



STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

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**MEETING DATE:** November 2009                      **ITEM NUMBER:** 2D

**TITLE:** Policy Report

**PREPARED BY:** Steve McLellan, Policy Director

**APPROVED BY THE DIRECTOR:**

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**Proposed Action:** Briefing

### Summary

The Policy Section is working on a number of issues at the request of the Recreation and Conservation Funding Board (board), the legislature, and the Recreation and Conservation Office (RCO) staff and director. This memo highlights the status of some key efforts.

### Assessment Work

Coordinating Watershed Planning and Salmon Recovery Work – The legislature tasked RCO with assessing opportunities for coordination between watershed planning efforts and salmon recovery efforts. RCO staff has been reviewing existing plans and literature and meeting with regional recovery organizations, lead entities, regional fisheries enhancement groups, watershed planning lead agencies, ecology watershed leads, and other key participants in areas where watershed and recovery planning is occurring. Discussions have focused on how coordination is occurring now, additional opportunities for coordination, identifying incentives to do so, and any obstacles impeding further coordination. The report is due to the legislature in early December.

Land Preservation tools – The legislature directed RCO to evaluate various land preservation mechanisms such as fee simple acquisitions, conservation easements, term conservation easements, and leases. The study is considering the suitability of each mechanism to respond to future economic, social, and environmental changes. Included in the assessment is an examination of the relative advantages, disadvantages, and costs of each. Due to internal staffing constraints, the law firm of GordonDerr has been contracted to do the assessment. The firm is reviewing existing literature, interviewing key stakeholders and experts in land preservation, preparing a hypothetical case study to illustrate advantages/disadvantages of preservation mechanisms, and preparing a report due in January.

### Manual Revisions for 2010 Grant Year

Staff is working on “critical updates” for manuals needed for the 2010 grant round. The manuals include those used for the Washington Wildlife and Recreation Program (WWRP), Aquatic Lands Enhancement Account (ALEA), Land and Water Conservation Fund (LWCF), boating, Nonhighway and Off-Road Vehicle Activities (NOVA), and Recreational Trails Program (RTP). We are focused



on a cleaner layout, technical corrections, clarifications, and incorporation of any policies already approved by board. Staff will bring any substantive policy changes to the board at its March 2010 meeting.

### **Non-profit Eligibility in WWRP**

SHB 1957, passed last session, opened competition in WWRP riparian and farmland categories to non-profit nature conservancy corporations or associations and the State Conservation Commission. Two major policies are being developed: (1) eligibility criteria for non-profits and (2) the plan required for programmatic eligibility.

Staff developed an initial proposal that addresses both topics and asked for public comment.

- Comments either supported or did not oppose the eligibility criteria proposal, including evidence that the non-profit has been involved in relevant projects for at least three years.
- The plan requirement generated several requests for waiver or for severe modification. Specifically, non-profits want to be able to limit the required public participation element. Also, some non-profits want RCO to waive the legal opinion required of first-time applicants. Based upon initial direction from the board, staff does not propose to waive any element required of current applicants. However, staff held a workshop on October 28 to work with stakeholders and seek an approach to the required plan that might work for all applicants. Staff anticipates bringing a final proposal to the March 2010 board meeting

### **Level of Service Test**

The latest state comprehensive outdoor recreation planning (SCORP) document is titled *Defining and Measuring Success: the Role of State Government in Outdoor Recreation*. The central feature is a new level of service (LOS) tool presented as a possible way to measure success in providing parks and trails. SCORP calls for a test of the new tool. The RCO received a grant from the National Park Service to help fund a statewide test and used a competitive process to identify a contractor to conduct the test. The outcome of that contract will be a report in which the contractor is expected to make one of three potential recommendations: (1) abandon the LOS tool as unworkable, (2) use the LOS with substantial modifications, or (3) use the LOS with few or no modifications. We anticipate completion of the report by the end of 2010.

### **Allowable Activities and Structures Policy**

Staff is comparing the compatibility of activities and structures to the statutory purposes of grant programs and funding sources. The goal is to identify which activities and structures are incompatible with specific grant programs in order to help ensure initial public investments are protected. Staff is forming stakeholder workgroups to identify which activities and structures do not fit with specific grant programs. Staff also convened a workgroup to examine how revenue-generating activities and structures are limited by tax-exempt bond rules. The workgroup submitted a memo to the State Office of the Treasurer on this issue and is awaiting a response. Staff will update the board on progress and anticipates submitting final recommendations to the board in October 2010.