

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

DATE: July 26, 1991

PLACE: Vancouver City Council
Chambers

TIME: 9:00 A.M.

Vancouver, Washington

INTERAGENCY COMMITTEE MEMBERS PRESENT:

James R. Fox, Vice-Chair, Friday Harbor
William S. Fearn, Spokane
Joe C. Jones, Seattle
Donna Mason, Vancouver
Stan Biles, Designee for the Honorable Brian Boyle, Commissioner
of Public Lands, Department of Natural Resources
Richard Costello, Designee for Joseph R. Blum, Director,
Department of Fisheries
Jenene Fenton, Designee for Curt Smitch, Director, Department
of Wildlife
Tom France, Designee for Jan Tveten, Director, Parks and
Recreation Commission

INTERAGENCY COMMITTEE MEMBERS ABSENT:

Dr. Eliot Scull, Chair, Wenatchee

INTERAGENCY COMMITTEE STAFF PRESENT:

Robert Wilder, Director Sue Lisk
Gary Ogden Ray Baker
Larry Fairleigh Greg Lovelady
Lori Flemm Don Clark
Shannon Smith, Assistant Attorney General

MEETING CALLED TO ORDER - INTRODUCTIONS

Vice-chair Fox called the meeting to order at 9:00 a.m., welcomed everyone and asked that they introduce themselves -- committee, staff and members of the audience. The chair also made two special introductions of a new committee member Donna Mason from Vancouver and Representative Pete Kremen of Bellingham from the 42nd District. Special thanks went to the city of Vancouver for hosting our meeting.

APPROVAL OF MINUTES OF MARCH 21, 1991

The chair asked for any additions or corrections to the minutes. Having no corrections, he then asked for a motion to adopt the minutes. The motion was made, moved and seconded to adopt the minutes of March 21, 1991. The motion was carried. The chair asked if there were any additions or deletions to the agenda for today's meeting.

Jenene Fenton asked the committee to take some time to discuss the fund distribution for the coalition projects and was unsure where in the agenda this discussion should take place. She felt it should be included when the committee looked at the fund distribution for the WWRP program.

The chair asked that the committee to set time aside to chat about funds for emergent projects and the need for a mechanism to deal with funding for that type of project. A motion to adopt the agenda as amended. It was moved and seconded to adopt the agenda as amended. The motion was carried.

AWARD OF CERTIFICATES

Director Wilder presented a certificate of appreciation to Jeannie Lorenz who had been a member of the IAC committee. He praised her dedication and service to the committee. Joe Jones read the resolution for Ms. Lorenz. The chair asked for a motion to adopt the resolution. It was moved and seconded. The motion was carried.

Director Wilder also presented certificates of appreciation to three advisory committee members -- Charles Leach who served on the off-road vehicle committee and the NOVA committee, Tommy Thompson who served from the inception of the all-terrain vehicle program and Ruth Ittner who worked in the trails arena. The resolution for these three volunteers was read by Tom France. The chair asked for a motion to adopt the resolution. The motion was made, seconded and it carried.

DIRECTOR'S REPORT

The report included information on legislation, policies and any changes that had recently taken place. A lot had happened that was indicative of a very dynamic program. Director Wilder reflected that there were great needs, great interest and a new beginning dealing with the Washington Wildlife and Recreation Coalition, the Firearms Program and all the other programs the IAC had been involved in for such a long time. All the programs were still moving along very rapidly and a very busy year. He extended, on behalf of the committee to both the city of Vancouver and Clark County, his appreciation for a very fine tour. He felt it was a great opportunity.

MANAGEMENT SERVICES REPORT

This report was presented by Mr. Ray Baker. The fund summary was the first report on the financial section in blue. It represented receipts through May, 1991. The report was only through May for the benefit of the state agencies and did not take into consideration the new biennium, reappropriations or additional appropriations. The only negative numbers in the report remain in the federal column of the state agencies, those numbers reflect the shortfall in the actual receipts of federal funding as compared to the allotted amount. A list of pending projects followed on pink paper representing committed funding that had not yet received contracts for various reasons.

The second report was the NOVA status report, on canary. The report represented the status of the account as it existed at the end of May. There was nothing of significance to report. The amount in each of the categories remains within the mandated parameters.

The third report was the Washington Wildlife and Recreation Program on green expanded to four pages. It includes the two periods that have been appropriated in WWRP funding. The two periods totaled into this report are fiscal year 91 which was the \$53 million project and the 91-93 biennium project which is \$50 million. Referring to the third green page, this summary is for the current biennium's \$50 million WWRP program. The final page is purple to emphasize it is not WWRP funding but an appropriation from the State Building & Construction Account. This money may be used only for local projects appearing on the WWRP funding list. When the projects on the local side were put on the summary for the current WWRP list, those remaining projects were moved into this funding source. All the local projects on the fiscal year 92 list have been assigned funding.

Mr. Baker asked for questions. Jenene Fenton commented that the Department of Wildlife had a great deal of concern with the fund summary presented for the combination fiscal years of 91, 92 and 93 and the third green page for the 91-93 biennial allocation of the WWRP funds.

Stan Biles questioned the lack of trails projects and was assured the problem had been addressed. The funding list in the next biennium provides adequate numbers of trails projects presuming a reasonable number are able to be completed.

After questions, the Firearms Range account was summarized. That concluded the financial reports.

Director Wilder asked the committee to take special note regarding the limited funding available for the Firearms Range Program.

PROJECT SERVICES REPORT

Mr. Larry Fairleigh presented the report consisting of projects in operation and the number of current open projects. At the March meeting, there were 175 letters of intent for the WWRP Program. WWRP funding requests are underway and applications are moving towards an evaluation session. At the September meeting, a list of projects for local government will go to the Governor for approval by October 1 and then to the 1992 Legislature. At present, the IAC has 94 applications requesting \$21.1 million for local government. Included also is an internal status report for the WWRP, giving information on the original hundred project titles. In the Project 60 91-93 appropriation, a number of contracts have been written.

In the NOVA program there are funding requests in the ORV and NHR Capital programs for the November meeting. Already received are 13 ORV applications and 10 NHR requests. The ORV funding requests substantially exceed funds available. On the Initiative 215 program, the committee will conduct a funding session in November. There have been 17 applications received requesting a total of about \$2.6 million in IAC assistance.

Mr. Fairleigh asked for questions with the chair noting that the WWRP requests for funding exceed available funding. The chair asked how those requests were falling out by category and by the legislative allocation formula. That information was not readily available but would be provided.

PLANNING SERVICES REPORT

This report was presented by Greg Lovelady. Several items were brought to the committee's attention starting with **local agency technical assistance** and that there are 129 agencies currently eligible, according to their planning comprehensive plans, to participate in the traditional grant-in-aid program.

The second item of interest was the **Columbia River National Scenic Area**. This is a planning program that staff and the committee are involved in due to the Governor's Interagency Coordination Team. The draft management plan is scheduled to be heard in a public hearing on September 18 for anyone who is interested.

The third item was the successful **"Celebrate of Trails,"** event on June 5, 1991. It included the presentation of a copy of the state trails plan recently adopted by the IAC, to Governor Gardner. Each committee member was given a copy of the plan which included a set of two maps for their use.

Mr. Costello asked Mr. Lovelady if the draft plan for the Gorge Scenic area had been released. Mr. Lovelady responded that it had been released and Lori Flemm would provide Mr. Costello with a copy of the plan.

The IAC has been identified in the preparation of a **national trails plan**. This plan will be written in parts and the Pacific Northwest part will include the IAC as a key player.

Mr. Lovelady noted that on the **State Trails Advisory Committee's**, ORV representative has resigned and recruitment for a replacement member is underway.

There are ten **NOVA projects** being managed in the Planning Division. These projects deal particularly with comprehensive plans, feasibility studies, etc.

The IAC has entered into an agreement to provide technical assistance to the **United States Department of the Navy**. This is a tripart agreement working closely with the National Park Service and the Navy in identifying recreational opportunities on Navy properties within Washington State.

Planning Division staff are reviewing the recreation elements in place for 8 federal energy regulatory commission licensed **hydropower projects** and that continues to be a high priority program within the agency.

Mr. Lovelady asked for questions and the chair wanted a 30 second history on the tripart agreement with the Navy. The agreement focuses on a law passed by Congress some years ago requiring the Navy to look into its properties to try to find out what types of opportunities were available as recreation areas for their own personnel but also opportunities for the public at large. At the time the law was passed, a certain amount of funding was attached. Unfortunately, the funding was quickly used up but the law requiring coordination with individual states remained and because the law is still on the books the Navy has come to the IAC and the National Park Service. The IAC's role will be quite small with the National Park Service taking the lead and the state will basically help coordinate and look for opportunities for its citizens wherever they may exist. Other reports on the **State of the Environment Report**, a trails technical assistance manual and the wetlands were given.

NOAA REPORT/NORTHERN PUGET SOUND NATIONAL MARINE SANCTUARY

Lori Flemm introduced Linda Maxson with National Oceanic and Atmospheric Administration. Linda made a presentation before the committee to introduce the sanctuary program. The National Marine Sanctuary Program is part of NOAA. Washington State has two ongoing sanctuary site designations. The first is the outer

coast designation which includes the Olympic coast. One of the major goals of the sanctuary program is the encouragement of compatible multiple uses. The other site includes the coastal waters off Washington State, from the Canadian border south and east all the way down to the southern end of Gypsy Island and out the Strait of Juan de Fuca.

NOAA has identified three priority issues by program. Those issues are water quality, shipping and transportation and the transboundary aspect. There is a brochure that gives more information and an overview of the other sanctuary sites throughout the nation.

Ms. Maxson assured the committee the main purpose of the prospectus was to study the feasibility of a sanctuary site in northern Puget Sound, not designation. The main purpose of the Olympic Coast work is designation.

PARTICIPATION MANUAL/HAZARDOUS SUBSTANCES GUIDELINES

Larry Fairleigh presented proposed manual guidelines as to how the IAC will deal with issue of hazardous substances on properties being acquired with IAC assistance. The July 1990 meeting produced a IAC approved certification form attempting to put project sponsors in the innocent purchasers defense, having no reason to know that the properties they are acquiring contain hazardous substances. Subsequently, IAC staff has spent time trying to gain experience and talking to other agency staff members who have experience in this area.

The first part of the proposed guidelines relate to certification and the major intent of Section 1 says a private sponsor must complete either a hazardous substance certification form or provide certification, in part, before final reimbursement certifying the property meets current state and federal standards for levels of hazardous substances. Project sponsors are urged to consider these requirements before proceeding with property purchases involving IAC funds.

The next section relates to acquisition of contaminated property or property containing hazardous substances and a policy statement that properties containing hazardous substances do not automatically become ineligible for IAC funding assistance. The director may approve the acquisition of properties containing hazardous substances if the project sponsor provides the IAC with a study showing clean-up costs and a time line that clean-up might be able to occur. The IAC goal is assure when funds go into a piece of property the public will have access to that property or it will to be able to be used for its intended purpose immediately.

Jenene Fenton asked if state agencies were precluded from buying property unless it was clean. She said the guidelines from General Administration stated we had to go through a survey and have it in position before an acquisition could take place.

Rich Costello asked what the status of GA's guidelines were? That question was deferred to agency staff working closely with the problem.

The reimbursement rates for acquisition of properties found to be contaminated are up to 90% until the site has been found to comply with current state and federal standards. After the properties are found to be clean, the remaining 10% will be reimbursed.

Ms. Fenton questioned what would be done with properties not found to contain hazardous substances until in the development phase? Would those projects be or those costs be eligible for reimbursements? Mr. Fairleigh said the guidelines apply only to property acquisition.

The next policy issue was what the IAC considered a fair market value for properties found to contain hazardous substances. This gives project sponsors two options. They can either require the seller to clean it up prior to acquisition or the project sponsor can acquire the property with the hazardous substances still there and clean it up himself.

IAC strongly urges project sponsors to be careful about acquiring properties with hazardous substances because they could find themselves in an area where they would have potential costs that the IAC is not prepared to reimburse. IAC also suggests including language that the IAC will not warrant, certify, approve or otherwise guarantee a project site has, in fact, been cleaned up to meet current state and federal standards, simply because we reimburse for funding the project.

Mr. France indicated he was nervous with the language because of his limited experience in this area. Mr. Fairleigh indicated he was open to suggestions in language changes but felt the guidelines needed to be in place. It was suggested by the chair the revisions be adopted with the idea of revisiting some of the points at a later time. Because local government is going forward, Mr. Fairleigh urged the committee to adopt the guidelines.

The chair asked for a motion to adopt these revisions to Manual #3. The motion was seconded for purposes of discussion. Discussion followed regarding some new language and the reimbursement levels.

Stan Biles inquired as to what's going on with these projects? How many contaminated sites are there currently, hundreds, dozens, one or two sites? Mr. Fairleigh said he was aware of three local government sites in Seattle and Tacoma and two or three state agency sites with the number of sites less than 5%. Within the guidelines, Mr. France asked how donations would be handled? These guidelines would apply to Project 53 and Project 60 projects of which there are hundreds of project titles and for which we currently have no guidelines to deal with the question of the contaminated site.

Mr. Costello stated whatever guidelines were adopted they should conform or be in agreement with what the Department of General Administration would be using. Mr. Fairleigh assured committee members there would be conformance GA's guidelines. After much discussion, the committee voted on the motion and it was carried.

LEGISLATIVE REPORT

Mr. Gary Ogden give this report including the major accomplishments and changes that occurred. The legislative session adjourned on June 30, 1991 just hours before the new biennium started. Major accomplishment was approval of the IAC Capital Budget. Ultimately, the budget amount was decided by the legislature at \$60.4 million. \$50 million being run through 6412 which is formula allocation and \$10.4 million for local governments.

The attachment is pink and discloses the entire appropriation, where the money is allocated and indicates the money is all allocated to projects except for a balance of funds available for second year funding for local governments. In essence, all funding is committed. Staff is in the process of writing contracts on the money and that will continue through the biennium. Also passed in the budget was the bond bill. House bill 1430 supporting the Capital Budget.

Jenene Fenton asked for an explanation of what unallotted meant. Does it necessarily mean unappropriated?

Director Wilder explained the unallotted funding or unallocated funding disappeared when the budget was reduced. The funding for projects are all listed and approved by the Governor and the legislature, therefore, no funding remains unallotted or unallocated.

Ms. Fenton indicated the intent behind the WWRP program was that a portion of the funding should remain in unallocated status. There were agreements made between the coalition, OFM, IAC and staff for leaving a portion of the unallocated funds in unallocated status. By not doing this, it has a significant impact on the Department of Wildlife. Director Wilder agreed

with the frustration but said there were far more projects to fund than funding available and all projects were on lists approved by the Governor and legislature.

Ms. Fenton disagreed and felt the committee approved keeping funds in unallocated status and what has taken place is contrary to the agreement reached with OFM, the Governor's office, the coalition and the people on the committee. There should still be a portion of unallocated or unallotted funding.

The AG interjected that the reality of the unallocated is the legislation pretty much leaves it to the discretion of the committee with very little guidance to distribute those funds so it's not so much a legal issue as to how the funds are used but a policy issue.

Ms. Fenton defended the position that the distribution of the funds after the budget was reduced gives the committee an opportunity to revisit the commitments made and to make monies available out of the unallocated portions.

SPECIAL GUEST - REPRESENTATIVE KREMEN

In continuing with the discussion on unallocated funding issue, the chair asked Representative Kremen to provide some input. The representative thanked the chair and committee members. State Representative Kremen is from the 42nd legislative district which is all of Whatcom county except the southern portion of Bellingham. He came before the committee to urge support of funding of two projects, one in Okanogan and the other one on Lummi Island. These projects are very important and need the committee's support in funding. He thanked the committee for their time and expressed his appreciation for their effort.

***** LUNCH BREAK *****

WASHINGTON ADMINISTRATIVE CODE - PUBLIC HEARING

The Washington Administrative Code (WAC) hearing was declared open by Mr. Gary Odgen at 1:00 p.m. The draft WAC's were presented for IAC adoption to facilitate implementation of Washington's Wildlife and Recreation Program (WWRP). The WAC's described various planning criteria, restrictions on land and facility conversions, and participation manual requirements. Mr. Odgen went on to state the procedures established to govern the hearing.

Mr. Greg Lovelady followed by referring IAC members to the appropriate material in their kits. He explained the WAC's proposed for adoption had been developed with the assistance and consensus of a broad based advisory committee, including IAC member agencies, Washington Wildlife and Recreation Coalition,

and local agencies. In all, seven meetings were conducted and six separate drafts were developed.

In draft V, before the IAC consideration, certain changes have been suggested based on late arriving comments. These suggestions were incorporated into a draft VI. In draft VI, on blue paper, suggested additions have been highlighted while deletions are lined out. At this point, a section-by-section discussion of draft VI (July 11, 1991) of the WAC's began.

WAC HEARING - 1:00 p.m. (This portion of the minutes has been transcribed word for word.)

[LOVELADY]: Line 1 which is the blue section outlines the scope of these administrative codes. Line 10, also a new section, points out that these codes are scheduled to take place after October 1st. October 1st was selected because that is the official end of the current grant cycle. Also the official beginning of the next grant cycle. October 1st is when the list we are currently wrangling with went to the Governor. (Please feel free to interrupt me if you have any questions on any point.) Line 13 also a new section is fairly straightforward and lists definitions. I don't think you'll find anything to unusual here. For the most part these were brought over from the RCW's. Turn the page, blue sheets again, page two line 1 is the beginning of the planning requirements. Planning requirements on this page and the next page (the top of the next page) have been divided into two sections. The first section is at the top of page 2 and deals with the outdoor recreation account. You'll notice here is where some of the suggestions that came in after the deadline have been highlighted and other language that was companion to draft V have been stricken. All of the text in the ORA section beginning on line 1 and going down through line 17 has been transported pretty much intact from existing rules and regulations that the committee has historically operated under. Throughout the months that we've been writing these and drafting these there has never been any question over any of the items in the Outdoor Recreation Account Section which you see here. We require that local agencies create comprehensive plans -- by the same token we require the state agencies involved to also put together such plans. Beginning on line 19 we move into that section of the planning requirements that deals with Habitat Conservation Account. This is new terrain for us so we've never administered before now the Habitat Conservation program, so we haven't ever required the plans be used the Habitat Conservation account. The main criteria that we used in writing these regulations was to transport as much language as possible from our existing regulations; that is, those found under the Outdoor Recreation Account. I believe we've succeeded to a very high degree. They're almost equal in language line by line, but it's a new area. The area where this will affect local agencies will be in the area of urban wildlife habitat projects in the habitat

conservation account. This is the only category in which local agencies can qualify for funding. In each case we've given the agencies until mid-1993 to have these plans prepared. Any questions?

[BILES]: A couple questions. One is, if I read this correctly, the local jurisdictions -- the state agencies have to have their plan completed and submitted before the committee can consider the project. Local jurisdictions do not. Is that correct? Local jurisdictions need to have an intent to complete the plan.

[LOVELADY]: The sections have been written identical. There is a phase-in here where local agencies. A phase-in there for state agencies. One of the committee members brought up the fact that language was really unnecessary; that in actuality they believed that staff would merely indicate their intent to give the state agencies until mid-1993 to phase-in their projects or their plans. That would be good enough for the agencies. Staff said that's just fine. We didn't intend to have these plans become effective before mid 1993. So instead of having this language persist in the rules codes at the suggestion of the advisory committee members we took it out. Even so, it is our expressed intent not to require that state agencies have those plans on-line until mid-1993.

[WILDER]: This was a recommendation from a state member of the committee, is that true?

[LOVELADY]: Exactly.

[FRANCE]: But that's not what the words say.

[BILES]: That's just what I was about to say, it seems to me that it's very clear that 36 through 40 state agency reports can be considered -- must have a completed plan. Here's what the plan has to be. And, if I understand correctly, line 31 through 35 at least by July 1, 1993 the local jurisdictions do not have to have a completed plan. So they are being treated differently at least prior to July 1, 1993.

[LOVELADY]: Exactly, the letter of the language here is exactly as you say.

[BILES]: Does this language coincide with the statutes of the committee?

[LOVELADY]: What we did is -- we complied with what the committee asked us to do. We didn't think that it would create a problem. We saw it as a relatively minor issue that really wasn't going to create a problem. It is not our intent to look for those plans until mid-1993.

[JONES]: Local or state.

[LOVELADY]: Correct, for both types of agencies.

[FRANCE]: But if you do that intent you are in violation of the WAC's that your proposing be adopted. Correct?

[LOVELADY]: That's correct.

[FOX]: Wouldn't the words "in accordance with committee guidelines," give you an out there but required to be in writing somewhere perhaps, as part of one of the procedural manuals.

[LOVELADY]: I think you're exactly right because of the manual that we are proposing adopting that type of language could be included very easily.

[FOX]: Any further discussion on this point?

[FEARN]: It seems to me the only difference between the requirements for the two, as I understand his intent, is that they state capital improvement plan has to be a 10 year plan instead of a six year plan. All of the other things that are related to local agencies, in a sense, also apply to the state agencies. Right?

[WILDER]: Did you hear him Greg? It was in the form of a question I think.

[FEARN]: I guess so.

[FOX]: Would you rephrase your question for Greg.

[FEARN]: Well it looked to me either I mixed up something I read over here or something I read but what the intent was the state agency was not going to be required to have a plan, habitat conservation plan, prior to July of 93 which is what you require of the state -- I mean the local -- is that they are required to adopt a comprehensive plan including natural areas, critical habitat, urban wildlife, habitat elements which is down below and you have management goals in here too. You reversed some of the language in places. I tried to simplify it -- it didn't work.

[FOX]: Greg did you need to respond to that?

[LOVELADY]: I didn't see anything to respond to --

[FEARN]: I was trying to simplify the thing so you'd just have to write this stuff once instead of twice.

[FENTON]: There is a difference in plans between locals and state. The difference is that the locals are required to have a

comprehensive plan, a capital plan and an inventory. The state has either the comprehensive plan or the capital plan. It's an "and-or" deal; it's not you don't have to have both. The local's are required to have both.

[FRANCE]: Where did you find the "or" issue?

[FENTON]: The "or" issue shows up on line 40. "Or a conservation plan." There's no requirement under these WAC's to have both for state agencies.

[FRANCE]: Excuse me Jenene, help me out.

[FENTON]: Line 40, blue sheets, page 2. "An adopted 10 year facilities or conservation plan. . . ." A facilities plan is your capital budget. OK? A conservation plan in the thing deals with all the components of habitat and for state agencies it's an "either-or."

[FRANCE]: So state agencies would not have to have two plans?

[FENTON]: Correct.

[FRANCE]: That answered one of my questions that I had. I think it would be a lot clearer if you had used the same terminology as above.

[FOX]: Let me interrupt with a procedural question for Shannon. If we choose to amend any of this proposed language, how far can we go before we need to republish it and hold another hearing.

[SMITH]: You cannot cause any substantive changes. If you make a substantive change you need to republish and go through all of the steps again. If what you're thinking is changing syntax or punctuation or something that doesn't have a substantive affect on the rule then you don't need to go through ---

[FOX]: So my previous example, not that I'm suggesting it but just as an example, if "or" was changed to "and" that probably would be considered substantive?

[SMITH]: It could be.

[FENTON]: I would have to consider that substantive.

[FOX]: I would think so. Any other questions at this point or shall we move on?

[FENTON]: Inserting the language that would be consistent with the locals', in that a plan would not be required prior to July 1, 1993 would that be considered substantive?

[SMITH]: I beg your pardon?

[FENTON]: If the language was modified for the state agencies to include the same phase-in of July 1, 1993 would that be a substantive change?

[SMITH]: Well, I think it would because it would be changing the state agencies' obligation as they're sitting in the rule right now.

[FRANCE]: He just stated there that the intent was that that obligation doesn't exist.

[FENTON]: So under this proposal if I understand it correctly, agencies will not be required to submit the capital budgets to OFM until next summer but when we go through the scoring process for our projects for 93-95 that capital plan will not be in place, therefore, none of the state agencies will be eligible, is that in essence what your saying here?

[FRANCE]: That's right, that's what the rules say.

[LOVELADY]: That's not what our intent is.

[FENTON]: I know, but is that what the rules says?

[LOVELADY]: You know frankly, I hadn't looked at it in that light. You may be right, Jenene.

[FENTON]: The only other option is that you perhaps could use the 91-93 capital budget because it's a six year plan for the planning requirement of this.

[FRANCE]: But that wouldn't fit because you've got a ten-year deal in here, you see.

[JONES]: You have to have a substantive change to make that happen here. You could strike the 10 and go back to the 6.

[FENTON]: Not necessarily, the way I understood it was that the blue pages were not published, it was the green pages that were published. And the changes that are being proposed on the blue sheets are not considered substantive? Otherwise we would have to republish those, correct? OK. So we could fix that one clause and it wouldn't be considered substantive. And based on committee guidelines we could fix the 10-year plan in the manual.

[WILDER]: You could do it in the guidelines. The confusion about the 10-year plan as opposed to the 6-year plan. The 6-year was in the statutes for quite a while and then, I guess it was at the request of OFM who promulgated some more rules, that was 6 years plus 4 for 10 years total. Six years is the comprehensive

detailed type plan and the remaining 4 are general projections. That's where it came from as far as I understood it. Does that ring any bells with you Jenene? Sound right? Because all of a sudden we were trying to turn around and say "OK, we have said 6, now OFM is saying 10."

[FOX]: So what I'm hearing is if we amended this to include the phase-in it would be substantive. But since the language says in accordance with the guidelines we could deal with that issue in the guidelines later this afternoon and solve the problem. Is that correct?

[FENTON]: Well, except you'd have to fix the 10 and change that to 6 because as it stands right now state agencies wouldn't meet the requirement because we don't have a 10 year plan.

[FRANCE]: Yeah, but if we change the guidelines to say that the guidelines allow us till 1993 to develop a 10 year plan then we would be off the hook. We'd be back to the same position as the local agencies are.

[FENTON]: What I thought I heard Greg say was that then we would have guidelines that were not consistent with the WAC.

[FRANCE]: That's true.

[FENTON]: And what I heard our attorney tell us was that --

[FRANCE]: Which side of the "catch 22" do you want to handle?

[FENTON]: I think that what I've heard so far is that easiest fix is to change the 10 to 6 and then in the guidelines indicate that the capital plan is dictated through OFM and that whatever process is dictated by the capital planning process this agency will just buy into. I think that may be the way around it because we're going to have to go back and redo the WAC's every time OFM changes their instructions on capital budget and as long as we indicate the intent of this committee to comply with OFM's directions that may be the way around it and just stick that language in the manual.

[COSTELLO]: What is the purpose of the legislation to change 6 to 10?

[FENTON]: I don't know.

[FRANCE]: It would be in the next budget cycle. Six is what's been published in the register and 10 is the change. So if you don't make the change to 10 you're in compliance with what we've published so you don't have any problem -- there is no change or a substantive problem. That was your suggestion.

[FENTON]: Yes.

[LOVELADY]: I'm not sure that the six to ten really is a substantive thing. You can correct me if I'm wrong but I believe they're still asking for the C1's and C2's to come in for exactly the same period. They are just asking for some longer range estimates that's going to tack another 4 years on top of that so

[FENTON]: The problem is that if we leave the 10 in the WAC state agencies will not have a 10 years capital plan at the time. I assume we will be requesting project applications for the next funding.

[BILES]: If you leave the 10 in there the only way that you can function is for us to violate the WAC. The only way for it to happen is a flat-out violation and knowing the violation right from the giddyup as we approve it next we are going to ignore portions of the 286-27-050. I don't think that's the way we should win the battle but that's the only way to do it. It seems to me that the 10 to 6 is another way to skin the cat and we don't have to delay and we don't have to make other changes to pursue the purposed WAC here.

[COSTELLO]: What are we going to do come springtime when the statute says 10 and --

[FENTON]: Because when they get to the manual, the manual we have, I assume, we will be proposing a modification to the manual indicating that whatever OFM dictates for the capital planning process that the IAC is in concurrence with that. This manual just says that we'll be in compliance with it.

[FRANCE]: But that wouldn't go in effect for IAC projects until the 95-97 biennium. For the 93-95 biennium we'd use what we have now, the 6 year plan. That's the way it would work. That's fine I think that makes good sense.

[FOX]: I propose Greg finish running through this and then we'll go through a formal motion to amend the process.

[LOVELADY]: That concludes the presentation of page 2.

[FRANCE]: On page 2, Greg, I had a question when we're working with the years. Following what Jenene said on the "or," if you go up under the, its on line 13, its now going to say "an adopted 6 year capital facilities or outdoor recreation plan." "Either-or" which includes a statement by lot, so you prepared those. Now you go down to line 40. It says, "an adopted 6 years facilities or conservation. . . ." So if I choose, under line 13, to do an outdoor recreation plan rather than a capital facilities plan I now have to do two plans. I have to do an

outdoor recreation plan and then I got to drop down and since I did not do a facilities plan I have to do either the facilities plan or the conservation plan to comply with line 40. Right?

[FENTON]: I'm making the assumption that line 40 is referring to the capital facilities plan as required by OFM.

[LOVELADY]: That's correct.

[FRANCE]: Can we insert the word "capital" between "year" and "facilities" to make sure it does match with the language up above?

[COSTELLO]: At the same time should we change "conservation" to "outdoor recreation?"

[LOVELADY]: No, that's a different plan.

[FRANCE]: So actually the outdoor recreation plan doesn't -- nobody's going to do that because you all are going to do a capital facilities plan anyway for state agencies. OK Thank you. A local could get stuck with two. If a local did a outdoor recreation plan they would have to do something down below different.

[FENTON]: Well, the outdoor recreation plan deals with funds that are coming out of the outdoor recreation account. The habitat plan has to be anybody that wants to participate in habitat conservation.

[FRANCE]: Yes, I realize that.

[FENTON]: We'll have three. We'll have a capital, an ORA and a habitat.

[FRANCE]: A local would?

[FENTON]: A local would to participate.

[LOVELADY]: But that also applies to state agencies too. State agencies will have a facilities, an outdoor recreation and a conservation plan.

[FENTON]: No.

[FRANCE]: That's why I bring up the issue. There's a double "or" in there but there is not a double repeat of the above. If you intend to that you'll have to change line 40 to say "capital facilities or outdoor recreation plan or conservation plan," now it won't be doubled.

[FENTON]: The difference is that the WAC on the top of the page is dealing with anyone who wants to participate in the outdoor recreation account. Where on the bottom of the page it is dealing with anybody who wants to participate in the habitat conservation account. It's two different planning requirements.

[FRANCE]: I understand that, but what I'm getting at is that if I am a local agency or a state agency who wants to participate in both pots can I get by with one plan. The answer is that the state can, but the locals cannot.

[FENTON]: The state can get by with the capital plan. Local agencies will have potentially three planning plans. They will have a capital plan that has to be submitted, they have a outdoor recreation plan that has to be submitted and they have a habitat plan that has to be submitted.

[FEARN]: Why do they have to do both the facilities plans and the outdoor? There's an "or" between those two.

[FENTON]: Not for locals.

[FOX]: Greg, we've got about three conversations going at once here.

[WILDER]: You have some questions coming I think. I think Bill has got one to talk to you about in regards to local versus state which we've been touching on.

[FEARN]: I just wondered why locals were [inaudible] 'cause we did talk about the extra work that was being [inaudible] particularly for the communities that don't have the staff to do that kind of thing. I guess I'm trying to understand why we are required to do more planning than state which is what it sounds like.

[LOVELADY]: The intent was not to have locals do more planning than the State agencies. The intent of the way this was written, and perhaps its not as complete with the most appropriate language, as I can see now, but the intent is to have a state agencies do the facilities plan and the conservation plan. Up above in the outdoor recreation section, to do the facilities plan and the outdoor recreation plan. Now the facilities plan is something that is already required by OFM. The outdoor recreation plan and the conservation plan will also be separate documents.

[FENTON]: You're saying the intent is to have state agencies do both? Because I know that the state agencies when we talked about this in Wenatchee said "either-or." I know that when my staff were sitting in the committee meetings it was definitely

"either-or." The language says "or" and your telling me the intent is "and."

[LOVELADY]: That's my recollection.

[FRANCE]: I'm with you Jenene, my report is one, not two. Jenene, so how should it read?

[FENTON]: Just as it stands, however, I was led to believe in Wenatchee, and my staff was lead to believe in the meetings that they attended, we were talking about the OFM instructions for preparation of capital budget and whatever planning requirements they had. It wasn't that IAC was going to have two requirements on the budget preparation over and above what OFM required. That's correct? So we're on the same wave length. OK

[LOVELADY]: Did you have a chance to look

[FENTON]: I have similar questions there.

[FOX]: So are we clear? OK. Let's proceed.

[LOVELADY]: We're on page 3. Last page in the blue sheets. Beginning on lines 3 and 4, a new section dealing with project conversions. Essentially, it's saying it's the project conversions clause that exists in the Marine Recreation Lands Act. It's been strengthened in a few ways.

[FOX]: I have 1 question on the very first line. I brought this up before but never actually had time to find out the answer. Why are conditions of God or fire exempted? It seemed like, in fact, with habitat areas those are very likely to occur and why should they be exempted from this conversion process?

[LOVELADY]: If, for example, the . . . say, a habitat conservation area of one sort or another were to suddenly be rendered valueless, perhaps for the reasons for which they were originally acquired.

[FOX]: I guess that might be a situation where the property might be rendered useless not only for the purpose that it was originally purchased but maybe in general, like a stand of timber for example, was destroyed. Suppose in the committee meetings we use a heron rookery as an example. One year the herons just didn't come back and they didn't come back the next year. This presumably could be considered an act of God if no real reason is found. Yet the property still has value and why should the conversion be exempted from the process we normally go through when we do some sort of exchange. There needs to be a determination of the disposition of property for whatever reason the conversion has occurred.

[FEARN]: The conversion occurs because the wildlife has moved to a new location without any control or [inaudible] that has that. When you declare there has been a conversion then do we have to replace that at the cost of the agency when this wildlife moves?

[WILDER]: I think that was what he was trying to get away from.

[FEARN]: I hope so.

[WILDER]: The way I'm reading this is that if these situations occurred they would not be at the fault of the sponsor and they would not be responsible.

[FEARN]: Let me jump back to one of your guidelines which says that property, for whatever reason no longer supports or contains a species for which it was acquired and that a replacement would be needed for new property to meet original intent; or if that's not possible, physical or biological costs of new property would accomplish the same goal with another species. Sounds to me like that's what you're trying for the agency that has received the money to buy a certain [inaudible]

[LOVELADY]: Our next section beginning on line 17 is a new section beginning with "participation manuals." This section simply requires the committee to adopt manuals that further define the provisions of these administrative codes. Lastly, beginning on line 25, the text similarly requires that the committee or their designees execute contracts before any grants are allowed to be reimbursed or flow out to any of the agencies. That concludes the summarization of what were talking about Mr. Chairman.

[OGDEN]: We are now here to hear testimony on the proposals. Please identify yourself and who you represent. It has been observed that there is no one here to testify. The hearing has been held to hear testimony on the proposal to adopt WAC 286-27. All oral testimony and written comments submitted will become part of the official hearing record. The deadline for submitting written comments was July 24, 1991. Final decision on adopting this proposal will be made today July 26, 1991. Please see the proposed adoption resolution in your kit on page 3, it's on that orange tab.

[FOX]: I wanted to ask Shannon a procedural question on this. The resolution specifically refers to draft #6. Since it was draft 5 that was published, should the resolution not, in fact, refer to draft 5, but then we amend draft 5 according to the changes in draft 6? Would that be better procedurally?

[SMITH]: Yes.

[FOX]: So if that's correct, then we need a motion to adopt the resolution referring to draft 5 rather than draft 6 and then once that's on the floor we can have motions to amend, further amend the draft.

[FRANCE]: So moved.

[JONES]: Second.

[FOX]: Its been moved and seconded to adopt the resolution (but referring to draft 5 instead of draft 6) and seconded, so that motion is on the floor and we need to do several things. Number 1 is have an amendment to draft 5 to reflect the changes in draft 6 with perhaps the exceptions that we noted. Jenene?

[FENTON]: Mr. Chairman, I would move that we adopt the language as proposed in draft 6 with the following exceptions. Under that 286-27-040, subsection 2A, I propose that we retain the word six rather than the proposed amendment of 10 years. The second proposed modification would be under WAC 286-27-050, subsection 2A1 line 40, that we retain the word "six" years rather than "10" years and that we insert 6 year "capital" facilities. . . .

[FOX]: It's been moved and seconded to amend the language of draft 5 to include the language of draft 6 with those three exceptions. Is there any discussion on the amendment?

[FRANCE]: On page 3 if you going to draft 6 don't you need to identify the changes in there too? On draft 6 on line 15 does that change need to be identified or is that just stays. That just stays? OK. A question I have in regards to the "acts of God or fire" if you insert it as concurred in by the committee between fire," and natural would that place that one into coming back to the committee if some of those things happen like your talking about Bill or is that something we don't want to do? Discussion on amendment.

[WILDER]: The committee is the only one who can rule on a true conversion.

[FRANCE]: You satisfied with that Bill? All right.

[FOX]: Any additional discussion? We need to vote on the amendment first. All in favor of the amendment say "Aye." Opposed? Now the main motion before us to adopt the resolution as amended. Any further discussion. Does anybody want the resolution read out loud or do we need to read the resolution out loud? No further discussion. All those in favor say "Aye." Opposed? Amendment carried. You've done a good job in making this all work.

[WILDER]: It was a tough one, wasn't it?

[OGDEN]: Let the record show that the public hearing for the WAC is closed at 2:00 p.m. The hearing is adjourned.

CONTINUED DISCUSSION ON WWRP FUNDING

After the public hearing the chair asked the committee to finish their discussion on WWRP funding and then continue on with manual revisions, etc. Discussion continued on funding with several questions to the Attorney General.

Ms. Fenton asked that a determination be made by the committee that did not disregard statute. She felt the committee should look at how the WWRP funds had been distributed. There was fear among some committee members that by doing that they would be welshing on a deal, so to speak, in regard to the projects already earmarked to receive funding.

Lori Flemm and Greg Lovelady were asked to immediately do some research on previous minutes in gleaning information regarding WWRC funding "allocated and unallocated."

FIREARMS RANGE PROGRAM MANUAL

The meeting continued with Larry Fairleigh presenting changes to the Firearms Range Project Program Manual. Mr. Fairleigh asked the committee to recall the March, 1990 funding session which was the first for the Firearms Range Program. Prior to March, participation manuals had been established along with program guidelines for the program. Manual changes proposed included items:

1. Relating to income potential, requiring the project sponsor to furnish information a projects ability to generate income to finance construction of the project.
2. Relating to user fees and charges, encouraging that revenue generated by a project go to the maintenance of that facility or to a fund for future matching grants.
3. Specifying a conversion of use may be declared if a project sponsor fails to maintain nonprofit or tax exempt status.

The balance of the manual changes proposed were instruction in obtaining either nonprofit or tax exempt status.

The chair asked for questions or discussion and inquired with regard to the conversion of use in addressing dissolution of a nonprofit corporation in the manual?

Mr. Fairleigh said that dissolution had not been specifically addressed and agreed it did need to be addressed. He will add it to the list of next meetings manual changes. Mr. Costello

questioned the language regarding the IAC "encourages sponsors to use income first for maintenance and such." Is encourage as strong as you want to go? Mr. Fairleigh agreed the language was not strong enough but accounting for income generated from the IAC assisted portion of a project would be very difficult.

Mr. France questioned what improved maintenance was? Larry explained that considering facilities being funded, maintenance was minimal. Maintenance on some facilities was substandard. Mr. Jones asked if an applicant is not registered with the state or with the IRS can they still apply on a contingency basis? Mr. Fairleigh said in the last funding cycle there were some people who had not obtained that status, were allowed to apply but IAC staff is not writing contracts until they have obtained that status. There are 10 projects that have been funded. There were 11 but the Seattle project has been withdrawn. Because the program is severely underfunded there are projects that were not able to be funded. There will only be about \$100,000 or \$120,000 by March, 1992 for funding. Because of this, the grant cycle will be very small.

Mr. Biles asked what regulation there was to prevent an organization from discrimination. Mr. Fairleigh replied the contract prevented discrimination from happening. Mr. Jones thought that timelines were fairly loose and should be tightened up. He will review, in depth, and make some suggestions. Mr. Costello asked what would be done to Appendix C, an income statement? Appendix C will be used in project evaluation by the Firearms Committee to understand the financial health of the organization. This will be used to standardize the collection of financial information. Mr. Costello inquired to any ongoing ability to audit their use?

Appendix C will be used as a general picture of the financial expenses of an organization. Mr. Jones suggested that Capital expenses be included in Appendix C. Mr. Fairleigh asked the committee adopt the amended manual so it can be circulated to organizations who will be applying for funding in November.

Mr. Fearn moved for approval of the Firearms Range Manual revisions. The motion was seconded. Motion was carried.

GUIDE TO PLANNING REQUIREMENTS, MANUAL #2

Manual #2 has been revised to reflect changes that were necessary because of the WWRP program and the Growth Management Act. The requirements in the manual only pertain to local agencies; they do not pertain to state agencies. There has been extensive review by local agencies. Comments from 15 agencies were received, all of these agencies were in support of the recommended changes to the manual. Lori Flemm summarized for the committee the proposed changes.

The chair asked for a motion to adopt the changes. It was moved and seconded to adopt the staff recommendation on Manual #2. Motion was carried.

RESOLUTION FOR LORI FLEMM

Jenene Fenton read the resolution for Lori Flemm. Lori will be leaving the IAC at the end of August. This resolution is in recognition of Lori for her hard work with the IAC. Lori extended her appreciation in working with the committee for the past 6 years.

REVISIONS TO MANUAL #8, PROJECT REIMBURSEMENTS

Mr. Fairleigh was called on again to explain to the committee the revision to Manual #8. It will be a reduction of forms and elimination of a manual. The manual was rewritten to consolidate forms and recognizing things like hazardous substances, etc., reducing Manual #8, eliminating Nova Manual #7 and will not produce any other billing manuals. The Chair asked for questions then for a motion to adopt the staff recommendation on revision of Manual #8. It was moved and seconded. The motion was carried.

*** BREAK ***

REVISITING WWRP FUNDING/IAC MINUTES REVIEW

After looking at prior minutes from the July, 1990 meeting, the AAG found nothing of substance in regards to approved budget of funding. The issue of unallotted, unallocated or emergent fund was evident at both the July, 1990 meeting and the conference call that was held later. It was felt that a compromise was reached at both the July meeting and the conference call later on the funding issue.

The AG advised the committee there was no mechanism for the them to go back after recommendation to the Governor and somehow alter those recommendations or recommend a different allocation of the funds. Once recommendations have been made on a specific project list on amounts to be allocated to the programs, there is no mechanism to go back after the IAC committee's part of the process has been completed and approved by the legislature and the Governor to make changes in those recommendations and allocations.

The AG advised making no changes at this meeting because is not a funding session and notice has not been given to affected participants and would be in violation of the open public meetings act.

The chair asked for additional questions or discussion. Director Wilder pledged to do what could be done for the Department of Wildlife position with tight funding.

Jenene Fenton questioned the AG regarding there being no way to go back and revisit Department of Wildlife allocation of funding. The AG felt there was no way to do that because of the wording in the statute and the recommended list of projects to be funded went to the Governor by October 1, then to the legislature and the legislature is the final authority regarding projects and money spent in this program.

Director Wilder re-emphasized the budgetary process and Mr. Fearn asked if list of projects did not already exist and if there was additional funding available, could that funding be used for emergent needs if a project was not an approved list? The answer seemed to be "no" without a special session of the legislature.

The political reality is, if funds had been left unallocated the committee felt funding would have been cut out by the legislature. There is a need for a new and special mechanism to deal with this unallocated or emergent project situation the next time around. Director Wilder felt the wording in the statute was confusing and there does not exist any project funding that is unallocated once the project funding recommendations are finalized.

Jenene Fenton felt the committee was led to believe the Department of Wildlife concern was for projects that were not on the list. The two projects in question are, in fact, on the list but the cost is substantially more than the monies available and is causing concern for the agency. The projects are the Big Valley Ranch/Okanogan Winter Range Project and the Skagit Peregrine Eyrie representing over \$10 million.

WASHINGTON WILDLIFE AND RECREATION PROGRAM MANUAL

WWRP is a new program with new requirements that have not yet been committed to a program manual. Under the authority established in the rule making process, there will be two manuals. A general program manual to be numbered as manual 10 and a rewritten state agency project manual 9. This item relates to the new WWRP general program manual. This manual applies to both state and local agencies and establishes the administration of the WWRP by the IAC.

The manual was reviewed by the Technical Advisory Committee, Administrative Code Advisory Committee and by the WWRC Implementation Committee. The manual directs the reader to the fact that traditional manuals 2 through 9 still apply with perhaps minor changes. This manual will become manual 10. Manual 6 will be revised and a copy will be distributed to the

committee members in November. Policy matters relating to the manual will be referred to the IAC. The manual notes WWRP follows the Capital Budget process.

Jenene Fenton questioned bullet 4 in Section 7.B.1 which states "may include habitat enhancement or creation." Ms. Fenton felt that to be a development activity and not allowable to spend coalition funding for such. She asked the AG for clarification. The AG then took a moment to review the statute.

Item #2 was the definition of a natural area project. Item #3 was what constitutes an urban wildlife project. Ms. Fenton questioned the definition portion on urban wildlife and felt it was essentially more restrictive than was in the statute. Again, there was a question on development activities on urban wildlife habitat. Jenene asked in the 4th bullet down that it be written to say "may include."

The chair asked the committee how they would like to look at amendments as they went or amend by consensus? Committee decision was by consensus.

The word "may include" would go under page 5, #3, Urban Habitat, 4th bullet down. It would say "may include and encourage public use."

Tom France asked to move back to natural areas and that "may" also be included there as well. It would say "may be managed primarily for resource preservation, protection and study to include limited or no public use." Again it's permissive but not mandatory. He felt that wording would come into play in scoring.

The AG stated lacking specific authority to develop. Those categories may be limited to acquisition. Copies of the statute were offered to committee for reference.

Ms. Fenton, after looking at RCW 43.98A.060, subsection 3, discussed acquisition policies for the Habitat Conservation Account. That subsection does not appear to address development because there is no express statutory authority for development. After extensive discussion the "may include habitat enhancement or creation" will be left in tact. NOTE: RCW 43.98A.040 authorizes development with HCA account funds.

In the State Parks category, it was noted that there will be no renovation in that category. Local parks are fairly broad. For trails there will be no renovation under this category.

Ms. Fenton had a question on water access projects. Her interpretation of the special note was if an agency has a motorized boating project they will not be eligible to compete for WWRP money and the only people that would be eligible to

compete were swimming beaches or water trails. Is this a proposed policy or whose policy is this? Mr. Fairleigh responded that this is a staff proposal based on the existence of a stable fund source in Initiative 215.

The staff recommended policy is to focus WWRP dollars on those kinds of projects where there is not already an existing fund source. Motorized boating opportunities will be funded primarily under Initiative 215, then under WWRP.

The committee felt this policy presented a negative interpretation on motorized facilities and Initiative 215 was not capable of meeting all the needs of motorized right now. This seems to cut off the motorized boating community from WWRP funding. Committee feels they will not be very supportive of this program. The funding should be for motorized as well as passive. Jenene Fenton asked the notation be stricken from the manual.

Mr. Biles proposed a motion to delete the note on page 7, under water access after the 4th bullet. The motion was seconded. After additional discussion, the motion was carried to strike the note.

Section 7C deals with categorization of projects for purposes of evaluation. After much discussion, the committee directed staff to make the following changes to Section 7C(2):

- . Delete the word "two" and substitute the words "more than one."
- . Delete the last sentence.

The committee also directed that a new 7C(3) be created to read: "A project may not be evaluated in more than one category unless authorized by the Director."

The next section dealt with fund distribution. WWRP funding will be divided equally when both local and state agencies are eligible to compete in the categories. Jenene Fenton again voiced her concern regarding the distribution of unallocated funding. She did not want committee to become locked into language. The committee needs maximum flexibility to distribute unallocated funding. The chair suggested wording be added "WWRP funding, excluding unallocated funds, will generally be divided."

Mr. Biles proposed dropping the second sentence starting with word "IAC may waive this guideline," Mr. Biles also moved that a deletion be made on page 7, item 8 A., delete the second sentence of that paragraph and delete the following sentence. Motion was seconded. Motion was carried.

Jenene Fenton read a proposed amendment she wanted the committee to consider. It reads as follows: "WWRP, excluding unallocated, funding will be generally divided equally where state and local agencies are both eligible to compete within program categories. Chair asked for the motion. The motion was seconded. Motion did not carry.

Mr. Fairleigh suggested the guidelines could be put off until a future committee meeting so staff could work on it a little more. He then moved onto item 8B talking about unallocated funding. Jenene Fenton proposed an amendment to the last sentence in the first paragraph. "Unallocated funds cannot be specifically applied for by project sponsor" and the following paragraph be stricken.

Jenene asked that the unallocated discussion be tabled for a future meeting. Mr. Biles moved that the 2 paragraphs on page 8 and the staff proposal under 8B Unallocated Funds be postponed until the November meeting of the IAC. Motion was made and seconded. Motion was carried.

Mr. Fairleigh asked if the committee would object to production of the manual with a note stating, "the above section will be visited by the committee in November." Manual Section 8C, Project Recommendations need to be postponed as well. Committee agreed to postpone section C.

The chair proposed wording for the section on eligible project activities "IAC staff will determine eligibility of project activities. Sponsors may appeal a staff decision to the IAC director. Eligible project activities include:"

Tom France questioned language regarding ineligible projects on page 11. Much discussion followed. Mr. Biles suggested striking language after "elements and before are." Mr. France asked that the language pertaining to interpretive center and visitors centers be stricken from the guidelines. Mr. Jones made a motion to remove the language. The motion was seconded. Motion carried. Mr. Costello asked for a motion to insert the word large in front of fish and wildlife. Mr. France asked that the word concessionaire building be added under the second bullet. Motion was made and seconded. Motion does not carry.

Mr. Fairleigh moved on to item #12 dealing with acts of God and fire. This item needs evaluation as to the options. Mr. Fearn proposed a motion to postpone the discussion of this section until the November meeting. Motion was seconded. Motion was carried.

The final item related to condemnation. Mr. Fairleigh concluded the review of the WWRP manual. It was moved and seconded that

the committee adopt the WWRP manual as amended. There was additional discussion and a vote, the motion carried.

CAPITAL BUDGET PROGRAM MANUAL #9

There was a motion to postpone this manual. Motion was seconded and carried. The manual will be postponed until the November meeting.

The chair asked for any other items and what the mechanism was for calling a special meeting of the committee. The chair questioned whether a special meeting should be called. The special meeting was left to the director and committee chair.

The chair asked for a motion to adjourn the meeting. Motion was made, seconded and carried.

The meeting was adjourned at 6:13 p.m.

RATIFIED BY THE COMMITTEE

Chair, IAC

Date