

Recreation and Conservation Funding Board Summarized Meeting Agenda and Actions, March 21, 2012

Agenda Items without Formal Action

| Item | Board Request for Follow-up |
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| Item 2: Management Report | No follow-up requested |
| Item 3: 2012 Legislative Session & Preparation for 2013 Legislative Session | No follow-up requested |
| Item 4: State Parks Transformation Strategy | No follow-up requested |
| Item 6A: State Comprehensive Outdoor Recreation Plan (SCORP) | Keep the board informed of progress, as described in staff memo |
| Item 6B: Nonhighway Off-Road Vehicle Activities (NOVA) Plan | Keep the board informed of progress, as described in staff memo |
| Item 6C: Update of Agency and Board Communication Plan | Plan to be presented in October |
| Item 7: Current Policy and Practice for Declaring Facilities Obsolete | Include financial reporting in the status reports required of the sponsor. |
| Recognize Service of Retiring RCO Staff: Jim Anest | No follow-up requested |
| Item 8: Subcommittee Proposals for Policies Related to Allowable Uses | Change language in the grazing and tree removal policies, publish for broader public comment including through media, report in June 2012. Decision in October 2012. |
| Additional Topic: Allowability of showers in State Parks' cabins funded by the board | Staff to work with State Parks to explore issues and address policy changes necessitated by the Transformation Strategy in a coordinated way. Report back to the board in June 2012. |

Agenda Items with Formal Action

| Item | Formal Action | Board Request for Follow-up |
|--|--|-----------------------------|
| Item 1: Consent Calendar | APPROVED Resolution 2012-01 <ul style="list-style-type: none"> • Approved board meeting minutes – November 2011 • Recognized volunteers • Approved change to August meeting date • Approved time extension request: State Parks, Deception Pass Hoypus Day Use Area, #06-2073D • Recognized Service of Retired Deputy Director Rachael Langen | No follow-up requested |
| Item 5: YAF grant program, use of returned funds | APPROVED Resolution 2012-02 <ul style="list-style-type: none"> • Authorized the director to award YAF funds to eligible project alternates in the WWRP Local Parks Category. | No follow-up requested |

Recreation and Conservation Funding Board Summary Minutes

Date: March 21, 2012

Place: Room 172, Natural Resources Building, Olympia, WA 98501

Recreation and Conservation Funding Board Members Present:

| | | | |
|----------------------------|---------------|-------------------------|---|
| Bill Chapman, Chair | Mercer Island | Stephen Saunders | Designee, Department of Natural Resources |
| Betsy Bloomfield | Yakima | Don Hoch | Director, State Parks |
| Pete Mayer | Vancouver | Dave Brittell | Designee, Department of Fish and Wildlife |
| Harriet Spanel | Bellingham | | |
| Ted Willhite | Twisp | | |

It is intended that this summary be used with the meeting materials provided in advance of the meeting. A recording is retained by RCO as the formal record of meeting.

Opening and Management Reports

Chair Bill Chapman called the meeting to order at 9:07a.m. Staff called roll, and a quorum was determined. Mr. Chapman introduced new member Ted Willhite.

Consent Calendar

The Recreation and Conservation Funding Board (board) reviewed Resolution #2012-01, Consent Calendar. The consent calendar included the following:

- a. Approve board meeting minutes – November 2011
- b. Recognize volunteers
- c. Approve change to August meeting date
- d. Approve time extension requests
 - State Parks, Deception Pass Hoypus Day Use Area, #06-2073D
- e. Recognize Service of Retired Deputy Director Rachael Langen

Resolution 2012-01 moved by: Stephen Saunders and seconded by: Dave Brittell
Resolution APPROVED

Item 2: Management Report

Director's Report: Director Cottingham reported that all members were confirmed by the Senate, and that the Operations Manual was complete. She also noted the work to identify jobs and economic impact of WWRP projects. She also noted that last week, she attended a ribbon cutting in Anacortes for a BIG project. She also reviewed her work in Washington DC, and recent RCO staffing changes. Director Cottingham noted that there would be an audit finding about administrative costs in the Pacific Coastal Salmon Recovery Fund.

Policy and Legislative Update: Steve McLellan noted that they had a very successful Lands Group forum, with great attendance, including the state natural resource agencies and legislators. Many legislators and staff were focused on (1) philosophical issues about land acquisition and (2) the effect on the operating budget of maintenance and other costs that go with land acquisitions. He noted that the Lands Group was extended by the Legislature for another five years; the Governor had not yet signed the bill.

Grant management report: Scott Robinson reported on the application workshop webinar and its success, noting that a recording of the webinar and other application materials are on the web site. Chair Chapman asked for more detail about the projects that received returned funds. Marguerite Austin responded by describing the State Parks project on Lake Sammamish and the Sunset Bluff project in Mason County. Member Willhite asked how the RCO recruits volunteers from small communities; Robinson responded that the agency uses numerous forms of outreach that would be described later by the Communications Manager.

Projects of Note: Kim Sellers and Karl Jacobs presented information about two successfully completed projects. Jacobs presented the recreation projects at the Mukilteo Lighthouse Park, and Sellers presented the North Winds Weir restoration project in Tukwila. The latter involved funds from the Salmon Recovery Funding Board as well.

Item 3: 2012 Legislative Session & Preparation for 2013 Legislative Session

Steve McLellan noted that the special session was still in progress. On the budget, it appears that the general fund budget is settled for natural resources; most agencies are taking cuts of about 10 percent. The bigger issue is a potential diversion of Recreational Resource Account funds to the Department of Fish and Wildlife (WDFW) marine enforcement program. In this biennium, it does not affect projects, but going forward, if the money continues to be taken, the grant rounds would be reduced by about half. It also would move our management of the account to a cash basis rather than accrual basis. The RCO also is watching the appropriation of the ALEA funds for other programs as it may change the amount available for grants in the next biennium.

McLellan also noted that there is a small supplemental capital budget. Part of this will be the jobs package, which will, in part, provide \$10 million for the Family Forest Fish Passage Program co-managed by RCO, DNR and WDFW. He then discussed the debt limit commission recommendations, which would reduce the capital capacity in the future, but would smooth out the funding levels.

McLellan also noted proposed changes to federal funding for recreation and salmon programs. Director Cottingham noted that Recreational Trails Program (RTP) funding was in danger at the federal level.

McLellan noted that staff would begin work on the 2013-15 request legislation and budget requests over the summer. He noted that staff did not see a pressing need for request legislation, but invited the board to contact him or Kaleen if members saw a need for legislation.

Member Bloomfield asked if there was any news on payment in lieu of taxes (PILT). Steve McLellan noted that it seems to be settling on a rollback to the 2009 funding level, but not a complete cut.

Item 4: State Parks Transformation Strategy

Member Hoch introduced Larry Fairleigh, Assistant Director at State Parks, who presented the transformation strategy.

Fairleigh linked the current Transformation Strategy to the Centennial plan, which was adopted in 2005. State Parks is changing to an enterprise agency due to budget cuts; this is a change for both staff and the public. He reviewed the key transformation concepts: (1) status quo not an option, (2) changing to a technological park system, (3) helping the public to see parks as a general public asset (i.e., expand public involvement beyond specific user groups), and (4) new capital development priorities for new income streams. He then reviewed progress to date, including staffing and other efficiencies, marketing efforts, introduction of new technology, and restructuring the agreement with the State Parks Foundation. He reviewed the next steps in the transformation strategy, including publishing the strategy and securing the funding and/or legislation needed.

Fairleigh then noted that the commission will soon consider whether to partner with Port Townsend at Fort Worden State Park. Director Cottingham noted that Fort Worden State Park has Land and Water Conservation Fund (LWCF) grant funds, and reminded Fairleigh that they need to work with the National Park Service regarding the restrictions.

Member Bloomfield asked if State Parks had some holdings for which they could sell partial interests (e.g., historic preservation easements). Fairleigh responded that they are looking at it, but they have to understand tax codes and legal encumbrances, and it has to be consistent with their values. They do not want to sell properties for operating funds because that converts a long-term asset to cover a short-term problem.

Member Mayer asked about the backlog of deferred maintenance, and how that would be balanced with all of the other problems they are facing. Fairleigh noted that in 2000, they did a study regarding deferred maintenance; updating the study would be costly. There will be a period of time where they will just be working to keep the doors open and keeping maintenance from slipping too much before they can address the backlog.

Chair Chapman noted that he agrees the parks are a public asset, and that the general fund cuts and move to an enterprise agency needs to be revisited in better budget times. The land base was not set up to be a business, and will be a huge challenge.

Other State Agency Partner Reports

Department of Fish and Wildlife (WDFW): Member Brittell reiterated McLellan's report on payment in lieu of taxes, noting that WDFW has been working on the issue. WDFW also has been working on budget gaps and fund shifts, but they will still have about \$1 million in new general fund reductions. He also noted their work on the transferability of the Discover Pass. They have done all of the background work so that it will happen as soon as the Governor signs the bill. WDFW gets eight percent of Discover Pass sales.

Department of Natural Resources: Member Saunders noted that they will use their portion of the Discover Pass funds for trail and facility maintenance. They have been working on the jobs bill proposal, along with the Puget Sound Partnership and Legislature to identify a funding component for the Puget Sound Corps to maintain trails. They were able to get a small funding proposal (\$150K) in general fund for the Natural Heritage Program.

General Public Comment

There was no public comment.

Board Business: Decisions

Item 5: Youth Athletic Facilities: Use of Returned Funds

Recreation Section Manager Marguerite Austin presented this topic as described in the staff memo. She explained that about \$100,000 remains in the Youth Athletic Facilities (YAF) grant program, and there are no YAF projects awaiting funding. Austin further stated that staff was proposing that the funds be awarded to eligible alternate Washington Wildlife and Recreation Program (WWRP) Local Parks category projects that also meet YAF criteria. Austin explained what types of facilities and sponsors would or would not be eligible in the program, and provided some history of program expenditures.

Board members asked that staff consider projects that are "shovel ready."

Resolution 2012-02 moved by: Harriet Spanel and seconded by: Stephen Saunders
Resolution APPROVED

Board Business: Briefings & Discussion

Item 6: Board Input Regarding Planning Efforts

State Comprehensive Outdoor Recreation Plan (SCORP)

Dominga Soliz, Policy Staff, presented this topic as described in the staff memo. She identified the consultant selected to create the plan, explained the plan for developing the SCORP and asked the board for comments about the general direction of the plan.

Board members highlighted the need to ensure that multiple user groups and stakeholders be involved in the process. They encouraged the RCO to work with the contractor and ensure broad outreach for the surveys, committee representation, other feedback, and opportunities to participate.

In response to questions from members, Dominga noted that the final report would include recommendations for the board, and that statewide recreation participation survey would include an assessment of economic contribution. She also noted that the specific inclusion of wetlands reflected federal priorities for SCORP.

Nonhighway Off-Road Vehicle Activities (NOVA) Plan

Marguerite Austin, Recreation Section Manager, presented this topic as described in the staff memo. The NOVA plan update is required by statute. Austin outlined the general approach and purpose, noted that the fuel use study was in need of an update within the next few years, and asked the board to comment. The board had no input on the approach.

Update of Agency and Board Communication Plan

Susan Zemek, Communications Director, presented information about the communication work done on behalf of the agency and board. She explained that there is a plan that guides the communications work of staff and board members, but that the plan is seven years old and needs to be updated. She reviewed the communications goals and how they have been implemented. She asked for input from the board members about key messages and communication activities they want to consider.

Chair Chapman asked for better follow-through with recipients as ground-breaking or ribbon-cutting nears so that more of them include RCO or board participation. Member Spanel said that continuing the big checks is very important; the community needs to be continually reminded of the state investment. Member Bloomfield added that such messaging needs to be amplified with county commissioners and state legislators. Member Mayer suggested that RCO initiate a conference among sponsors and officials to help increase awareness, before projects are completed – maybe even before they start. He also suggested greater emphasis on consumer awareness, along the lines of the boating app, and greater use of YouTube and Facebook to highlight the work. Member Brittell suggested that the plan be very clear about key messages and what we want to accomplish because different messages might have different strategies. Member Willhite suggested an increase in social media and other outreach around policy issues so that people do not feel left out of the decision making process. Member Saunders agreed that we need to focus on feedback; we are good at getting information out there, but need work on getting information to us. Member Hoch suggested partnering with other agencies to do the outreach.

Item 7: Current Policy and Practice for Declaring Facilities Obsolete

Jim Anest, Compliance Specialist, explained the current policy and practice for declaring a facility obsolete, as described in the staff memo. He noted that the policy is a key part of grant compliance, and reflects the inevitable change for some projects. He explained the considerations for determining that a facility is obsolete, and discussed U.S. Government Accountability Office (GAO) standards, the relevant terms used in grant management (e.g., “element”), the requirements for the sponsors, and the current process for

reviewing requests. Karl Jacobs, Grant Manager, provided a practical example by presenting a recent request from the town of Tonasket to declare a pool obsolete. Jacobs described the pool facility, the city's study of the repairs needed for the site, and the RCO staff review. He noted that the decision is made more difficult because the city plans to close the site for several years while funds are raised for renovation and the renovation is completed. Staff recommended that the director declare the facility obsolete, and grant up to five years to raise funds and complete the renovation. The remainder of the park will stay open for public use.

The board expressed concern about the certainty of the city's proposal to bank unspent maintenance funds for future planned expenditures, and asked staff to find ways to ensure that funds are set aside. Chair Chapman suggested that the approval include a condition that the sponsor will include financial progress in the report they submit to the RCO every two years.

Member Saunders asked for clarification about the conversion versus obsolescence policy. Anest responded that obsolescence is a way to avoid a compliance problem; however, its application is site-specific and sponsors need to work with grant managers to determine if obsolescence is the appropriate option.

Member Mayer suggested that the board consider (1) whether they were comfortable with one recreation type replacing another and (2) how they balance incentives to ensure that sponsors perform adequate maintenance. Chair Chapman noted it appeared from the staff presentation that current compliance policy addresses situations where a facility is not properly maintained, and reaches the end of its useful life too quickly. He thinks there are limits to the kinds of recreation that can replace each other.

Member Willhite thought that it was important to recognize the expertise of partners. Chair Chapman asked if there were any concerns in Tonasket about this approach. Jacobs responded that there were no concerns that he knew of; the question was specifically asked in the public survey for the park plan. The community wanted newer features in the pool.

Recognize Service of Retiring RCO Staff: Jim Anest

Scott Robinson, Acting Deputy Director, thanked Jim Anest for his service to the board and agency with regard to conversion and compliance issues.

Item 8: Subcommittee Proposals for Policies Related to Allowable Uses

Dominga Soliz provided background information and an overview of the process used by the board subcommittee to identify and propose programmatic policies related to allowable uses. She noted that staff was collecting board feedback on the subcommittee proposals before publishing them for public comment. She then explained each of proposals in turn; board discussion and public comment took place after each presentation.

Subcommittee Proposal: Livestock Grazing

Soliz described the policy and explained that the subcommittee proposed that grazing would be allowed under certain circumstances in the WWRP Critical Habitat category.

Member Bloomfield recommended that the policy clearly state that proposals for grazing that are not in the agreement or application materials would be subject to the gray areas framework.

Member Willhite asked what public feedback had been incorporated in to the policy. Soliz responded that the approach was to bring the policy to the board before putting the policy out for public comment. Chair Chapman noted that the board always submitted policies for public input; the question at hand was what the policy should be that would go out for public comment.

Member Willhite asked that the RCO expand its outreach beyond the typical user groups. Soliz noted that the agency uses a variety of media, and that it would be sent to the conservation districts as well. Member Brittell noted that the policy will help maintain the ability to have working lands when it is consistent with the intent of the grant and particular acquisition, and will ease the process to make that determination. Director Cottingham noted that the RCO makes every effort to have expansive outreach and offered that the outreach could include media.

Member Bloomfield suggested that the policy include a nexus with SEPA. Chair Chapman responded that it should not be included because the RCO grants are not regulatory, and that they need to keep the board's decision about whether or not to allow it independent of SEPA. Member Spanel noted that there is other applicable legislation. Member Brittell explained that the subcommittee had considered a variety of different laws and rules that affect how grazing can and cannot be done, but none are applicable to all situations, so they were not included. They are useful to informing the "gray area" process, but only as applicable. As they use the process, they will develop a "track record" that will help build a better policy.

Chair Chapman clarified that board policy does not regulate the use of private or public property; it simply sets the rules for use of land funded with board grants. They are used so that the board can ensure that the lands are used in compliance with the statutes. Chair Chapman explained a few style-related edits that he would suggest to the director.

Subcommittee Proposal: Telecommunications Facilities

Soliz described the policy proposed for telecommunications facilities, and the criteria that would be considered for approval. The policy was drafted to apply only to WWRP Local Parks. Director Cottingham noted that a question was raised about whether the Federal Communications Commission (FCC) definition includes tsunami warning systems. Soliz responded that she would check the definitions. Chair Chapman noted that if they were included in the definition, the policy should not require them to be camouflaged. Soliz noted that the policy did not require any telecommunications facility to be camouflaged. Member Saunders noted that they should look at all emergency warning systems (e.g., lahar warnings). He also noted that such systems tend not to be attached to existing structures, so they may not fall under this

policy. Board members discussed that the “existing structure” cannot be constructed for telecommunications as the primary use.

Subcommittee Proposal: Tree Removal

Soliz described the policy and the circumstances under which tree removal would be allowed:

- It does not diminish the essential purposes of the grant and:
- It is included in the project agreement and project evaluation materials, or
- Trees are removed to prevent imminent threat to public safety or are removed in accordance with a plan to protect or enhance forest health or the health of species targeted by the grant.

Member Saunders noted that DNR will get grants for trails and wants to ensure that they can maintain the trail without encumbrances on their ability to remove trees, even if they sell the timber. Member Spanel noted that they could simply include that in the agreement. Board members noted that sponsors would still be able to remove trees as needed to implement the grant.

Member Spanel noted that she was concerned that sponsors not remove trees just to make money. She believes the language does that, and does not want it weakened. Member Hoch noted that they are handling a lot of forest health issues and that any funds from selling the timber are used to maintain properties. Member Spanel noted that the purpose in that case is to maintain forest health, not secure funds for other maintenance. Soliz noted that the subcommittee had discussed including language about the removal not being “solely for income production” but decided that the language did not provide sufficient protection.

Member Bloomfield suggested that the board should consider the implications for prescribed fire as a tree removal mechanism. Board members discussed the use of prescribed fire as a tree removal mechanism versus as a management technique akin to mowing and weed control. Member Saunders suggested that prescribed burns would fall under the “in accordance with a plan” provision, and that the policy should include context that defines what would constitute “a plan.”

Director Cottingham reminded the board that if a sponsor met the criteria, nothing would come back to staff; they would not be reviewing plans. She suggested that they could resolve this by clarifying “plan” as “site specific plan.” This would provide a tool for the grant sponsor to have a plan that allows them to do certain actions without RCO approval.

Member Willhite suggested that tree removal could harm the original purpose of the grant, and that we shouldn’t be looking for reasons to remove them. Member Brittell noted that the intent is to allow sponsors to take care of the land based on their land management expertise. There is a range of activities they are trying to address with a single policy – from a single hazard tree to a prescribed burn across thousands of acres. He suggested that the RCO shouldn’t have to review such management plans.

Members discussed whether the policy addressed acres of land or the removal of a few trees. Member Brittell stated that on large landscapes, strategically removing a tree or two is not realistic. Chair Chapman suggested that they wait and see if it was a concern during public comment.

The board asked staff to clarify the language with an "approved site specific stewardship plan."

Subcommittee Proposal: Clarification of "Conveyance of Property Interests" in conversion policy
Soliz explained the proposed clarification, noting that leases have caused confusion among staff and sponsors. Chair Chapman suggested that they need to make sure that the language in bullet five reflects the language in the framework. Director Cottingham noted that a specific cross-reference to the proposed policies on livestock grazing and telecommunications facilities would meet that request; Chapman concurred. Saunders suggested that the existing policy be clarified so that the term "non-" modifies all of the uses (i.e., recreation, conservation, and salmon-recovery).

Saunders also noted that he thought the language about leases was still unclear since a lease could be an encumbrance. Director Cottingham clarified that current policy could be interpreted such that a lease is a conversion. The revised policy would mean that leases are allowed in some circumstances; it will be clarified with the cross-reference.

Public Comment:

Sharon Claussen, King County, stated that the proposal lowers the threshold for local parks to be able to discourage some activities by being able to cite the conversion process. This takes away a tool for protecting parks. She asked the board to open it narrowly.

Director Cottingham noted that it was intended to open the door narrowly, and not as broadly as interpreted. The RCO agrees that it needs to be narrow and for specific situations.

Additional Discussion

Member Hoch asked if the cabins policy approved in Resolution 2011-17 included showers of "simple basic design." Dominga Soliz responded that the resolution was specifically amended by the board to be "a toilet, sinks, and general utilities." She clarified that it was an eligibility question, not an allowable use question. The language said that anything exceeding a "simple basic design" would not be eligible, so no part of it could be reimbursed. The request to add showers could undermine the board policy regarding eligibility criteria by adding features outside the project scope.

Chair Chapman noted that the board tried to ensure that the cabins remained rustic and basic, while balancing it with the needs of the public and desire to expand outreach. Director Cottingham reminded the board that we have a policy against prorating; a sponsor cannot have part of a facility paid for with other funds. State Parks is now asking if either (a) a shower added at a later time and paid for with non-board funds is allowable, or (b) if the prorating policy could be changed so that cabins with showers could be eligible as long as the showers are paid for with non-board funds.

Marguerite Austin clarified the difference between match and proration (i.e., everything paid for with match has to be an eligible expense). She also stated that the board allows some proration in the boating program and youth athletic facilities program.

Chair Chapman moved that (a) showers are not an eligible cost and (b) to allow State Parks to install showers with other funds. Mayer seconded.

Member Spanel expressed concern about this motion opening the door to several requests for specific items. Member Saunders echoed the concern about a piecemeal approach, and suggested that State Parks bring a list of items needed for the Transformation Strategy so the board can look at all of the requests at once.

Member Brittell noted that he is not sure what language the motion would modify, and that other programmatic policies regarding allowable uses are going out for public comment. Brittell, Willhite, and Mayer suggested that the motion be tabled pending further staff work and public comment.

**Saunders moved to table the motion. Bloomfield seconded the motion.
APPROVED, 6-2 with Chapman and Hoch opposing.**

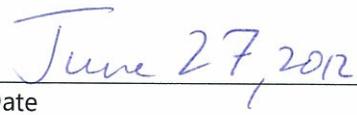
The board agreed that because they are not changing eligibility, State Parks could still apply for grants in 2012, with the caveat that it is a gray area of allowable uses. The motion would be considered in June 2012.

The chair adjourned the meeting at 4:07 p.m.

Approved by:



Bill Chapman, Chair



Date

Recreation and Conservation Funding Board
Resolution #2012-01
March 2012 Consent Agenda

BE IT RESOLVED, that the following March 2012 Consent Calendar items are approved:

- a. Board Meeting Minutes –November 2011
- b. Service Recognition for Volunteers
- c. Change to August 23, 2012 meeting date to September 4, 2012
- d. Time Extension Request
 - State Parks, Deception Pass Hoypus Day Use Area, #06-2073D
- e. Service Recognition for Retired Deputy Director Rachael Langen

Resolution moved by: Saunders

Resolution seconded by: Brittell

Adopted/Defeated/Deferred (underline one)

Date: March 21, 2012

Recreation and Conservation Funding Board
Resolution # 2012-02
Approving the Use of Youth Athletic Facility Grant Funds
for Eligible Washington Wildlife and Recreation Program Local Parks
Category Projects

WHEREAS, the Legislature established the Youth Athletic Facilities program to provide athletic facilities to meet the needs of youth who participate in sports and athletics; and

WHEREAS, the program currently has an unobligated balance of about \$100,000 but no projects eligible for funding; and

WHEREAS, conducting a grant round to award this unobligated balance would be costly and time consuming for the state and for project applicants; and

WHEREAS, the Washington Wildlife and Recreation Program Local Parks category has several alternate projects that have been reviewed by volunteer evaluators and the board in open public meetings; and

WHEREAS, many of the WWRP Local Parks alternate projects include facilities that would be eligible for funding in the Youth Athletic Facilities program; and

WHEREAS, the WWRP Local Parks category and YAF program have substantially similar criteria for project and sponsor eligibility, as well as project ranking criteria; and

WHEREAS, consideration of this proposal supports the board's strategy to provide funding to protect, preserve, restore, and enhance recreation opportunities statewide;

NOW THEREFORE BE IT RESOLVED, that the Recreation and Conservation Funding Board authorizes the director of the Recreation and Conservation Office to fund eligible WWRP Local Parks alternate projects from the fiscal year 2012 and 2010 board-approved ranked lists with moneys available from the YAF program.

Resolution moved by: Spanel

Resolution seconded by: Saunders

Adopted/Defeated/Deferred (underline one)

Date: March 21, 2012