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Item #25: **Aquatic Lands Enhancement Account Policies and Evaluation Criteria Proposed Revisions**

Prepared By: Leslie Ryan Connelly, Outdoor Grants Manager

Presented By: Leslie Ryan Connelly, Outdoor Grants Manager

Approved by the Director:

Proposed Action: Decision

Summary

In January 2008, Recreation and Conservation Office (RCO) staff proposed revisions to the Aquatic Lands Enhancement Account (ALEA) Grant Program. The revisions were in response to public comments and Recreation and Conservation Funding Board (Board) direction to clarify program goals and objectives and ensure all projects are evaluated on an equal basis.

At the January 15, 2008 meeting, the Board directed staff to amend the proposal to award additional points to projects that address multiple programs goals and seek additional public comment. RCO staff prepared an amended proposal and distributed it for public comment on January 28, 2008. This memo summarizes the amended proposal, comments received, and the final recommendation for Board consideration. If approved, the proposed changes will be implemented for the 2008 grant cycle.

Staff Recommendation

RCO staff recommends adoption of the policies below under Proposal of Consideration. Upon approval, staff will incorporate the policies into Manual #21, *ALEA Grant Program: Policies and Project Selection Criteria*.

Resolution 2008-021 is provided for Board consideration.

Background

The Washington State Legislature established the Aquatic Lands Enhancement Account in 1984. The account is funded with revenue generated by the Department of Natural Resources from management of state-owned aquatic lands[1]. The ALEA grant program, one of several activities funded with money from the account, was transferred to the RCO for administration in 2003.

The ALEA grant program has two purposes: 1) to fund projects that involve the enhancement, improvement or protection of aquatic lands, and 2) to fund projects that provide access to aquatic lands[2]. The Board adopted the policies outlined in Manual #21, *ALEA Grant Program: Policies and Selection Criteria* that govern administration of the grant program. The grant program's two purposes are noted in both the ALEA policy manual and the evaluation criteria, but neither clearly states the relative importance of the two program purposes.

In October 2007, RCO solicited public comments regarding the relative emphasis between the two purposes of the ALEA grant program. The majority of comments we received encouraged maintaining the equal emphasis of the dual program purposes, with clarification on how the two program components—that is, public access and habitat protection and enhancement—are evaluated.

In November 2007, the Board directed staff to prepare a proposal to revise the ALEA program manual, evaluation criteria, and application materials to provide equal weight to public access and aquatic land protection and enhancement projects. Proposed changes were developed and distributed for comment on January 4, 2008.

Staff shared the draft proposal and public comments with the Board at its meeting on January 15, 2008. The Board instructed staff to revise the scoring matrix to award additional points to projects that meet <u>both</u> ALEA program goals.

<u>Changes Since January</u>
Staff prepared an amended proposal based on the Board's direction and changed the description of navigability based upon comments received in January. The amended proposal was distributed for public comment January 28, 2008; comments were accepted through February 15, 2008.

RCO received comments from eight people on the amended proposal. The majority supported awarding additional points to applicants that meet both program purposes. Others recommended:

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[1] Aquatic lands are defined as all tidelands, shorelands, harbor areas, and the beds of navigable waters. RCW 79.105.060(1)
[2] RCW 79.105.150. (Attached to this memo)

- Edits to improve the clarity of the proposed policies
- Awarding additional points for providing barrier-free access
- Awarding additional points for projects with statewide or national significance, and
- Allowing for restriction of public access to protect sensitive areas and species.

The comments received and staff responses to the comments are provided.

The final draft proposal includes the following changes from the January 15, 2008 version previously shared with the Board:

- Added a statement in the new program goals section that encourages projects to meet both ALEA purposes.
- Clarified the description of navigable waters.
- Revised the scoring matrix to provide five more points in the first evaluation criteria for projects that meet multiple program goals.
- Reorganized the scoring matrices and scoring criteria to clarify the points and questions by project type.

The revisions from the draft proposal distributed at the January 15, 2008 Board meeting are illustrated with underline and strikeouts below.

<u>Proposal for Consideration</u>
Staff propose the following changes in Manual #21, *ALEA Grant Program: Policies and Project Selection Criteria*.

1. *ALEA Grant Program Goals* [new manual language]

   RCW 79.105.150 specifies that the allocation of ALEA funds (which are used by several different agencies) be for the following.
   - Aquatic land enhancement projects
   - Purchase, improvement, or protection of aquatic lands for public purposes
   - Providing and improving access to the lands, and
   - Volunteer cooperative fish and game projects (implemented by the Washington Department of Fish and Wildlife).

   The ALEA grant program administered by the Recreation and Conservation Office provides grants to projects that support one or more of the following goals (presented in no particular order or rank). <u>The Board encourages projects that involve both (1) the enhancement, improvement, and protection of aquatic lands, and (2) access to aquatic lands.</u>

   - Improve the ecological function of aquatic resources through the restoration and enhancement of critical marine, estuarine, and freshwater aquatic land.
   - Protect existing high-quality aquatic land that will contribute to important

ecological functions and processes.

- Provide new opportunities for people to get to the water and access aquatic resources for recreational and educational purposes.
- Renovate or improve existing public access to aquatic lands for recreational and educational use.
- Create non-motorized boating and pedestrian-oriented access to aquatic lands that is designed to protect the integrity of the environment.
- Increase public awareness of aquatic lands as a finite natural resource with irreplaceable public heritage.

2. ALEA Grant Program Objectives [new manual language]

To accomplish the above goals, the ALEA grant program seeks to fund projects that meet one or more the following objectives:

- Preserve, enhance, or improve naturally self-sustaining aquatic and riparian areas that are priorities in the larger ecological landscape.
- Address deficiencies in public access opportunities or improve existing facilities.
- Provide immediately useable waterfront access opportunities.
- Integrate public access in a way that is compatible with the physical features of the site and minimizes impacts to the environment.
- Include interpretive or educational elements.

3. Eligible Projects [The following language would replace the section of Manual 21 that discusses navigability. The language proposed for deletion is shown in strikeout on Attachment A.]

ALEA grant program funds are used for the acquisition, restoration or enhancement of aquatic lands for public purposes and for providing and improving public access to aquatic lands and associated waters.

ALEA projects must be adjacent to ~~aquatic lands~~ navigable waters. Projects must be associated with navigable waters of the state as defined by Washington Administrative Code 332-30-106, RCW 79.105 and Article 17 of the State Constitution.

All marine waters are, by definition, navigable, as are portions of rivers influenced by tides. Navigable rivers and lakes are those determined by the judiciary, those bounded by meander lines or those that could have been used for commerce at the time of statehood. The Department of Natural Resources assists the Recreation and Conservation Office in determining whether a water body is navigable.

Adjacent upland properties may be acquired with ALEA grant funding only if the

adjacent upland will contribute to the enhancement, improvement or protection of aquatic lands or improvement of public access to aquatic lands

4. Geographic Distribution [new manual language]

The ALEA grant program strives to fund projects across the state of Washington. The Recreation and Conservation Funding Board encourages applications from eastern Washington. The Recreation and Conservation Office staff is available to assist potential applicants in determining whether a freshwater body meets the navigability criteria. Known navigable freshwater bodies in eastern Washington include:

Calispell Creek	Liberty Lake	Rock Lake
Calispell Lake	Loon Lake	Snake River
Lake Chelan	Lost Lake	Spirit Lake
Cle Elum Lake	Medical Lake	Spokane River
Columbia River	Methow River (lower)	Sprague Lake
Curlew Lake	Moses Lake	Waitts Lake
Deer Lake	Newman Lake	Wenatchee Lake
Diamond Lake	Okanogan River	Wenatchee River
Eloika Lake	Osoyoos Lake	West Medical Lake
Fishtrap Lake	Pacific Lake	Yakima River (portions)
Kachess Lake	Palmer Lake	
Keechelus Lake	Pend Oreille River	

5. Evaluation Team Make-Up [The following reflects changes to existing policy language.]

Advisory Committee
~~IAC~~ RCO manages the ALEA grant program with the assistance of a standing ~~ALEA~~ advisory committee. In recruiting members ~~of~~ for the ~~Advisory~~ committee, the ~~IAC~~ RCO seeks to appoint people who possess a statewide perspective and are recognized for their experience and knowledge related to aquatic lands, habitat and other ecosystem functions, recreation, and public access issues. Members are appointed by RCO's director, and may be re-appointed for no more than eight consecutive years. RCO's director may include ex-officio members to provide additional representation and expertise.

The ALEA Advisory Committee's role is to recommend policies and procedures to the ~~IAC board~~ RCO for administering ~~ALEA~~ grant funds and to evaluate and score grant application requests.

Evaluation Team Make-Up
The ALEA Advisory Committee scores and ranks projects. The advisory

committee has representatives from state and local government, as well as citizens with demonstrated expertise or knowledge of aquatic lands or associated issues. RCO strives to balance the advisory team with members who have a recreation background and those who have aquatic habitat background.

6. Evaluation Instrument and Scoring Criteria

[The proposed evaluation criteria in Attachment B replace the existing criteria in Attachment C.]

The revised evaluation instrument replaces the existing scoring matrix and evaluation criteria. The new instrument scores projects based on the primary purpose of the proposal: aquatic land protection or enhancement; public access; or both.

The scoring matrix now designates specific points for protection or enhancement criteria and public access criteria.

- If a project includes *both* protection or enhancement *and* public access elements, applicants answer all criteria. The weight of each criterion is halved except for criterion #1, in which applicants may receive an additional five points for meeting both program purposes.

Staff revised the evaluation criteria to include one new criterion and modify existing criteria.

- The new criterion (question #1) asks whether a project fits with the ALEA program goals proposed earlier in this memo (pages 3-4). The intent of this question is to address whether a project meets the goals for the program as adopted by the Board.
- Questions 2, 3, and 4b (formerly Questions 1, 2 and 3b and c) were modified to address equal but separate scoring by project type (protection or enhancement or public access).
- Staff expanded the annotated explanations for Questions 4a and 5 (formerly Questions 3a and 6).
- Questions 6 and 7 (formerly Questions 7 and 8) were not changed.

Staff proposes deleting two questions from the existing criteria. Existing Question 4 - Opportunity for Improved Public Access is now part of Proposed Question 1 related to the ALEA program goals. We removed existing Question 5 - Outcome-Focused Performance Measures because project-specific measures did not meet the statutory requirement for program measures.

A cross-walk of the existing and proposed criteria is shown below in Table 1. The changes proposed for the evaluation instrument are shown in Attachment B. The existing evaluation instrument is shown in Attachment C for reference.

Table 1: Existing and Proposed ALEA Evaluation Criteria Cross-walk

Score	#	Existing Question	Proposed Question
Team	1	Need	Fit with ALEA Program Goals
Team	2	Site Suitability	Project Need
Team	3		Site Suitability
Team	3a	Acquisition	
Team	3b	Sustainability, integration	
Team	3c	Design (access structures or facilities)	
Team	4	Opportunity for improved access	
Team	4a		Urgency and Viability
Team	4b		Project Design and Viability
Team	5	Outcome-Focused Performance Measures	Community Involvement and Support
Team	6	Local Community Support	GMA Preference
RCO	7	GMA Preference	Proximity to People
RCO	8	Proximity to People	

Next Steps

If the Board approves the proposed changes, RCO staff will incorporate the revisions into Manual #21, *ALEA Grant Program: Policies and Selection Criteria* for the 2008 grant cycle.

Attachments

Resolution 2008-021

A. Text from Manual 21 related to navigability proposed for deletion
B. Changes Proposed for the ALEA Evaluation Instrument and Scoring Criteria
C. Existing ALEA Evaluation Instrument
D. Public Comments

RESOLUTION #2008-021

Aquatic Lands Enhancement Account – Proposed Revisions

WHEREAS, Chapter 79.105.150 RCW established the Aquatic Lands Enhancement Account (ALEA) and grant program, further defined in Chapter 520, Laws of 2007 (uncodified); and

WHEREAS, the Board desires to incorporate changes to the ALEA policy manual; and

WHEREAS, the proposed revisions have been made available for review and comment by individuals and organizations that have expressed an interest in ALEA; and

WHEREAS, final adoption of this policy revision will be incorporated into Manual 21:_ *Aquatic Lands Enhancement Account Grant Program: Policies and Project Selection*; and

WHEREAS, adoption of this resolution furthers the RCO 2007-2011 Strategic Plan objective to provide leadership through policy development by considering new and updated policy recommendations (Goal 1, Strategy 1.1);

NOW, THEREFORE BE IT RESOLVED, that the policy manual and evaluation instrument for the Aquatic Lands Enhancement Account grant program be revised as shown in memo topic #25 and Attachment B; and

BE IT FURTHER RESOLVED, that RCO staff is directed to take the necessary steps for implementation of these revisions beginning with the 2008 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: *March 28, 2008*

Attachment A

Text from Manual 21 related to navigability proposed for deletion.

POLICIES

Eligible Project Activities

~~ALEA Grant Program funds may be used for the acquisition (purchase), restoration (improvement), or development of aquatic lands for public purposes, and for providing and improving public access to aquatic lands and associated waters.~~

~~***All projects* must be consistent with the local shoreline master program *and* must be located on lands adjoining a water body that meets the definition of "navigable." Projects intended primarily to protect or restore salmonid habitat must be consistent with the appropriate lead entity strategy or regional salmon recovery plan.~~

> ~~"Navigable waters" are those water bodies over which the state of Washington asserts its ownership, including the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide, in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes.[1] Under federal law "navigable waters" are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.[2]~~

~~A map of navigable waters is posted on the Department of Natural Resources (DNR) Internet site (http://www.dnr.wa.gov/htdocs/aqr/prospecting/nav_intro.htm). This map, and the list of navigable waters kept by the United States Coast Guard (on the Internet at http://www.uscg.mil/d13/exhibit11_k1.pdf), will assist in determining whether a water body is navigable.~~

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[1] Washington State Constitution, Article XVII

[2] 33 Code of Federal Regulations 32. A determination of navigability, once made, applies laterally over the entire surface of the water body, and is not extinguished by later actions or events which impede or destroy navigable capacity. Precise definitions of navigable waters of the United States or navigability are ultimately dependent on judicial interpretation and cannot be made conclusively by administrative agencies.

Attachment B: Changes Proposed for the ALEA Evaluation Instrument and Scoring Criteria

Aquatic Lands Enhancement Account Evaluation Question Summary #1
Projects Meeting the Single Purpose of Protection or Enhancement

The ALEA program strives to fund projects focused on two main program purposes:

- Improve or protect aquatic lands for public purposes (protection and enhancement), or
- Provide and improve public access to aquatic lands

(RCW 79.105.150(1))

Projects that meet the single program purpose of protecting or enhancing aquatic lands should address those annotated elements within each question under the heading *Protection or Enhancement Projects* for criteria 1 through 3, and 4b, and all elements for criteria 4a and 5.

Score	#	Question	Evaluators Score	Multiplier	Maximum Points
Team	1	Fit with ALEA Program Goals	0-5	3	15
Team	2	Project Need	0-5	4	20
Team	3	Site Suitability	0-5	2	10
Team	4a	Urgency and Viability *(acquisition projects only)*	0-5	2	10
OR					
Team	4b	Project Design and Viability *(restoration and development projects only)*	0-5	2	10
Team	5	Community Involvement and Support	0-5	2	10
RCO Staff	6	GMA Preference	0	1	0
RCO Staff	7	Proximity to People	0-1	1	1
				TOTAL POSSIBLE POINTS	66

KEY: Team = Criteria scored by interdisciplinary evaluation team
RCO = Criteria scored by RCO staff

Aquatic Lands Enhancement Account Evaluation Question Summary #2
Projects Meeting the Single Purpose of Public Access

The ALEA program strives to fund projects focused on two main program purposes:

- Improve or protect aquatic lands for public purposes (protection and enhancement), or
- Provide and improve public access to aquatic lands

(RCW 79.105.150(1))

Projects meeting the single program purpose of providing or improving public access to aquatic lands should address those annotated elements under the heading *Public Access Projects* for criteria 1 through3 and 4b, and all elements for criteria 4a and 5.

Score	#	Question	Evaluators Score	Multiplier	Maximum Points
Team	1	Fit with ALEA Program Goals	0-5	3	15
Team	2	Project Need	0-5	4	20
Team	3	Site Suitability	0-5	2	10
Team	4a	Urgency and Viability *(acquisition projects only)*	0-5	2	10
OR					
Team	4b	Project Design and Viability *(restoration and development projects only)*	0-5	2	10
Team	5	Community Involvement and Support	0-5	2	10
RCO Staff	6	GMA Preference	0	1	0
RCO Staff	7	Proximity to People	0-1	1	1
				TOTAL POSSIBLE POINTS	66

KEY: Team = Criteria scored by interdisciplinary evaluation team
RCO = Criteria scored by RCO staff

Aquatic Lands Enhancement Account Evaluation Question Summary #3
Projects Meeting Both Program Purposes
Protection or Enhancement AND Public Access Projects

The ALEA program strives to fund projects focused on two main program purposes:

- Improve or protect aquatic lands for public purposes (protection and enhancement), or
- Provide and improve public access to aquatic lands

(RCW 79.105.150(1))

Applicants whose projects meet both program purposes of protecting or enhancing aquatic lands and providing or improving public access to aquatic lands should address all elements for each criterion.

Score	#	Question	Elements	Score	Multiplier	Maximum Points	Total Points
Team	1	Fit with ALEA Program Goals	Protection or Enhancement Elements	0-5	~~1.5~~2	~~7.5~~10	~~15~~20
			Public Access Elements	0-5	~~1.5~~2	~~7.5~~10	
Team	2	Project Need	Protection or Enhancement Elements	0-5	2	10	20
			Public Access Elements	0-5	2	10	
Team	3	Site Suitability	Protection or Enhancement Elements	0-5	1	5	10
			Public Access Elements	0-5	1	5	
Team	4a	Urgency and Viability *(acquisition projects only)*	All Elements	0-5	2	10	10
OR							
Team	4b	Project Design and Viability *(restoration and development projects only)*	Protection or Enhancement Elements	0-5	1	5	10
			Public Access Elements	0-5	1	5	
Team	5	Community Involvement and Support	All Elements	0-5	2	10	10
RCO	6	GMA Preference	All Elements	0	1	0	0
RCO	7	Proximity to People	All Elements	0-1	1	1	1
					TOTAL POSSIBLE POINTS	~~66~~71	~~66~~71

KEY: Team = Criteria scored by interdisciplinary evaluation team
RCO = Criteria scored by RCO staff

Aquatic Lands Enhancement Account
SCORING CRITERIA

The ALEA program strives to fund projects that enhance, improve or protect aquatic lands for public purposes and provide and improve public access to aquatic lands (RCW 79.105.150(1)). The scoring criteria are weighted so that aquatic land protection and enhancement related projects and aquatic land public access related projects have equal scoring opportunities. Applicants respond to protection and enhancement questions or public access questions or both depending upon the type of proposal.

1. Fit with ALEA Program Goals.

How well does this project fit the ALEA program goals to enhance, improve or protect aquatic lands and provide public access to aquatic lands? (RCW 79.105.150)

Additional guidance on ALEA program goals and objectives are in Section 1 of this manual [Manual #21, *ALEA Grant Program: Policies and Selection Criteria*].

Protection or Enhancement Projects

How will this project:

- Protect existing high value aquatic land that will contribute to important ecological functions and processes?
- Improve the ecological function of aquatic resources through the restoration and enhancement of critical marine, estuarine, and freshwater aquatic land?
- Preserve or establish naturally self-sustaining aquatic and riparian areas that are a high priority in the larger ecological landscape?
- What are the environmental benefits of the proposed project? *RCW 79.105.150(2) and Chapter 520 Laws of 2007.*

Public Access Projects

How will this project:

- Provide new opportunities for people to get to the water and access aquatic resources for recreational and educational purposes?
- Renovate or improve existing public access to aquatic lands for recreational and educational use?
- Create non-motorized boating and pedestrian-oriented access to aquatic lands that is designed to protect the integrity of the environment?
- Integrate public access in a way that is compatible with the physical features of the site?

- Increase public awareness of aquatic lands as a finite natural resource with irreplaceable public heritage?
- What are the environmental benefits of the proposed project? RCW 79.105.150(2) and Chapter 520 Laws of 2007.

Evaluators score 0-5 points for protection and enhancement only projects or public access only projects. The total score is multiplied by 3 for a total of 15 possible points. If the project includes both protection and enhancement and public access elements, evaluators score 0-5 for protection and enhancement questions and 0-5 for public access questions. The total score is multiplied by ~~1.5~~ 2.0 for a total of ~~15~~ 20 possible points.

2. Project Need.

What is the need for this project?

Protection or Enhancement Projects

- How does the project address priorities contained in an approved watershed plan, shoreline master plan, species recovery plan, or other state or local plan? Is it mentioned specifically in the plan?
- How does it enhance or complement other nearby protection and enhancement efforts in the watershed or on the shoreline?
- How is the need for this project supported in studies, surveys, and other analyses?
- Will the project benefit sensitive, threatened or endangered species or critical plant and animal communities? If so, how?

Public Access Projects

- Does the project address the priorities contained in an approved public access recreational plan or other state or local plan? Is it mentioned specifically in the plan?
- How is the need for this project supported in studies, surveys, and other analysis?
- How does this project provide opportunities for unserved or underserved recreational need, especially for water dependent uses?
- Does the project include interpretive or educational elements?

Evaluators score 0-5 points for protection and enhancement only or public access only projects. The total score is multiplied by 4 for a total of 20 possible points. If the project includes both protection and enhancement and public access elements evaluators score 0-5 for protection and enhancement questions and 0-5 for public access questions. The total score is multiplied by 2 for a total of 20 possible points.

3. Site Suitability.

Is the site well suited for the intended uses?

Protection or Enhancement Projects

- Are the location and natural features of the site, for example the size, topography, soil conditions, natural amenities well suited for the intended uses?
- What are the historic and current human uses of the site?
- What are the historic and current ecological functions of the site?
- What steps have been taken to avoid or mitigate adverse impacts to the site once it has been acquired, restored, or enhanced? Possible impacts to address could include flooding, extreme tides, storm events, sources of contamination, and long-term impacts due to development and climate change.
- Are there sites available in or near the area that provide a similar opportunity or is this property a one-of-a-kind opportunity to address an ecological need?
- Is the site size and configuration sufficient to meet the specified ecological goals on its own? Possible things to address include water quantity and flow patterns at the site, patch size and shape, edge and interior habitat, corridors.
- Is the site contiguous with other conservation areas or actions that address similar ecological functions and processes?

Public Access Projects

- Are the location and natural features of the site, for example the size, topography, soil conditions, natural amenities, well suited for the intended uses?
- What are the historic and current human uses of the site?
- What are the historic and current ecological functions of the site?
- What steps have been taken to avoid or mitigate adverse impacts to the site once it has been acquired or developed? Possible impacts to address could include flooding, extreme tides, storm events, sources of contamination, and long-term impacts due to development and climate change.
- Are there sites available in or near the area that provide similar access opportunities, or is this property a unique opportunity to address a specific access need?
- Can the site support facilities necessary for the intended type and quantity of use?
- Is the site of adequate size to accommodate the facilities proposed?

Evaluators score 0-5 points for protection and enhancement only or public access only projects. The total score is multiplied by 2 for a total of 10 possible points. If the project includes both protection and enhancement and public access elements evaluators score 0-5 for protection and enhancement questions and 0-5 for public access questions for a total of 10 possible points. There is no multiplier.

4a. Urgency and Viability:

Only acquisition projects answer this question.

All Acquisition Projects:

Why purchase this particular property at this time? How viable are the anticipated future uses and benefits of the site?

- If ALEA funding is not made available, will high priority aquatic land habitat and/or public access be lost?
- What are the alternatives to acquiring the property?
- Is there an immediate threat or will the property be available for acquisition or enhancement at a later time?
- What is the likelihood that the property will be converted to a non-recreational use or that aquatic habitat resources will be impacted or lost if the property is not acquired now?
- Is there a threat to the public availability of the resources at the site?
- Will the site be available immediately for public use or will the site require some improvement to make it available for public use? If improvements are necessary, what is the timeframe for implementing future site improvements?
- What is the nature and condition of existing surrounding land use as well as future factors such as shoreline designation, zoning, comprehensive or project-specific planning that may impact the viability of the site?
- Describe land management practices in the area that may affect the viability of the site?
- Who will maintain the site and what resources are necessary and available for maintenance for the site?

Evaluators score 0-5 points for all project types. The total score for all project types is multiplied by 2 for a total of 10 possible points.

4b. Project Design and Viability:

Only restoration and enhancement projects, public access development projects, or combination projects answer this question.

Restoration and Enhancement Projects

How does the project address the stated restoration or enhancement need? Is the project well designed? Will the project lead to sustainable ecological functions and processes over time?

- How will the site be treated to re-establish the desired ecological processes and functions?
- What habitat functions will be enhanced or restored?
- How well does the proposed restoration or enhancement design or actions address desired long-term results?
- What is the certainty that the restoration or enhancement actions will be successful?
- Will the project require decreasing involvement over time?
- What is the habitat quality and land management practices in the area that may affect the viability of the site?
- What is the nature and condition of existing surrounding land use as well as future concerns such as shoreline designation, zoning, comprehensive or project-specific planning?
- How will the site be managed over time to maintain the desired ecological processes and functions?
- Who will maintain the site and what resources are necessary and available to do it?

Public Access Projects

How well does the project address the stated public access need? Is the project well designed? Will the project result in public access to aquatic lands that protect the integrity of the environment?

Some design elements that may be considered include accuracy of cost estimate, aesthetics, maintenance requirements, materials, phasing, risk management, recreational experience, spatial relationships, universal accessibility, and user friendly~~/barrier free~~ design.

- Does the project demonstrate good design criteria; does it make the best use of the site?
- Does the design provide for equal access to disabled persons and persons with limited abilitiesfor all persons including those with disabilities?
- Does the proposed development protect the natural resources on site? For example, does the project include low impact development techniques, green infrastructure, or environmentally preferred building products?
- How the site design is visually integrated into the landscape features?
- How will the site be designed to handle projected use?

- What is the nature and condition of existing surrounding land use as well as future concerns such as shoreline designation, zoning, comprehensive or project-specific planning?
- How likely are the proposed public use facilities given the required regulatory and proprietary approvals, funding, etc?
- Who will maintain the site and what resources are necessary and available to do it?
- What outdoor environmental education elements are included in the project?
- How much effort is dedicated to interpreting the value of the aquatic lands?
- Are the themes or concepts appropriate to the specific site?
- Does the content in the display match the intended audience?
- Is the interpretive display accessible to wide variety of users?

Evaluators score 0-5 points for protection and enhancement only or public access only projects. The total score is multiplied by 2 for a total of 10 possible points. If the project includes both protection and enhancement and public access elements evaluators score 0-5 for protection and enhancement questions and 0-5 for public access questions for a total of 10 possible points. There is no multiplier.

5. Community Involvement and Support.

All Projects

To what extent has the community been provided with an adequate opportunity to become informed about the project and provide input? What is the level of community support for the project?

Examples of community involvement may include public meetings, notices in local papers, newsletters, media coverage, and/or involvement in a local planning process that includes the specific project.

Examples of community support may include voter approved initiatives, bond issues, or referenda; endorsements or other support from advisory boards and user or “friends” groups; letters; letters to the editor; and/or private contributions to the project.

Evaluators score 0-5 points for all projects. The score is multiplied by 2 for a total of 10 possible points.

SCORED BY RCO STAFF *All projects*

6. GMA Preference.

Has the applicant made progress toward meeting the requirements of the Growth Management Act (GMA)? *RCW 43.17.250 (GMA-preference required.)*

State law requires that:

1. Whenever a state agency is considering awarding grants to finance public facilities, it shall consider whether the applicant[1] has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040 ("state law").
2. When reviewing such requests, the state agency shall accord additional preference to applicants[1] that have adopted the comprehensive plan and development regulations. An applicant[1] is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations if it:
   - Adopts or has adopted within the time periods specified in state law;
   - Adopts or has adopted by the time it requests a grant or loan; or
   - Demonstrates substantial progress toward adopting within the time periods specified in state law. An agency that is more than six months out of compliance with the time periods has not demonstrated substantial progress.

A request from an applicant[1] planning under state law shall be accorded no additional preference based on subsection (2) over a request from an applicant[1] not planning under this state law.

This question is determined by RCO staff based on information obtained from the state Department of Community, Trade, and Economic Development (Growth Management Services). To qualify for the current grant cycle, the GMA comprehensive plan and development regulations must be completed by RCO's Technical Completion Deadline.

a. The applicant does *not* meet the requirements of RCW 43.17.250..... (minus 1 point)
b. The applicant *meets* the requirements of RCW 43.17.250..... (0 points)
c. The applicant is a state, Tribal, or federal agency..... (0 points)

RCO staff subtracts a maximum of 1 point; there is no multiplier.

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[1] County, city, town, and special district applicants only. This segment of the question does not apply to state agency applicants.

SCORED BY RCO STAFF *All projects*

7**. Proximity to People.**

RCO is required by law to give funding preference to projects located in populated areas. Populated areas are defined as a town or city with a population of 5,000 or more, or a county with a population density of 250 or more people per square mile. *RCW 79A.25.250*

Is the project located in an area meeting this definition?

No.....0 points

Yes .....1 point

RCO staff awards a maximum of 1 point; there is no multiplier.

Appendix to Manual #21: ALEA Statutory References

RCW 79.105.150
Deposit, use of proceeds from sale or lease of aquatic lands or valuable materials therefrom -- Aquatic lands enhancement project grant requirements -- Aquatic lands enhancement account.

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects.

(2) In providing grants for aquatic lands enhancement projects, the *interagency committee for outdoor recreation shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, and whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

[2007 c 341 § 32. Prior: 2005 c 518 § 946; 2005 c 155 § 121; 2004 c 276 § 914; 2002 c 371 § 923; 2001 c 227 § 7; 1999 c 309 § 919; 1997 c 149 § 913; 1995 2nd sp.s. c 18 § 923; 1994 c 219 § 12; 1993 sp.s. c 24 § 927; 1987 c 350 § 1; 1985 c 57 § 79; 1984 c 221 § 24; 1982 2nd ex.s. c 8 § 4; 1969 ex.s. c 273 § 12; 1967 ex.s. c 105 § 3; 1961 c 167 § 9. Formerly RCW 79.90.245, 79.24.580.]

NOTES:
*Reviser's note: Chapter 241, Laws of 2007 changed the name of the interagency committee for outdoor recreation to the recreation and conservation funding board.
Severability -- Effective date -- 2007 c 341: See RCW 90.71.906 and 90.71.907.
Severability -- Effective date -- 2005 c 518: See notes following RCW 28A.500.030.
Severability -- Effective date--2004 c 276: See notes following RCW 43.330.167.
Severability -- Effective date -- 2002 c 371: See notes following RCW 9.46.100.
Findings -- Intent -- 2001 c 227: See note following RCW 43.41.270.
Severability -- Effective date -- 1999 c 309: See notes following RCW 41.06.152.
Severability -- Effective date -- 1997 c 149: See notes following RCW 43.08.250.
Severability -- Effective date -- 1995 2nd sp.s. c 18: See notes following RCW 19.118.110.
Finding -- 1994 c 219: See note following RCW 43.88.030.
Severability -- Effective dates--1993 sp.s. c 24: See notes following RCW 28A.310.020.
Effective date -- 1987 c 350: "This act shall take effect July 1, 1989." [1987 c 350 § 3.]
Effective date -- 1985 c 57: See note following RCW 18.04.105.
Severability -- Effective date -- 1984 c 221: See RCW 79.105.901 and 79.105.902.

2007 Capital Budget (Chapter 520, Laws of 2007)

NEW SECTION. **Sec. 3135. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

Aquatic Lands Enhancement Account (08-4-005)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the list of projects in LEAP capital document No. 2007-1, developed March 17, 2007.

(2) The committee shall submit a list of recommended projects to be funded from the aquatic lands enhancement account in the 2009-2011 capital budget to the office of financial management and the appropriate legislative committees. The list shall result from a competitive grants program developed by the committee based upon, at a minimum: (a) Uniform criteria for selecting projects and awarding grants for up to fifty percent of the total projects cost; (b) local community support for the projects; and (c) environmental benefits to be derived from projects.

Attachment C
Existing ALEA Evaluation Instrument

ALEA Criteria Analysis					
Score	#	Title	A/R/D	Mult/Mx	Focus
Team	1	Need	All	3/15.0	Local
Team	2	Site Suitability	All	3/15.0	Technical
Team	3a	Acquisition	A	2/10.0	Local
Team	3b	Sustainability, integration	R	2/10.0	Technical
Team	3c	Design (access structures or facilities)	D	2/10.0	State
Team	4	Opportunity for improved public access	All	1/5.0	State
Team	5	Outcome-Focused Performance Measures	All	1/5.0	State/Local
Team	6	Local Community Support	All	1/5.0	State/Local
IAC Staff	7	GMA Preference	All	-1/0	State
IAC Staff	8	Proximity to People	All	1/1	State
TOTAL POINTS POSSIBLE Acquisition = 56 / Restoration = 56 / Development = 56					

KEY:

Team = Criteria scored by interdisciplinary *team*
IAC Staff = Criteria scored by *IAC staff*
A/R/D = Acquisition, Restoration, or Development specific question
Mult/Mx = Multiplier and maximum points possible for this criterion
St/Loc/Tech = State priority, local priority, or technical consideration
SCORP = State comprehensive outdoor recreation plan
Focus = Criteria orientation in accordance with SCORP policy of developing evaluation systems based on three need factors: those that meet general *statewide* needs (often called for in RCW or SCORP), those that meet *local* needs (usually an item of narrower purview, often called for in local plans), and those that meet *technical* considerations (usually more objective decisions than those of policy).

Aquatic Lands Enhancement Account

SCORING CRITERIA

TEAM SCORED

1. NEED. Considering the presence of existing aquatic lands with public access within the service area or watershed, what is the need for protecting or improving existing sites or providing additional sites?
All projects.

Establish the need, including actual or potential environmental and public use benefits, by inventorying all available aquatic lands (quality/quantity/use) within a reasonable service radius. Consider how well the proposal addresses deficiencies in ecological processes or public access.

Point Range: 0-5

Evaluators award a maximum of 5 points that are later multiplied by 3.

2. SITE SUITABILITY. Is the site well suited for the intended uses?
All projects.

Compare the physical features of the site against the proposed use. Examine the size, topography, soil conditions, natural amenities, and location to determine if they are well suited for the intended uses. In general, sites most compatible with the proposed ecological functions and/or access will score higher.

a. **Acquisition projects**. Is the site to be acquired well suited for the intended uses?

or

b. **Restoration projects.** Does the site offer characteristics that are suited for the proposed restoration design?

or

c. **Development projects**. Can the site support facilities necessary for the intended uses by type and/or quantity?

Point Range: 0-5

Evaluators award a maximum of 5 points that are later multiplied by 3.

TEAM SCORED

3a. ACQUISITION. Why purchase this particular property at this time?
Acquisition projects only.

Why is the property desirable or necessary for acquisition?

- Are there similar sites available in or near the service area, or is this property a one-of-a-kind opportunity to address an ecological or access need? *Where no alternatives exist, or where a property is truly unique, a higher score may be justified.*
- What is the risk to the public if the site is not acquired with ALEA funds at this time? *Acquisition proposals for property under a demonstrably higher degree of risk could score higher than proposals under less risk or threat.*
- Who will maintain the site and what human and financial resources are necessary and available to do it?

Evaluators award a maximum of 5 points that are later multiplied by 2.

3b. FUNCTION, SUSTAINABILITY, INTEGRATION. For restoration/improvement projects, to what extent will the project result in aquatic lands that *function* as a natural

ecosystem in a manner that is *sustainable* (that is, likely to successfully address the underlying cause of the need for restoration in a manner resulting in long-term results), and *integrated* with bordering communities or habitats?
Restoration projects only.

Applicants should demonstrate how the site will be treated to re-establish the desired characteristics, and managed over time to maintain the desired characteristics. It is important to quantify environmental benefits of the project. Applicants should address questions such as:

- What ecosystem functions will be restored and how well will the proposed habitat design or actions address restoration?
- Describe ecosystem quality and land management practices along the shoreline or within the watershed or on adjacent lands that may affect the viability of the site?
- Who will maintain the site and what human and financial resources are necessary and available to do it?
- Describe any long-term site monitoring plans and identify who will implement monitoring.

Evaluators award a maximum of 5 points that are later multiplied by 2.

TEAM SCORED

3c. PROJECT DESIGN. Does the project demonstrate good design criteria; does it make the best use of the site?
Development projects only

Measures the quality of the functional and aesthetic aspects of the site plan as particularly related to the site and the proposed uses. Some design elements that may be considered include:

- Accuracy of Cost Estimates
- Aesthetics
- Maintenance
- Materials
- Phasing
- Risk Management
- Recreation Experiences
- Space Relationships
- User Friendly/Barrier Free

Evaluators award a maximum of 5 points that are later multiplied by 2.

4. OPPORTUNITY FOR IMPROVED PUBLIC ACCESS. To what extent does this project provide for improved public access, either immediate or potential?
All projects.

Aquatic lands can provide the opportunity for a variety of recreational uses including: walking, hiking, bicycling, wading/swimming, fishing, boating, picnicking, viewing/photography, and shellfish gathering. In general, projects providing opportunities for unserved or underserved *compatible* recreation uses, especially water-dependent uses, will score better than projects providing limited opportunities or opportunities readily available in the area. Also, projects that include appropriate interpretive/educational elements should score higher than those without interpretive opportunities.

Point Range: 0-5

Evaluators award a maximum of 5 points that are later multiplied by 1.

5. OUTCOME –FOCUSED PERFORMANCE MEASURES. To what extent does the project result in measurable progress toward goals and objectives for aquatic habitat or public access to aquatic lands? RCW 79.90.245
All projects

A grant award should be considered an investment, with a measurable, positive return to the public in the long run. In general, applicants who provide evidence or documentation of the goals and objectives for aquatic habitat or public access associated with the project site, and describe how the proposed project results in measurable progress toward those goals and objectives, should score higher than applicants who cannot provide evidence or documentation.

Point Range: 0-5

Evaluators award a maximum of 5 points that are later multiplied by 1.

TEAM SCORED

6. LOCAL COMMUNITY SUPPORT. The extent that the local public has been provided with an adequate *opportunity to become informed,* and/or *support* for the project seems apparent.
All projects

Broadly interpret the term *local community support* to include, but not be limited to:

(1) Extent of efforts by the applicant to identify and contact all parties, i.e. an outreach program.

(2) The extent that there is project support, including:

- Voter approved initiatives/bond issues/referenda
- Ordinance and resolution adoption
- Public meeting attendance
- Endorsements or other support from advisory boards and user/"friends" groups
- Media coverage
- Public involvement in a comprehensive planning process that includes this project.

Evaluators award a maximum of 5 points that are later multiplied by 2.

SCORED BY IAC STAFF (All projects)

7. GMA PREFERENCE. Has the applicant made progress toward meeting the requirements of the Growth Management Act (GMA)?
RCW 43.17.250 (GMA-preference required.)

State law requires that:

(1) Whenever a state agency is considering awarding grants to finance public facilities, it shall consider whether the applicant [†] has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040 ("state law").

(2) When reviewing such requests, the state agency shall accord additional preference to applicants[†] that have adopted the comprehensive plan and development regulations. An applicant[†] is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations if it:

- Adopts or has adopted within the time periods specified in state law;
- Adopts or has adopted by the time it requests a grant or loan; or
- Demonstrates substantial progress toward adopting within the time periods specified in state law. An agency that is more than six months out of compliance with the time periods has not demonstrated substantial progress.

(3) A request from an applicant[†] planning under state law shall be accorded no additional preference based on subsection (2) over a request from an applicant[†] not planning under this state law.

This question is pre-scored by IAC staff based on information obtained from the state Department of Community, Trade, and Economic Development (Growth Management Services). To qualify for the current grant cycle, the GMA comprehensive plan and development regulations must be completed by IAC's Technical Completion Deadline.

a. The applicant does *not* meet the requirements of RCW 43.17.250 .....(minus 1 point)

b. The applicant *meets* the requirements of RCW 43.17.250 .....(0 points)

c. The applicant is a state, Tribal, or federal agency .....(0 points)

IAC staff subtracts a maximum of 1 point; there is no multiplier.

[†] County, city, town, and special district applicants only. This segment of the question does not apply to state agency applicants.

SCORED BY IAC STAFF (All projects)

8. **PROXIMITY TO PEOPLE.** IAC is required by law to give funding preference to projects located in populated areas. Populated areas are defined (RCW 43.51.380) as a town or city with a population of 5,000 or more, or a county with a population density of 250 or more people per square mile. RCW 79A.25.250

Is the project located in an area meeting this definition?

No 0 points
Yes ..... 1 point

IAC staff awards a maximum of 1 point; there is no multiplier.

Attachment D: Public Comments Received and Staff Responses (MARCH 20, 2008)

One new comment added to the end of the table as of March 20, 2008.

Comments	RCO Staff Response
Mary Carr, U.S. Forest Service Overall I think the changes to the manual language and scoring matrix look good and should help both to clarify the intent of the program and to assist evaluators in scoring applications fairly and consistently. The following are a few questions and editorial suggestions with respect to specific items in the proposal: *1—page 6, section (5), Evaluation Instrument and Scoring Criteria, paragraph 1:* The last sentence states that for projects that address both goals, the weight of each criterion is "halved." In reality, the weight for criterion #1 is more than half (2 points rather than 1.5). This sentence could be clarified: "If a project includes both protection and enhancement and public access elements, applicants answer all the criteria and the weight of each criterion is halved, <u>except for criterion #1, where extra weight is provided so that a project may receive additional points for meeting both purposes</u>. This would help evaluators to see where those additional points are able to be applied.	Thank you for your comments. We will make this clarification.
2—Attachment B, the paragraph immediately following the second bullet, before the table: The first sentence appears to need the following correction: "Projects meeting the single program purpose of ~~providing or improving public access to aquatic lands~~ <u>improving or protecting aquatic lands for public purposes (protection and enhancement)</u> should address those elements within each question under the heading Protection and Enhancement Projects." *3—Attachment D, Criterion #1, bottom of the first page, Public Access Projects:*	Thank you for your comments. We will make this clarification.

Comments	RCO Staff Response
The first and third bullets appear to address similar factors: the first says to provide "new" opportunities, and the third asks how the project will "create"... certain kinds of access. Could these bullets be combined? Also, the third bullet includes the phrase "...that is designed to protect the integrity of the environment." This implies some combination of "access" and "protect and enhance" even though the item appears only under "Public Access Projects." Yet the public access program goal itself (page 3, bottom of the page, third bullet) doesn't mention whether the access needs to be environmental sound or not. If the intent of providing public access in general is actually that NO public access project would ever be accepted if it did NOT protect the integrity of the environment, perhaps this phrase belongs not here but rather in the actual goal statement: "Providing and improving access to the lands <u>in a way that protects the integrity of the environment</u>." It could then be understood that this is a minimum requirement of all public access projects.	The third bullet is meant to emphasize that public access projects should be constructed to protect the integrity of the environment. This is based upon RCW 79.105.150(2) and Chapter 520 Laws of 2007. The goal you reference is statutory language for the program which is separate from the statutory reference for environmental benefits. Therefore, the integrity of the environment is included separately in the program goal section.
4—Attachment D, top of the second page, still under Criterion #1, Public Access Projects: The first bullet at the top of this page asks how the project "integrates public access in a way that is *compatible with the physical features of the site*." Would this bullet not belong to Criterion #3, Site Suitability, rather than here under #1, Program Goals?	Staff previously considered placing the bullet under site suitability but ultimately chose to place it under fit with ALEA program goals.
5—Attachment D, bottom of second page, under Criterion #2, Project Need: For protection and enhancement projects, there is a question (second bullet) related to whether the project enhances or complements other nearby efforts, but for public access projects this question is not included. It seems that it would	The two bullets are meant to ask different things. The second bullet under protection and enhancement in project need is meant to

Comments	RCO Staff Response
also be an appropriate question for public access projects (for example, perhaps a new boat dock is already being planned for a neighboring property). Indeed, the same question is asked for both under Criterion #3, Site Suitability (see next comment). Does this need to be asked in both places?	ask whether this proposal will complement other protection and enhancement efforts. The bullet under site suitability asks whether there are similar sites available that would provide the same opportunities as this proposal. Staff will add language to helps clarify the different bullets.
6—Attachment D, third page, under Criterion #3, Site Suitability: The final bullet in both sections is identical; it seems that the final bullet under Protection and Enhancement Projects could read: "Are there similar sites available in or near the area or is this property a one-of-a-kind opportunity to address an ecological ~~or access~~ need?" Then under Public Access Projects, the sentence would be similarly adjusted: "...to address an ~~ecological or~~ access need?"	Thank you for your comments. We will make this clarification.
7—Attachment D, fourth page, under Criterion #4b, Project Design and Viability, Restoration and enhancement Projects: Elsewhere the language calls these "*Protection* and Enhancement Projects." Is there a compelling reason to now refer to them as "*Restoration* and Enhancement Projects"? None of the bullets in this section address *protection* measures (which is different from enhancement and restoration). For example, one might ask, "<u>What measures will be undertaken to protect existing ecological functions and processes</u>," which is stated on page 4 of the proposal (second bullet) as one of the program goals. A simple fix also might be to include the word "protect" in other bullets; for example, "What habitat functions will be enhanced, restored, <u>or</u>	Yes. Criterion #4b refers only to those projects that include restoration. The criterion #4a is for acquisition projects. If an application includes protection and restoration elements, the applicant will be instructed to answer either #4a or #4b based upon the majority of costs in the application.

Comments	RCO Staff Response
protected?" "How well does the proposed restoration, enhancement, or protection design or actions address desired long-term results?", etc. Frankly, it seems that the "urgency" aspect really could apply to all projects, not just to acquisition. That's it. Great work. Thanks for the opportunity to comment.	
Jennifer Schroder, President WRPA **City of Kirkland, Director, Parks and Community Services** WRPA is in support of the proposed changes to modify the ALEA grant program to better address statutory goals that (1) enhance, improve or protect aquatic lands and (2) provide and improve access to aquatic lands and the specific changes outlined in the staff report.	Thank you for your comments.
Kathryn Quade, Mayor, City of Poulsbo I agree with the staff recommended changes: • Added a statement in a new section related to program goals that encourages projects to meet multiple goals for enhancement or protection and public access. • Made a clarifying revision to the description of navigability. • Revised the scoring matrix to provide five more points in the first evaluation criteria for projects that meet multiple program goals YES we want to receive FIVE extra points for projects that meet multiple program goals... specifically those that serve dual program purposes of protecting and enhancing aquatic lands and providing public access to those lands.	Thank you for your comments.
Lary Coppola, Mayor, City of Port Orchard We strongly support the Recreation and Conservation Office staff efforts to revise the	Thank you for your comments.

Comments	RCO Staff Response
proposal by awarding additional points for projects that meet the dual program purposes of protecting and enhancing aquatic lands and providing public access to those lands. Located in western Washington, the City and its urban growth areas include Port Orchard Bay and Sinclair Inlet in the Puget Sound on the Kitsap Peninsula. Only 5.6% of Kitsap County's 228 miles of shoreline are currently accessible to the Public. Projected population growth for Kitsap County is 54% between 2000 and 2020. This will only increase the demands on existing facilities in this area as there are few aquatic lands of the same quality, quantity, or use within a reasonable distance, in populated areas such as this, or in a nucleus of mixed use as those found in the City of Port Orchard. Our shorelines also play a critical role in the recovery of salmon populations as they support multiple species of forage fish, salmonids, juveniles, epibenthic production and critical areas important to ESA-protected species including Puget Sound Chinook and Summer Chum. In setting priorities for salmon recovery, Shared Strategy for Puget Sound stresses that incentives for shoreline land owners are critical. Located in the heart of the community, projects along our waterways would increase public involvement in salmon recovery, offer trails used for viewing wildlife, increase beach access, encourage multiple uses of the watershed, and provide several education and outreach elements. Measures that would prioritize projects that create opportunities for more access would further ALEA's mission and that of our City to provide amenities to the public and protect our precious shorelines.	

Comments	RCO Staff Response
Mike Denny, CREP Coordinator, **Walla Walla County Conservation District** There is one question and a comment raised by one of the additions/recommendations to RCO staff. "Enhancement or protection and public access". I would suggest that the public access be closed in areas where new riparian restoration or wetland enhancement has been installed. I would also suggest that public access be seasonally restricted in many restored wetland areas due to the breeding seasons of protected native birds and amphibians that utilize these sites. Fishing, hiking and hunting in well established wetlands tend to have very short term limited impacts on these sites so I would urge a time period where there is protection of the wetland so that it can establish and survive hard public use in the future.	There is no restriction to seasonal or temporary closures of sensitive habitat areas and restoration activities for ALEA projects. Applicants are encouraged to design public access facilities with protection of the environment in mind.
John Stern On reviewing your draft policy changes it appears you have wisely increased score values for proposed projects that serve the dual purpose of habitat protection and public access. In addition, you also imply that projects serving a significant adjacent human community or population will receive added points. One element that you might consider adding would be an incremental point value for those projects that could eventually include some manner of access for disabled people, using state, federal, local, county, special district, or NPO funding. Such future special access resources could include an elevated rain shelter with access ramp for viewing birds, a short wheelchair accessible nature viewing path, signage, parking and basic restrooms. While these elements can add to project costs, they can significantly increase public visits by elderly and disabled individuals, families with very young	All ALEA projects must comply with ADA requirements therefore there would be no advantage to awarding points for this type of access for each application.

children and school groups. A small point value might also be added to rate the project's statewide or national significance, for example, if the particular habitat is of known and established significance as a critical aggregating spot for an attractive migratory species which can be managed to enhance repeatable and consistence migratory use by that species, as well as consistent public viewing--I am thinking here of shorebird, snow geese and sandhill crane stopover areas--perhaps the project deserves an additional priority point rating. Each ALEA decision is very difficult but you have developed a good framework for setting project priorities with scarce public funding. I hope the above remarks are helpful.	Projects with statewide or national significance should include such objectives in response to criterion #2 project need. No additional points are proposed for this criterion.
Peter Bahls, Northwest Watershed Institute As a recipient of several ALEA grants to restore salmon habitat on private lands, Northwest Watershed Institute, a nonprofit organization, does not support the new section that encourages projects to also have a goal of public access and grants more points to projects that provide public access. This will decrease our ability to do worthwhile restoration projects on private ownerships and increase projects on public park or other lands. Also, by having multiple diverse goals mixed together, it will be very difficult to score proposals in a meaningful way (mixing apples and oranges). Great restoration projects may not score as high as a mediocre restoration project that allows public access, such as restoring native shoreline next to a boat ramp. In summary, NWI does not support adding points or encouraging projects due to the addition of public access component.	The RCO-administered portion of the ALEA fund does not award grants to nonprofit sponsors for work on private property. This comment is from an organization that has received grants through the portion of ALEA funds administered by the Washington Department of Fish and Wildlife. The proposed changes to the RCO-administered grant program will not affect the WDFW program.

Comments	RCO Staff Response
Lita Dawn Stanton, City of Gig Harbor Thank you for the opportunity to comment. I agree with others that have recommended using Option 2. I also prefer the increased points for these 2 areas. It will offer more range to reviewers to refine their scores and give applicants an increased opportunity to compete.	Thank you for your comments.
Reed Waite, Executive Director **Washington Water Trails Association** 1. The addition of extra points for applications that will improve both the environment and public access is great!	Thank you for your comment.
2. Under Goals (pg 4), non-motorized boating access to aquatic lands is listed. I think that navigability may be too tightly defined, from my reading of Objectives/Eligible Projects and Geographic Distribution (pages 4-5), in light of non-motorized boating. These definitions are found in WAC 332-30-106: "Navigability or navigable" means that a body of water is capable or susceptible of having been or being used for the transport of useful commerce. "Commerce" means the exchange or buying and selling of goods and services. At statehood many waterbodies were used by Native Americans in non-motorized boats for trade (commerce). European traders and settlers used rivers, streams and lakes for commerce. An example is the use of rivers to transport timber to sawmills. The Stehekin River is used for commerce (tourism), http://www.courtneycountry.com/rafting.htm, as well as recreation.	Navigability will be interpreted based upon the state constitution, Revised Code of Washington, and Washington Administrative Code. If a water body is not currently identified as a navigable, the Recreation and Conservation Office will consult with the Washington Department of Natural Resources for determination through its land survey staff. Project sponsors will information regarding navigability can submit that information to the RCO and it will be forwarded to DNR as part of the determination review.

The Similkameen River is part of the Greater Columbia River Water Trail. The Okanogan PUD FERC Project No. 12569 Appendix E.7.1 Technical Memorandum survey "field team used inflatable kayaks to travel all or part of the corridor between Miners' Flat (the upper end of the Study Area) and the reservoir above Enloe Dam. Traveling by boat allowed the team to interview users on the far side of the river." A survey is a commercial activity. The Palouse River has boating activity on it, see http://www.sckc.ws/tripreports/palouse.html. I'd go on but you get the point. There will be similar uncertainty on some of western Washington's freshwater rivers and streams. What will the process be to make these determinations? Will it be easy to demonstrate as I have done, or will there be some rigorous bureaucratic or judicial process? There are a lot more waters in eastern Washington capable of being defined as navigable than are listed in the table under Geographic Distribution. I wonder if this table will serve to encourage or discourage eastern Washington applicants.	The DNR review process is expected to take about 2 weeks. RCO does not intend to secure determination of navigability through judicial proceedings. The list of known navigable water bodies in eastern Washington is meant to encourage applications from this area of the state. The list includes all known navigable water bodies as provided by DNR. There are many more water bodies that may be navigable and applicants from such areas will be reviewed on a case by case basis.