



STATE OF WASHINGTON

OFFICE OF THE INTERAGENCY COMMITTEE  
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October 30, 2005

**TO:** IAC Members & Designees  
**FROM:** Laura E. Johnson, Director *LEJ*  
**PREPARED BY:** Jim Fox, Special Assistant to the Director  
Greg Lovelady, Manager, Applied Planning Section  
**SUBJECT:** Status of Proposed WAC Amendments

**Summary.** This memorandum provides a status report on the proposed amendments to IAC's grant program rules in the Washington Administrative Code (WAC):

- ▷ Changes in IAC's match requirements (WAC 286-13-045) and policy on supplementing versus supplanting local capacity (WAC 286-13-080)
- ▷ Changes in the rules governing the Washington Wildlife and Recreation Program (WWRP) (Chapter 286-27 WAC) necessary to implement ESSB5396 passed by the Legislature in the 2005 session.

**Timeline**

Although applications for the next WWRP grant cycle will not be due until May 1, 2006, it is important that potential applicants be aware of any changes in rules, policies and guidelines by early spring so that they can begin preparing their proposals. IAC adoption of the WAC amendments and policy manuals at its February 2, 2006, meeting should meet this need. Table I, below, presents the proposed timeline.



**Table I**  
**Schedule for Adopting Amendments to WAC Rules**

<b>August 5, 2005</b>	✓ Filed CR101 with the Code Reviser announcing intent to draft WAC amendments regarding match, supplanting of funds, and implementing changes in WWRP
<b>September 16</b>	✓ IAC meeting: The IAC approved proposed changes in WACs addressing IAC's requirements on match and on the use of IAC grants to supplant existing sponsor capacity
<b>October – November</b>	✓ Advisory Committees for the new Farmland Preservation and Riparian Habitat Programs begin meeting to discuss program policies and guidelines.
<b>November 2 and 3</b>	✓ Workshops to obtain input on the new Farmland and Riparian programs were held in Moses Lake and Fife
<b>November 15</b>	▷ IAC meeting: Progress report on WAC amendments; Committee provides comments on proposed changes to the WWRP WACs
<b>November 18</b>	▷ Proposed amendments to the WWRP WACs circulated to advisory committees and others for comment
<b>December 20</b>	▷ File CR102s with the Code Reviser with final proposed WAC amendments regarding match, supplanting of funds, and implementing changes in WWRP
<b>January 2006</b>	▷ Compile public comments on proposed WAC amendments
<b>February 2</b>	▷ IAC meeting: Public hearing on proposed WAC amendments; discuss public comments; consider adoption

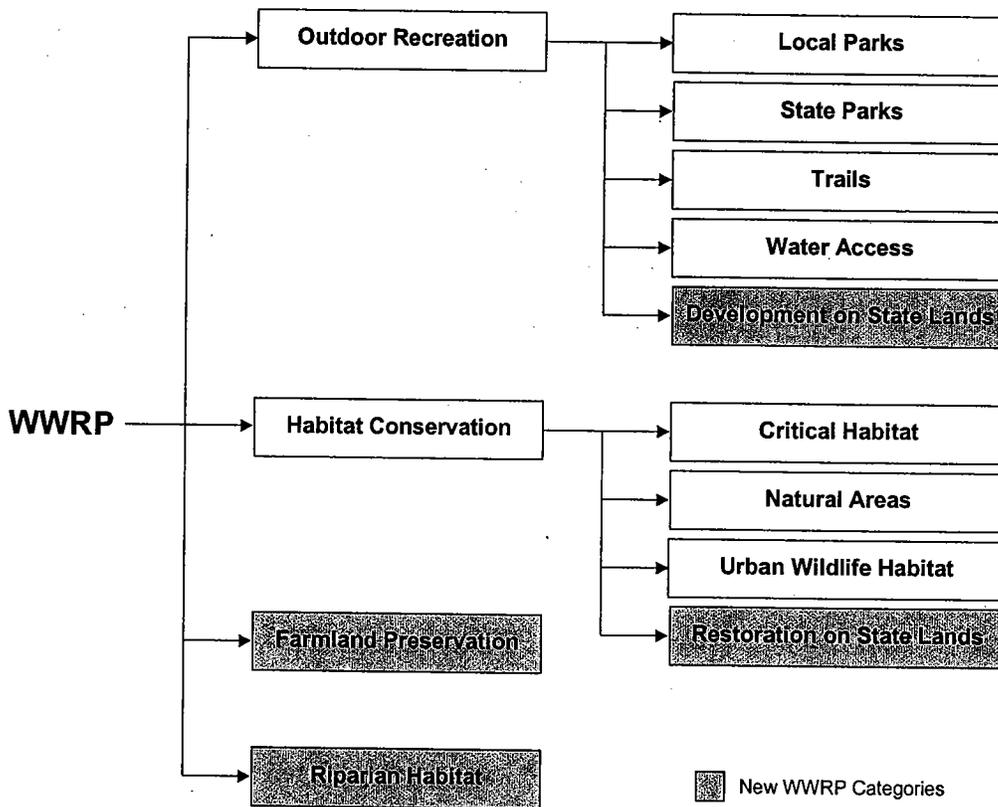
**WAC Amendments: Status Report**

At its September 15-16, 2005, meeting, the IAC approved policies and draft WAC amendments regarding match and supplanting of local funding. Staff intends to file the proposed amendments with the Code Reviser on December 20, as indicated in Table I. This will allow time for additional public comments on the proposed changes before final adoption in February.

After the September IAC meeting, staff began drafting amendments to the rules governing the WWRP (Chapter 286-27 WAC). The amendments will address changes necessary to implement the four new WWRP funding categories established in

ESSB5396 (Figure 1). Staff recommends that we use this opportunity to make some additional “housekeeping” changes in the WWRP WACs.

**Figure 1**  
**WWRP Funding Categories as a Result of ESSB5396**



The proposed amendments to Chapter 286-27 WAC are intended to accomplish the following:

1. *Clarify existing language* by using an easier to understand question and answer format.
2. *Make current language consistent with other IAC WACs.*
  - a. The required capital improvement program would extend over six years, rather than five
  - b. Rules on conversions would be amended to be consistent with related rules recently adopted by IAC in its ALEA and NOVA Programs
3. *Include new funding categories.* Provide updates necessary to implement the four new funding categories created in ESSB5496 by the 2005 Legislature (Farmlands

Preservation, Riparian Protection, State Agency Lands Restoration and Enhancement, State Agency Lands Development and Renovation).

4. *Expand conversion language.* Rules governing conversion of land and facilities acquired with WWRP funds are expanded to include restoration and enhancement, which are eligible project elements in the new Riparian and Farmland programs.
5. *Address the sale of mitigation credits on land acquired and/or restored with WWRP funds.*

The proposed amendments to the WWRP WACs will be mailed to the IAC Board during the week of November 7. At the November 15 IAC meeting, staff will walk the Board through the proposed amendments and seek guidance on several issues. After the meeting, staff will seek an additional round of comments from the advisory committees and other interested individuals and organizations prior to submitting the proposed amendments to the Code Reviser by December 20.

**RESOLUTION #2005-30**

**Authorizing the Director to File Amendments to the Washington Administrative Code Pertaining to the Washington Wildlife and Recreation Program**

**November 15, 2005**

**WHEREAS**, in 2005 the Legislature passed ESSB 5396 (C303 L05) making changes in the Washington Wildlife and Recreation Program (WWRP); and

**WHEREAS**, Sections 2(8), 6(4), 7(3) and 15(2) of that bill authorize the Interagency Committee for Outdoor Recreation (IAC) to adopt rules addressing conversion of land and facilities acquired or developed with WWRP funds and rules for the new Farmland Preservation and Riparian Habitat Accounts; and

**WHEREAS**, many IAC grant program policies, guidelines and procedures are contained in IAC grant manuals that are adopted in public meetings after receiving public input, some policies for grant programs warrant rules in the Washington Administrative Code, such as policies on land acquisition and conversion of use; and

**WHEREAS**, following the passage of ESSB5396 the IAC has discussed in open public meetings the need to develop rules, policies, guidelines, and procedures necessary to implement the bill, specifically regarding the new farmlands preservation, riparian habitat protection, state agency lands restoration and recreational development funding categories; and,

**WHEREAS**, in the course of these meetings, the IAC board has been informed by public input, including recommendations from the Riparian Habitat Program and Farmland Preservation Program Advisory Committees and workshops held in Moses Lake and Fife, and has agreed on the general goals and objectives to guide implementation of these programs; and

**WHEREAS**, these program rules, policies, guidelines and procedures must be adopted by the IAC no later than February 2006 in order to provide timely guidance for potential grant applicants; and,

**WHEREAS**, to commence the public notice process prior to WAC rule adoption in February 2006, a "CR-102" filing must be made with the Office of the Code Reviser not later than December 20, 2005;

**NOW, THEREFORE BE IT RESOLVED**, that IAC hereby authorizes the Director to file the necessary "CR-102" documents necessary to implement changes in the WWRP as indicated above.

Resolution moved by: \_\_\_\_\_

Resolution seconded by: \_\_\_\_\_

Adopted/Defeated/Deferred (underline one)