m.

XI. NOVA PLAN ADOPTION
(Item #10 on original agenda)

Jim Eychaner pointed out the most controversial issues of the NOVA Policy Plan (Attachment):

- using "valid, up-to-date information for NOVA program review and administration;
- encouraging E & E activities that target current ORV users;
- encouraging a motorized primary management objective designation on trails receiving ORV funding;
- requiring support plans and completion of applicant-required processes, including internal applicant review and appeals, prior to submission of an application to IAC for NOVA capital funding;
- increasing the amount of NOVA funding available for maintenance and operation of ORV facilities to 40 percent of the amount available for ORV purposes and limiting the amount of NOVA maintenance and operation funding available to ORV sports parks to \$600,000 per two year period;
- replacing emphasis on "backcountry experiences" with an emphasis on projects which provide setting attributes that are predominantly natural;
- encouraging a nonmotorized primary management objective designation (hiking, equestrian, mountain bicycling, etc.) on trails receiving NHR funding.
- requiring supporting plans and completion of applicant-required processes, including internal applicant review and appeals, prior to submission of an application to IAC for NOVA capital funding.

After the staff presentation and committee inquiries, public comment was invited.

Dan Nelson	WA Trails Association	Supported
Jeffrey Smith	Back-County Bicycle Trails Club	Supported
Rod Jones	NW Motorcycle Association	Commented
Ira Spring	Private Citizen	Commented
Ken Irwin	Yakima County Sheriff's Office	Opposed (B-4)
Ruth Ittner	WA Trails Association	Commented

Several committee members expressed concerned over Section B-4 regarding funding for E & E activities.

Jenene Ratassepp **moved** and Art Stearns **seconded** adoption of NOVA plan as recommended by staff with the following exceptions:

- Policy C-9 - delete "legal appeals" and insert "process";
- Policy D-2 - add "limit the amount of NOVA maintenance and operation funding available to ORV sports parks to \$600,000 per two year period";

- Policy E-6 - delete "legal appeals" and insert "process"; and
- Policy B-4 - delete "For example, educational presentations in schools should be limited to those situations where students are actual, not potential, ORV users".

Chairman Scull amended the Policy B-4 section by deleting "rather than potential ORV users" and inserting "and potential ORV users." **AMENDMENT CARRIED.**
MOTION AS AMENDED CARRIED.(Resolution #93-43)

XII. NEW BUSINESS / NOVA RESOLUTION

Director Eckert introduced a resolution (attachment) passed by the NOVA Advisory Committee shortly after the NOVA evaluation process was concluded. Concerns are expressed regarding the shift of funds which occurred at legislative behest in the 1993-95 budget process. The resolution asks the Committee to look for a legal opinion to determine whether the legislature could have shifted those funds as they did and urges the Committee to take such other steps as are necessary to rectify the situation and prevent it in the future. Staff recommends Committee approval of a letter to Tom Lucas (attachment) which re-states the IAC's commitment to work to prevent this type of action in the future.

Bill Fearn **moved** and Jenene Ratassepp **seconded** approval for Chairman Scull to transmit the letter to Tom Lucas. **MOTION CARRIED.**

XIII. REALLOCATION OF WWRP FUNDS

(Item #6 on original agenda)

Eric Johnson reported that two agencies have returned project funding from the Outdoor Recreation Account within the Washington Wildlife and Recreation Program, 1991-93 biennium. Two other Outdoor Recreation Account projects have been completed at a cost less than the project agreement and are returning funds. IAC policy is to award these returned funds to the next alternate project(s) within an account while assuring that statutory funding percentages are properly maintained. Staff recommends utilizing these returned monies totalling \$436, 536 on the projects shown on Table 1 (attachment).

Jenene Ratassepp **moved** adoption of the resolution. Donna Mason **seconded**.
MOTION CARRIED.(Resolution #93-38)

XIV. LWCF FUNDING

(Item #7 on original agenda)

Eric Johnson reported that IAC has \$852,605 of Land and Water Conservation Fund monies to obligate coming from FY 1990-93 (\$355,548) and FY 1994 (\$497,057). Staff recommends funding the next alternate projects, as determined by the z-score ranking, from the FY 1994 Outdoor Recreation Account of the WWRP as approved by

the Committee on July 29, 1993 shown in the notebook materials.

Donna Mason **moved** adoption of the resolution as revised November 17, 1993. Joe Jones **seconded**. **MOTION CARRIED**. (Resolution #93-39)

XV. MANUAL #3. ACQUISITION GUIDELINES
(Item #11 on original agenda)

Eric Johnson explained that the 1993-95 Washington WWRP Capital Budget contained a proviso that "All land acquired by a state agency with moneys from this appropriation shall comply with class A,B, and C weed control provision of chapter 17.10 RCW."

Staff is seeking preliminary guidance from the Committee on this subject. Discussion followed with concerns raised regarding damaged properties, weed control to benefit wildlife, and operating vs. capital expense. In addition, weed control is an on-going process and the budget document allows for a one-time expenditure only.

Staff will continue to work on the issue and, if appropriate, will present a final document for Committee approval during 1994.

XVI. NEW BUSINESS / DECLARATORY ORDER
(Item #12 on original agenda)

Director Eckert explained that staff had received in FAX form on November 16 from Mr. Richard Welsh a second Declaratory Order request. Staff is requesting, in the form of Resolution of 93-44, that the Committee consider delegating action on this matter to the IAC Staff in the same manner as the Committee delegated action on the first Declaratory Order. The subject matter for the second Order is very similar to the initial Declaratory Order. Mr. Welsh would like us to clarify questions regarding the Outdoor Recreation Account and what conditions apply. In addition, Mr. Welsh raises the question about whether six-year plans or ten-year plans are required.

Unlike the initial Order, staff has not had time to determine the exact action to take and cannot advise the Committee on necessary steps. Director Eckert indicated that a special meeting (or a conference call meeting) of the Committee might need to be called. Staff is asking for authority to proceed with the new Declaratory Order request with the assurance of timely updates to the Committee as appropriate.

Cleve Pinnix **moved** adoption of the resolution. Jenene Ratassepp **seconded**. **MOTION CARRIED**. (Resolution #93-44)

Dr. Scull thanked all those who attended the meeting, particularly those who testified.
Meeting adjourned at 4:47 p.m. All participants were invited to the IAC Open House immediately following adjournment.

IAC APPROVAL CERTIFIED BY

Eliot W. Scull, M.D., Chair

Date

Next Meeting: March 24-25, 1994
 Olympia

Resolution 93 - 33

BE IT RESOLVED: The following schedule for 1994 Regular Meetings of the Interagency Committee for Outdoor Recreation is hereby adopted. Further, staff is directed to publish notice in the State Register accordingly.

March 24 and 25, 1994	Olympia
July 28 and 29, 1994	Snoqualmie Pass/Cle Elum Area; exact location to be announced
September 26 and 27, 1994	SeaTac Area
November 17 and 18, 1994	Olympia

Cleve Pinnix Moved Art Stearns Seconded

Passed/Failed
November 18, 1993

Resolution #93- 34

WHEREAS, James R. Fox has served as a citizen member on the Interagency Committee for Outdoor Recreation since August 11, 1989, and

WHEREAS, he has assisted the citizens of the State of Washington in its programs for the conservation, stewardship, acquisition, and development of recreation and habitat resources, and

WHEREAS, the Interagency Committee recognizes his support and services rendered to the Committee during his tenure, and

WHEREAS, the Interagency Committee thanks him for his leadership on recreation and conservation issues at both the state and local level, and

WHEREAS, the Interagency Committee wishes Mr. Fox well in future endeavors,

NOW, THEREFORE BE IT RESOLVED, that in recognition of James R. Fox's assistance to the Interagency Committee for Outdoor Recreation in performing his responsibilities and duties, the Committee does herewith extend its thanks and appreciation to him, and

FURTHER BE IT RESOLVED, that a copy of this resolution be sent to the Honorable Mike Lowry, Governor of Washington, with a copy and letter of appreciation to James R. Fox.

Moved: Joe Jones

Seconded: William Fearn

Approved/Failed

RESOLUTION 93-35 (As amended)

WHEREAS, twelve local agency Initiative 215 boating projects are submitted for IAC funding consideration, and

WHEREAS, all twelve projects have been evaluated against an evaluation instrument approved by Interagency Committee Members, and

WHEREAS, these evaluations occurred in an open public meeting,

NOW, THEREFORE BE IT RESOLVED, that IAC hereby approves the funding list of local agency Initiative 215 boating projects as revised by Committee action and depicted in the attached TABLE 3, and

BE IT FURTHER RESOLVED, that the Director be authorized to execute any and all project agreements or amendments necessary to facilitate prompt project implementation.

Janene Ratassepp

Moved

William Fearn

Seconded

Passed/Failed

**Table 3 - 215 Staff Funding Recommendations
Interagency Committee for Outdoor Recreation
November 18, 1993**

Project Rank	Ranked Score	IAC Number	Project Name	Project Sponsor	IAC Request	Sponsor Share	Total Costs
1	140.00	93-155A	Meydenbauer Bay	Bellevue	500,000	3,000,000	3,500,000
2	139.80	93-163A/D	Boat Ramp Parking Fac.	Kingston, Port of	349,060	349,060	698,120
3	136.00	93-160D	Transient Moorage P.III	Seattle, Port of	300,000	383,331	683,331
4	134.80	93-157D	Washougal River Launch	Camas	46,455	46,455	92,910
5	133.20	93-167A	Parking Lot Acquisition	Edmonds, Port of	470,000	470,000	940,000
6	130.20	93-166D	Public Launcher/Guest M.	Edmonds, Port of	227,444	380,576	608,020
7	128.40	93-162D	Dockton Park	King County	---	---	---
8	126.80	93-158D	Recreational Boater Fac.	Port Townsend, Port of	---	---	---
9	123.80	93-159D	Boston Harbor Boat Ramp	Thurston County	25,000	25,000	50,000
10	116.20	93-001A	Fairharbor Ramp Parking	Grapeview Port	29,864	29,864	59,728
11	115.00	93-174D	Quilcene Sewage Fac.	Port Townsend, Port of	17,692	17,692	35,384
12	106.20	93-161A	Maury Island Marine Park	King County	---	---	---
13*	95.00	93-141D	Restroom/Showers	Ilwaco, Port of	---	---	---
Total					1,965,515	4,701,978	6,667,493
FY 94 Funds Available					1,847,000		
Re-appropriation Available					<u>124,248</u>		
Total Available					1,971,248		
Total recommended Funding					<u>1,965,515</u>		
Balance							5,733

Staff recommends approval of funding Nonhighway Road Projects by the following motion:

Resolution #93 - 36

WHEREAS, sixteen Nonhighway Road projects are submitted for IAC funding consideration, and

WHEREAS, all sixteen projects have been evaluated against an evaluation instrument approved by Interagency Committee Members, and

WHEREAS, these evaluations occurred in an open public meeting,

NOW, THEREFORE BE IT RESOLVED, that IAC hereby approves the funding list of Nonhighway Road projects as depicted in the attached TABLE 2, and

BE IT FURTHER RESOLVED, that the Director be authorized to execute any and all project agreements necessary to facilitate prompt project implementation.

Cleve Pinnix Moved Jenene Ratassepp Seconded

Passed/Failed

**Table 2 - NHR Staff Funding Recommendations
Interagency Committee for Outdoor Recreation
November 18, 1993**

Project Rank	Ranked Score	IAC Number	Project Name	Project Sponsor	IAC Request	Sponsor Share	Total Costs
1	112.5000	93-038D	Half Camp	Mt. Baker-Snoq NF	48,653	101,096	149,749
2	105.8333	93-098D	Upper Lena Lake Rehab.	Olympic NP	26,000	41,000	67,000
3	103.3333	93-089D	Trinity Facilities	Wenatchee NF	37,195	38,860	76,055
4	102.5000	93-037D	Thomas Lake Trail #111	Gifford Pinchot NF	12,700	18,000	30,700
5	102.3333	93-096D	W. Cady Ridge Trail	Mt. Baker-Snoq NF	24,500	25,500	50,000
6	100.1667	93-053D	North Fork Quinault	Olympic NP	50,152	77,848	128,000
7	99.8333	93-054D	Lovers Lane Trail Rehab.	Olympic NP	---	---	---
8	95.8333	93-087D	Whistle Punk Forest	Gifford Pinchot NF	---	---	---
9	82.1667	93-097D	Sunrise Area Trail Rehab.	Mt. Rainier NP	---	---	---
10	80.6667	93-705D	Equestrian Trail Bridge	Natural Resources	---	---	---
11	79.1667	93-040D	Forlorn Lakes Campground	Gifford Pinchot NF	---	---	---
12	71.5000	93-085D	Kalama Ski Trail	Gifford Pinchot NF	---	---	---
13	62.0000	93-095D	Seal Rock Marine Biology	Olympia NV	---	---	---
14*	61.6667	93-700D	Porter Creek Campground	Natural Resources	---	---	---
15	57.3333	93-093D	Twin Sisters Lake	Wenatchee NF	---	---	---
16	57.0000	93-084D	Kalama Horsecamp Shelter	Gifford Pinchot NF	---	---	---
Total					199,200	302,304	501,504
FY 94 Funds Available					199,200		
Total Recommended Funding					<u>199,200</u>		
Balance					0		
Unfunded					409,740	(67%)	

* It was determined at the evaluation meeting this project was more to benefit ORV recreation than NHR recreation. Staff is recommending funding of: IAC \$25,200 and Sponsor 0.

Resolution #93- 40

WHEREAS, the Interagency Committee has reviewed the need for proposed rule making for WAC 286-20-010 and WAC 286-27-060, and

WHEREAS, the Interagency Committee has rule making authority under RCW 43.98A.070(5), and

WHEREAS, the Interagency Committee has filed appropriate documents the Washington State Code Revisor's Office, and

WHEREAS, the Interagency Committee finds that WAC 286-20-010 does not apply to the Washington Wildlife and Recreation Program, and

WHEREAS, the Interagency Committee finds it necessary to eliminate the need for pre-approval for project conversion authorized by the National Trails System Act and amend WAC 286-27-060 accordingly,

NOW, THEREFORE BE IT RESOLVED, that the Interagency Committee for Outdoor Recreation approves the attached Amendatory Section's as written, and

FURTHER BE IT RESOLVED, that the Director is authorized to execute all necessary actions to implement said Amendatory Sections, including filing the amendatory language to 286-27-060 as both emergency and permanent rule and 286-20-010 as a permanent rule.

<u>William Fearn</u>	Motion	<u>Cleve Pinnix</u>	Seconded
			<u>Passed/Failed</u>

Resolution #93- 41

WHEREAS, the Interagency Committee has adopted an Amendatory Section to WAC 286-27, and

WHEREAS, Chapter 286-27-060 as amended eliminates the need for IAC pre-approval for project conversions authorized by the National Trails System Act, and

WHEREAS, the Interagency Committee administers IAC Participation Manual #7, *Guidelines for Funded Projects*, and

WHEREAS, IAC Participation Manual #7, *Guidelines for Funded Projects* contains sections regarding conversion of use and project scope, and

WHEREAS, the Interagency Committee deems it necessary to have Chapter 286-27-060 as amended reflected in IAC Participation Manual #7, *Guidelines for Funded Projects*,

NOW, THEREFORE BE IT RESOLVED, that IAC Participation Manual #7, *Guidelines for Funded Projects*, Section 07.20 Change in Scope shall read:

Certain elements can be deleted from the terms of the executed project agreement when approved by the Director of the IAC or the Interagency Committee, without requiring replacement by the sponsor of similar facilities at this or other sites. The deletions may happen when it is determined that the elements are not needed or are unable to be retained for public use due to one or more of the following conditions:

- Obsolescence
- Extraordinary Vandalism
- Acts of God
- They have reached the limits of their expected life.
- Fire
- Projects authorized by the ICC under 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d)

~~A change in scope must not substantially deter the intended outdoor recreation use of the project as approved by the Interagency Committee for Outdoor Recreation.~~

Cleve Pinnix

Motion Joe Jones

Seconded

Passed/Failed

Staff recommends approval of funding Off-Road Vehicle Projects by the following motion:

Resolution # 93- 37 _____

WHEREAS, eleven Off-Road Vehicle projects are submitted for IAC funding consideration, and

WHEREAS, all eleven projects have been evaluated against an evaluation instrument approved by Interagency Committee Members, and

WHEREAS, these evaluations occurred in an open public meeting,

NOW, THEREFORE BE IT RESOLVED, that IAC hereby approves the funding of Off-Road Vehicle projects as depicted in the attached TABLE 2, and

BE IT FURTHER RESOLVED, that the Director be authorized to execute any and all project agreements necessary to facilitate prompt project implementation.

Cleve Pinnix Moved Donna Mason Seconded

Passed/Failed

**Table 2 - ORV Staff Funding Recommendations
Interagency Committee for Outdoor Recreation
November 18, 1993**

Project Rank	Ranked Score	IAC Number	Project Name	Project Sponsor	IAC Request	Sponsor Share	Total Costs
1	77.6667	93-102D	Langille-Juniper Trail	Gifford Pinchot NF	117,000	50,000	167,000
2	76.3333	93-090P	Teanaway ORV Plan	Wenatchee NF	32,775	4,050	36,825
3	71.6667	93-101D	ORV Park Improvement	Thurston County	372,830	3,300	376,130
4	70.6667	93-051D	Liberty Lake Riding Area	Spokane County	195,751	21,750	217,501
5	67.8333	93-708P	Tahuya State Forest	Natural Resources	48,575	4,725	53,300
6	67.0000	93-100D	Moses Lake Sand Dunes (Dev)	Grant County	20,000	0	20,000
7	65.6667	93-707D	Motorcycle Trail Bridge	Natural Resources	98,950	5,250	104,200
8	65.6667	93-099A	Moses Lake Sand Dunes (Acq)	Grant County	160,000	0	160,000
9	63.0000	93-088D	Beehive Area ORV Fac.	Wenatchee NF	78,310	0	78,310
10	54.4000	93-503D	Riverside State Park	State Parks	304,142	50,000	354,142
11	52.6667	93-706D	Mount Molly Campground	Natural Resources	37,996	3,000	40,996
			Total		1,466,329	142,075	1,608,404
			FY 94 Funds Available		1,498,800		
			Recommended Funding		<u>1,466,329</u>		
			Balance		32,471		
			Unfunded		0		
			Additional NHR Project:				
		93-700D	Porter Creek Campground	Natural Resources	25,200	0	25,200
			Total Recommended Funding		<u>1,491,529</u>		
			Balance		7,271		

RESOLUTIONS 93-42 (A-F)

WWRP PROCESS REPORT ADOPTION

WHEREAS, the draft Washington Wildlife and Recreation Program (WWRP) Process Review proposal (dated October 29, 1993) has been distributed to numerous previous WWRP applicants, IAC's Technical Advisory Committee, natural resource agencies and others, and

WHEREAS, recommendations in this document are in accord with existing agency policies, state law, and a spirit of program improvement, and

WHEREAS, the recommendations have been discussed, considered, and revised in an open forum where public comment was encouraged,

NOW, THEREFORE BE IT RESOLVED, that IAC hereby approves the following program revisions:

RESOLUTION #93-42A: Critical Habitat Evaluation Instrument - Threatened and Endangered Species (Executive Summary item 1.a); to adopt for purposes of changing the manual;
Cleve Pinnix **moved** and Donna Mason **seconded**. **MOTION CARRIED**

RESOLUTION #93-42B: Natural Areas Evaluation Instrument - Threatened and endangered Species (Executive Summary item 1.a); to approve staff recommendations for the Natural Area category for those items appearing on pages 7 and 8 of the Process Review;
Jenene Ratassepp **moved** and Art Stearns **seconded**. **MOTION CARRIED**

RESOLUTION #93-42C: Urban Wildlife Habitat Evaluation Instrument - Threatened and Endangered Species (Executive Summary item 1.a); to approve staff recommendations (pertaining to threatened, endangered, sensitive elements) as they appear on the bottom of page 8 and page 9 through item F, just before "Population" in the Process Review;
Jenene Ratassepp **moved** and Cleve Pinnix **seconded**. **MOTION CARRIED**

RESOLUTION #93-42D: All HCA and ORA Evaluation Instruments, save Critical Habitat and Natural Areas (Executive Summary item 2.b); to approve staff recommendations for "proximity to human populations";
Donna Mason **moved** and Jenene Ratassepp **seconded**. **MOTION CARRIED**

RESOLUTION #93-42E: Critical Habitat Evaluation Instrument (Executive Summary item 1.d); to adopt staff recommendations regarding "Public Use Potential";
Donna Mason **moved** and Jenene Ratassepp **seconded**. **MOTION CARRIED**

RESOLUTION #93-42F: Various Evaluation Instruments (Executive Summary item 2.a-l); to adopt staff recommendations on "Topics with Consensus";
Cleve Pinnix **moved** and Joe Jones **seconded**. **MOTION CARRIED**

NOVA Plan Adoption

Proposed Resolution # 93-43

Staff proposes that the Interagency Committee adopt the attached NOVA Plan draft. If adopted, it will be submitted to the Governor for approval. Because the Plan is an element of SCORP, it will then be submitted to the National Park Service for acceptance as a SCORP document.

To facilitate this adoption, the following resolution is presented:

WHEREAS CHAPTER 46.09 RCW mandates that IAC maintain and update, every six years, a plan to be used by all participating agencies to guide distribution and expenditure of NOVA funds, and

WHEREAS IAC staff has developed an updated plan, called the *1993 NOVA PLAN*, to satisfy 46.09 RCW, and

WHEREAS the planning process was undertaken and completed with extensive opportunity for public participation and comment, including public workshops, public meetings, individual and small group meetings, and other means, and

WHEREAS THE *1993 NOVA PLAN* is an element of the Statewide Comprehensive Outdoor Recreation Planning (SCORP) process,

NOW, THEREFORE, BE IT RESOLVED that the Interagency Committee for Outdoor Recreation adopts the October 11th draft of the *1993 NOVA PLAN* and authorizes its submittal to the Governor of the State of Washington for approval, and subsequently to the National Park Service for acceptance under SCORP rules and regulations, with implementation thereafter, with the following exceptions:

Policy C-9 - delete "legal appeals" and insert "process";

Policy D-2 - add "limit the amount of NOVA maintenance and operation funding available to ORV Sports parks to \$600,000 per two-year period";

Policy E-6 - delete "legal appeals" and insert "process";

Policy B-4 - delete "For example, educational presentations in schools should be limited to those situations where students are actual, not potential, ORV users"; and

Policy B-4 - delete "*rather* than potential ORV users and insert "*and* potential ORV users".

MOVED Jenene Ratasapp SECOND Art Stearns MOTION CARRIED

Resolutions of NOVA Advisory Committee

The Non-Highway and Off-Road Vehicle Activities
("NOVA") Advisory Committee of the Interagency Committee for
Outdoor Recreation ("IAC") approved the following
resolutions at its October 22, 1993, meeting:

WHEREAS the NOVA program was established to provide
quality off-road vehicle and non-highway road
recreational opportunities; and,

WHEREAS the sources and uses of NOVA funding are
established by statute, and such funds are to augment,
not replace, other funding sources; and,

WHEREAS the recent elimination of certain NOVA funds
prevents support for non-highway road projects;

NOW, THEREFORE, it is

RESOLVED that because elimination of non-highway road
funds is contrary to the purpose and integrity of the
NOVA program, the statutorily allocated funds should be
reinstated; and,

FURTHER RESOLVED that the NOVA Advisory Committee asks
the Interagency Committee to express its concern for
this funding elimination by formally joining in these
resolutions; and,

FURTHER RESOLVED that the Interagency Committee request
that the Director of the Interagency Committee, if she
has not already done so, obtain a legal opinion on the
validity of this funding elimination, and that a copy
of such opinion, when obtained, be provided to the
Interagency and NOVA Advisory Committee members; and,

FINALLY RESOLVED that the Interagency Committee, along
with taking such other steps as it deems appropriate,
submit a written request for full reinstatement of NOVA
non-highway road funds to the Governor and appropriate
members of the legislature.

m/nova-rec



STATE OF WASHINGTON

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

P.O. Box 40917 • Olympia, Washington 98504-0917 • (206) 902-3000 • FAX (206) 902-3026

November 18, 1993

Mr. Tom Lucas
NOVA Committee
Interagency Committee for Outdoor Recreation
P.O. Box 40917
Olympia, WA 98504-0917

Dear Mr. Lucas,

Thank you for bringing to our attention the NOVA Committee's concern about the diversion of NOVA-NHR funds to the Washington Wildlife and Recreation Program (WWRP) budget. The IAC shares your dismay over the resulting reduction in funding for the NHR program, especially in light of the very excellent projects that we were not able to fund in this budget cycle.

Squak Mountain, the WWRP project funded with the diverted money, is an important acquisition for the state. In the opinion of the IAC this project meets the technical requirements of the NHR program. We recognize, however, that the project went through a different evaluation process and may not necessarily reflect the priorities of the NOVA committee.

The IAC has reviewed the NOVA Committee's resolution of October 22, 1993 urging the IAC to seek reinstatement of the NOVA funds and to seek a legal opinion on the validity of diverting these funds to the WWRP.

During the 1993 legislative session IAC staff worked aggressively with legislative committee staff to resolve this problem, but with little success. After the session, staff continued to explore many options with the IAC Committee to find ways to restore the NOVA funds. Although the IAC is not comfortable with the final outcome, we believe that any other alternative would be even more harmful to the long-range future of the NOVA program. Likewise, we believe that seeking reinstatement of the funds at this point in time or pursuing a costly and time consuming legal opinion would be detrimental to the future of the programs.

The IAC is committed to maintaining the integrity of the NOVA-NHR program and working to provide adequate funding. To prevent future diversion of NOVA funds, the IAC will be investigating a number of possible actions to avert the circumstances that led up to the current situation. Again, we appreciate the very justifiable concern on the part of the NOVA committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Elliot Scull".

Dr. Elliot Scull, Chair
Interagency Committee for Outdoor Recreation

Based on the foregoing, Staff recommends approval of:

Resolution 93- 38

WHEREAS, the City of SeaTac has returned \$390,000 from IAC Project Agreement #92-138A, and

WHEREAS, the City of Fife has returned \$20,763 from IAC Project Agreement #92-077D, and

WHEREAS, the City of Grandview has returned \$1,851 from IAC Project Agreement #91-129D, and

WHEREAS, the City of Port Angeles has returned \$23,922 from IAC Project Agreement #91-163A, and

WHEREAS, Interagency Committee Members approved a list of 1991-1993 Outdoor Recreation Account projects to receive unallocated funding on July 19,1992, and

WHEREAS, the next unfunded projects to receive these returned funds are:

<u>Number</u>	<u>Sponsor</u>	<u>Project</u>	<u>Request</u>	<u>Match</u>	<u>Total</u>
91-508A	State Parks	Nisqually/Mashel	\$355,325	\$ 0	\$355,325
92-144A/D	La Center	Community Park	55,000	55,000	110,000
92-116A	Snohomish Co	Thomas's Eddy	26,211	26,211	52,422

and WHEREAS, funding of these projects maintain the statutory funding percentages as required by RCW 43.98A, and

WHEREAS, it is in the interest of the citizens of this state to immediately reallocate \$436,536 to the next unfunded projects included on this list,

THEREFORE, be it resolved, the Interagency Committee approves funding for the WWRP Outdoor Recreation Account Projects as described herein, and

BE IT FURTHER RESOLVED, that the Director is hereby authorized to execute any and all project agreements or amendments to facilitate prompt project implementation.

Janene Rataspepp MOVED Donna Mason Seconded
Passed/Failed

Approved Project List
for Available Unallocated Funds
July 19, 1992

1990 Appropriation - HCA No projects submitted

Appropriation	Project Name	IAC Amt	Sponsor	Total
1990 Appropriation - ORA				
69.01 92-817A	Fisheries	15,439	-0-	Funded/\$15,439
67.00 91-508A	State Parks	340,000	-0-	340,000
	Total:	355,439	-0-	355,439

Appropriation	Project Name	IAC Amt	Sponsor	Total
1991-93 Appropriation - ORA				
68.85 92-092A	Clark County			Funded
63.01 92-161D	Lynnwood			Funded
61.34 92-706A	DNR			Funded
61.34 92-803D	Fisheries			Funded
60.18 92-505A	State Parks			Funded
60.13 92-083D	King County			Funded
59.49 91-508A	State Parks	355,325	-0-	355,325
58.20 92-144A/D	La Center	55,000	55,000	110,000
58.00 92-116A	Snohomish County	26,211/434,189	26,211/434,189	52,422/868,378
55.67 92-073D	Ilwaco	36,576	36,576	73,152
	Total:	907,301	551,976	1,459,277

Appropriation	Project Name	IAC Amt	Sponsor	Total
1991-93 Appropriation - HCA				
85.47 92-704A	DNR			Funded
78.14 92-704A	DNR			Funded
64.55 92-136A	Bellevue			Funded
61.27 92-602A	Wildlife			Funded
59.52 92-601A	Wildlife			Funded
57.33 92-602A	Wildlife			Funded
53.43 92-601A	Wildlife			Funded
51.77 92-105A	Bellingham			Funded
48.60 92-602A	Wildlife			Funded
42.88 92-601A	Wildlife			Funded
	Total:	33,635	-0-	Funded/33,635

WHEREAS, the Interagency Committee for Outdoor Recreation has \$852,605 of Land and Water Conservation Fund (LWCF) monies to obligate, and

WHEREAS, the Interagency Committee for Outdoor Recreation approved a list of alternate Washington Wildlife and Recreation Program (WWRP) Outdoor Recreation Account Projects on July 29, 1993, and

WHEREAS, these projects were evaluated, ranked, and approved in open public meetings, and

WHEREAS, the Interagency Committee has deemed it appropriate to distribute Land and Water Conservation Fund appropriations to alternate projects on the approved alternate list of WWRP Projects, and

WHEREAS, the next alternate project within the 1993-1995 WWRP Outdoor Recreation Account is IAC #92-806A, Department of Fisheries, Cline Spit Acquisition, and

WHEREAS, to optimize and leverage LWCF monies IAC will allocate \$252,605 of LWCF to IAC #92-356A/D, City of Bellingham, Whatcom Creek Trail, in exchange for \$250,000 of previously allocated WWRP funds, and

WHEREAS, this \$250,000 will be combined with \$350,000 of Department of Fisheries appropriation to serve as the match for \$550,000 of LWCF monies, and

WHEREAS, \$50,000 of LWCF monies are needed to develop IAC's 1995 Assessment and Policy Plan of the Washington State Comprehensive Outdoor Recreation Planning process,

NOW, THEREFORE BE IT RESOLVED, that IAC approves the following funding:

<u>Sponsor/Project</u>	<u>LWCF</u>	<u>WWRP</u>	<u>SPONSOR</u>	<u>TOTAL</u>
IAC # 92-806A Dept of Fisheries Cline Spit Acquisition	\$550,000	\$ 250,000	\$ 350,000	\$1,150,000
IAC#92-356A/D City of Bellingham Whatcom Creek Trail	\$252,605	\$1,465,450	\$1,718,055	\$3,436,110
SCORP/IAC	\$ 50,000	-0-	\$ 50,000	\$ 100,000

BE IT FURTHER RESOLVED, that the Director be authorized to execute any and all project agreements or amendments necessary to facilitate prompt project implementation.

Donna Mason
Moved

Joe Jones
Seconded

Passed/Failed

RESOLUTION #93 - 44

WHEREAS, the Interagency Committee has received a Petition for Declaratory Order dated November 16, 1993, from R. Welsh, Petitioner and

WHEREAS, the Interagency Committee is not scheduled to have another regular meeting before the resolution of the Declaratory Order is required.

NOW, THEREFORE BE IT RESOLVED, that the Director is authorized to take whatever action is necessary regarding the Declaratory Order including, but not limited to, issuing a decision or recommending a special Interagency Committee meeting, and that the Director's actions be taken based on legal analysis and guidance by counsel.

Cleve Pinnix

Motion

Jenene Ratassepp

Seconded

Passed/Failed