

Centennial Accord Plan

May 18, 2010



Each director will initiate a procedure within his/her agency by which the government-to-government policy will be implemented. Among other things, these procedures will require persons responsible for dealing with issues of mutual concern to respect the government-to-government relationship within which the issue must be addressed. Each agency will establish a documented plan of accountability and may establish more detailed implementation procedures in subsequent agreements between tribes and the particular agency.

[CENTENNIAL ACCORD PLAN, 1989](#)

RCO encourages anyone interested in its programs to contact its staff at:

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Introduction

About the RCO: The Recreation and Conservation Office (RCO) is a Washington state agency with about 60 employees supporting the work of seven grant-making or coordinating boards or offices:

- Recreation and Conservation Funding Board
- Salmon Recovery Funding Board
- Forum on Monitoring Salmon Recovery and Watershed Health
- Governor's Salmon Recovery Office
- Washington Biodiversity Council
- Washington Invasive Species Council
- Habitat and Recreation Lands Coordinating Group

A main task of the agency is to invest state and federal money in outdoor recreation facilities and critical wildlife habitats. It makes these investments through competitive grants offered to local, state, federal, tribal, and non-government organizations. The RCO also completes plans and studies in response to requests from the legislature and develops policies for the boards it supports.

The RCO administers 14 grant programs that, in most years, provide more than \$350 million to local communities, including tribes, for recreation, conservation, and salmon recovery. The RCO also supports coordinating the state's approach to watershed and salmon recovery monitoring, natural resource data collection, biodiversity protection, and invasive species management.

Funding for the RCO is from a mix of sources. State general obligation bonds provide the majority of funding for recreation and conservation projects. Federal grants support salmon recovery and some recreation projects. Dedicated revenues from a portion of the state and federal gasoline tax supports specific recreational programs for boaters and those who use Washington's backcountry trails. The state general fund supports the Monitoring Forum, the Governor's Salmon Recovery Office, the Biodiversity Council, and the Invasive Species Council.

The RCO is committed to a respectful state government-to-tribal government approach in seeking consultation and participation in policy development and program implementation with the federally recognized tribes of Washington. The agency also recognizes the need for accountability by documenting its processes and opportunities for tribal governments in several forums, including this plan.

Natural Resources Cabinet: Concurrent with the programs described in this plan, the Governor has created a new Natural Resources Cabinet. As part of its charter, the cabinet is charged with better aligning and simplifying the process for receiving state grants for natural resources-related projects. Members of the cabinet include:

- Department of Agriculture
- Department of Ecology
- Recreation and Conservation Office
- Puget Sound Partnership
- Utilities and Transportation Commission
- Department of Commerce
- Department of Health
- Senior staff from the Office of the Governor and the Office of Financial Management.

The independent natural resource agencies are also participating, including the Department of Natural Resources, Department of Fish and Wildlife, State Parks and Recreation Commission, and State Conservation Commission. Other governments also may collaborate in this effort, including tribal, federal, and local governments.

Plan organization: The RCO offers this Centennial Accord Plan in agreement with guidance suggested by the Governor's Office of Indian Affairs. Its key components are:

- Services and participation opportunities available to tribes
- Funding available to tribes
- The RCO's dispute resolution processes
- A description of the agency's consultation process and procedures (Appendix).

Services and Participation Opportunities

The RCO administers three primary services available to tribal participants: its Web site, a grant project information system, and the opportunity to participate on grant program advisory committees and evaluation teams. These are described below.

The RCO's Web site: Tribal staff and members have access to current information about the RCO's services and programs by visiting [RCO's Web site](#).

This site includes an agency directory, organizational chart, grant announcements, advisory committee application forms, policy information, press releases, more than 150 of the RCO's publications, email signup list for more than two dozen topics, and more.

PRISM: The RCO's PProject Information System ([PRISM](#)) is a computer program freely available to the public over the Internet. The RCO has designed PRISM to make it easier for people to apply for and track grants, review information about preliminary and funded projects, and to access grant contracts and program summary reports. One way people use PRISM is to track stream and fish indicators to evaluate whether salmon recovery projects are effective. PRISM provides:

- A growing database of information - more than 9,000 projects in 2010.
- Both summary and detailed reports.
- Online application submittal – no paper applications.
- Up-to-date information on the status of applications, contracts, and bills.
- Backup for grant and billing information.

Advisory committees: In an on-going effort to involve people interested in its grant programs, the RCO works with more than 100 volunteers who provide important advice on grant program policies and project funding. Their participation helps to ensure that the board's work is conducted fairly and that public funds are invested in the best projects. These people, who serve on a rotating basis, are divided among 19 advisory committees and project evaluation teams and are comprised of the general public, agency professionals, scientists, and recreationists. Depending on the program, advisory committee personnel provide:

- *Policy advice:* This may include providing recommendations on program goals and objectives, state plans, grant limits, evaluation questions, eligibility, cost increases and project fund allocation.
- *Project technical review:* This involves providing early advice to applicants about ways to improve their projects before final evaluations occur.
- *Site visits:* The Salmon Technical Review Panel visits each project site, evaluates all proposals, and makes recommendations on the viability of projects.
- *Project evaluations:* Project evaluators review application materials and score the projects. The resultant ranked project lists are the foundation for funding recommendations.

For many of these committees, the RCO maintains charter documents that detail administration, duties, per diem policies, membership and attributes, and other information. There are three types of committees:

- Standing: term of service is usually four years
- Evaluation only: term of service is typically one grant cycle
- Professional: only the Salmon Technical Review Panel fits this classification.

The RCO encourages interested people to find out more about these groups and [apply for membership](#). Tables 1a and 1b provide more information.

Table 1a. RCO's Advisory Committees ~ Summary

Committee Name	Permanency		Evaluation Method		Separate Review Panel ¹
	Standing	Ad Hoc	In-Person	Written	
1. Aquatic Lands Enhancement	✓		✓		
2. Boating Programs ²	✓		✓		
3. Land and Water Conservation	✓		✓		
4. Firearms-Archery Range Recreation	✓		✓		
5. Nonhighway and Off-Road Vehicle Activities	✓		✓ ³	✓ ⁴	
6. Recreational Trails	✓			✓	
7. WWRP ⁵ -Farmland Preservation	✓		✓		
8. WWRP ⁵ -Riparian Protection		✓	✓		✓
9. WWRP ⁵ -Critical Habitat		✓	✓		✓
10. WWRP ⁵ -Natural Areas		✓		✓	
11. WWRP ⁵ -Urban Wildlife Habitat		✓		✓	✓
12. WWRP ⁵ -State Lands Restoration and Enhancement		✓		✓	
13. WWRP ⁵ -Local Parks		✓	✓		✓
14. WWRP ⁵ -State Lands Development, Renovation		✓		✓	
15. WWRP ⁵ -State Parks		✓	✓		✓
16. WWRP ⁵ -Trails		✓	✓		✓
17. WWRP ⁵ -Water Access		✓	✓		✓
18. Youth Athletic Facilities	✓		✓		
19. Salmon Technical Review Panel ⁶	✓		-	-	

¹ Review panels critique applications before evaluations in an effort to improve the projects' chances for funding

² This committee evaluates both Boating Facilities Program and Boating Infrastructure Grant projects

³ NOVA recreation categories only: Nonhighway Roads, Motorized, Nonmotorized

⁴ NOVA education and Enforcement category only

⁵ WWRP-Washington Wildlife and Recreation Program

⁶ This panel assesses proposals by reviewing applications and visiting sites. It does not score projects.

Table 1b. RCO's Advisory Committees ~ Details

Advisory Committee Name	Duty and Commitment Summary
1. Aquatic Lands Enhancement Account	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • The committee normally evaluates projects by listening to oral presentations. • Members are recognized for their experience and interest in, and knowledge of aquatic lands, habitat, ecosystem functions, recreation, and public access issues • For more information visit, Manual 21 "Advisory Committee".
2. Boating Programs <ul style="list-style-type: none"> • Boating Facilities Program • Boating Infrastructure Grants 	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • The committee normally evaluates projects by listening to oral presentations in both the Boating Facilities Program and Boating Infrastructure Grants Program. • Members are government professionals and recreationists recognized for their experience in and knowledge of motor boating issues. • For more information visit, Manual 9 "Advisory Committee".
3. Firearms and Archery Range Recreation	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 2-year terms. • The committee typically evaluates projects by listening to oral presentations. • Members are government professionals and recreationists recognized for their experience in and knowledge of a variety of shooting sports issues, including rifle, pistol, black powder, etc. • For more information visit, Manual 11 "Advisory Committee".
4. Land and Water Conservation Fund	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • The committee typically evaluates projects by listening to oral presentations. • Members are government professionals and recreationists recognized for their experience in and knowledge of outdoor recreation, open space, and habitat conservation. • For more information visit, Manual 15 "Advisory Committee".
5. Nonhighway and Off-Road Vehicle Activities	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • The committee typically evaluates projects across four categories, including motor and nonmotor trail recreation and education-enforcement, by listening to oral presentations. • Members are government professionals and recreationists recognized for their experience in and knowledge of motor and nonmotor trail recreation • For more information visit, Manual 13 "Advisory Committee" and Manual 14 "Advisory Committee".

<p>6. Recreational Trails Program</p>	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • The committee evaluates projects across six categories, including motor and nonmotor trail recreation and trail education, by reviewing written materials. • Members are government professionals and recreationists recognized for their experience in and knowledge of motor and nonmotor trail recreation. • For more information visit, Manual 16 "Advisory Committee".
<p>7. Salmon Technical Review Panel</p>	<ul style="list-style-type: none"> • This is a compensated standing panel. • Members serve 4-year terms. • They assess the proposals by reviewing applications and visiting sites. The feedback they provide helps ensure that funded projects are appropriately budgeted and measurably contribute to salmon recovery. The panel does not rate, score, or advocate for projects. • Membership includes marine and stream habitat restoration specialists, environmental engineers, forage and fisheries biologists, and experts in hydrology and fish passage design. • For more information visit, Manual 18 "Review Panel".
<p>8. WWRP-Farmlands Preservation Category</p>	<ul style="list-style-type: none"> • This is a standing committee. • Members serve 4-year terms. • They develop grant recommendations by scoring projects during oral presentations. • Members are farmers, local officials, and people with expertise in ecology, real estate, planning, and land management. • For more information visit, Manual 10f "Advisory Committee".
<p>9. WWRP-Habitat Conservation Categories</p> <ul style="list-style-type: none"> • Critical areas • Natural areas • Urban Wildlife Habitat • State Lands Restoration-Enhancement 	<ul style="list-style-type: none"> • Except for the state lands category, the members of these committees are divided into two teams: project reviewers and project evaluators. Reviewers provide comments to applicants to improve the quality of the proposal. Evaluators score the projects and make funding recommendations. Both teams are selected by the RCO each grants cycle; some members participate on all seven groups. • Depending on the committee, the evaluators develop grant recommendations by scoring projects during oral presentations or in a written process. • Members have a statewide perspective and are recognized for experience and knowledge in habitat conservation. They include representatives from the Departments of Natural Resources and Fish and Wildlife. Members are selected by the RCO based on their expertise in acquisition of habitat properties, biology, fish and wildlife management, and related natural resource management. • For more information visit, Manual 10b "Evaluation Team".
<p>10. WWRP-Riparian Protection Account Category</p>	<ul style="list-style-type: none"> • This is an ad hoc committee with members selected each grants cycle. • Members develop grant recommendations by scoring projects during oral presentations. • Members may include representatives from state and local agencies, non-profit organizations, recreational interests, academics, and the general public. In addition to the qualifications listed under the habitat conservation, evaluation team members typically have expertise and experience in: agriculture, engineering, forestry, geomorphology, hydrology, land use management, marine or freshwater shorelines, urban planning, wetlands, lakes, streams, and river systems. • For more information visit, Manual 10b "Evaluation Team".

11. [WWRP-
Outdoor
Recreation
categories](#)

- **Local Parks**
- **State Parks**
- **Trails**
- **Water
Access**
- **State Lands
Development-
Renovation**

- Except for the state lands category, the members of these committees are divided into two teams: project reviewers and project evaluators. Reviewers provide comments to applicants to improve the quality of the proposal. Evaluators score the projects and make funding recommendations. Both teams are selected by the RCO each grants cycle; some members participate on all seven groups. Because the State Parks and Recreation Commission is the only recipient of grants in this category, the Recreation and Conservation Funding Board delegated to the commission the evaluation and ranking of these projects, which then are submitted to the board for funding.
- Depending on the committee, the evaluators develop grant recommendations by scoring projects during oral presentations or in a written process.
- As the process is slightly different for each category, so is the makeup of the evaluation teams. Membership includes representatives from the Recreation and Conservation Funding Board's three member agencies (Department of Natural Resources, Department of Fish and Wildlife, and State Parks and Recreation Commission). In addition, each category except state parks and state lands includes local agency representatives and the general public. The state lands category includes local agency or Native American tribal representatives.
- For more information visit, [Manual 10a "Evaluation Team"](#).

12. [Youth
Athletic
Facilities](#)

- This is a standing committee.
- Members serve 4-year terms.
- Members are aware of community outdoor athletic needs through professional experience and volunteer efforts. They develop grant recommendations by scoring projects during oral presentations.
- Members are representatives of the public at large, nonprofit organizations and government.
- For more information visit, [Manual 10b "Evaluation Team"](#).

Funding Available to Tribes

Grant programs: The RCO encourages tribal governments to seek grants in those programs where they are eligible. This includes the high majority of habitat conservation, recreation, and salmon recovery grant programs administered by the RCO. These programs are described in Table 2, *RCO Administered Grant Programs in Which Tribes are Eligible*. Follow the links for more information.

Table 2. RCO Administered Grant Programs in Which Tribes are Eligible								
Program	Description	Parks	Trails	Boating	Shooting	Conserving Habitat	Salmon Recovery	Farmlands Preservation
1. ALEA: Aquatic Lands Enhancement Account	Helps ensure that aquatic lands are protected and enhanced. This includes tidelands, shore lands, harbor areas, and the beds of navigable waters. Grants may be used acquire, improve, or protect these lands for public purposes, including access.		✓			✓		
2. BFP: Boating Facilities Program	Provides grants to acquire, develop, and renovate boating facilities on both freshwater and saltwater, and for both motorized boats and non-motorized craft, such as kayaks and canoes.			✓				
3. BIG: Boating Infrastructure Grants	Provides grants to acquire, develop, and renovate boating facilities on both freshwater and saltwater.			✓				
4. FARR: Firearms and Archery Range Recreation	Provides grants to acquire, develop, and renovate public and private nonprofit firearm range and archery training and practice facilities. It also funds equipment purchases, safety and environmental improvements, noise abatement, and liability protection.				✓			
5. LWCF: Land and Water Conservation Fund	Provides grants to buy land and develop outdoor facilities for the public, including parks, trails, and wildlife lands.	✓	✓	✓		✓		
6. NOVA: Nonhighway and Off-Road Vehicle Activities	Provides funding for activities that range from the development of trails and trail heads, to maintenance of intensive use areas, such as off-road vehicle sports parks. Grants may be used to develop and manage recreation opportunities for users of backcountry trails and non-highway roads and pay for planning, capital		✓					

	improvements, maintenance, operation, land acquisition, education, and related law enforcement.					
7. RTP: Recreational Trails Program	Provides funding to maintain trails and facilities that offer a backcountry experience. Eligibility includes maintenance and rerouting of trails, development of trail-side and trail head facilities, and operation of environmental education and trail safety programs.	✓				
8. Salmon: Salmon Recovery	Provides funding for elements necessary to achieve overall salmon recovery, including habitat projects and other activities that result in sustainable and measurable benefits for salmon and other fish species.					✓
9. WWRP: Washington Wildlife-Recreation Program	Provides funding for a broad range of land protection and outdoor recreation, including park acquisition and development, habitat conservation, farmland preservation, and construction of outdoor recreation facilities.	✓	✓		✓	✓

Dispute Resolution

In most cases, the parties involved in any dispute with the RCO will strive to resolve the issue informally at the staff level. If this is not successful, the issue is presented to progressively higher levels of agency management until consensus is reached: immediate supervisor, deputy director, director, and governing board: Recreation and Conservation Funding Board, Salmon Recovery Funding Board, etc. If consensus is not reached, either the RCO’s director or governing board will make a decision on the matter.

Above the informal staff level, notification of disputes must be in writing. The RCO will consult with the parties directly involved and others as appropriate to resolution. Disputes do not require the RCO to suspend action on a project and the RCO’s responsibility to carry out any action that is not the subject of the dispute remains unchanged. Any decision, recommendation, or comment provided in connection with a dispute is understood to pertain only to the subject of the current dispute.

The RCO is willing to consider other processes for resolving disputes and whatever process is used does not preclude a tribe from pursuing appeals to agency actions under applicable laws.

Appendix: Consultation Procedures for Implementing Executive Order 05-05

1. To which grant programs does the order apply?

- a. Recreation and Conservation Funding Board: Aquatic Lands Enhancement Account, Boating Facilities Program, Nonhighway and Off-road Vehicle Activities, Firearms and Archery Range Recreation, Washington Wildlife and Recreation Program, and Youth Athletic Facilities.
- b. Salmon Recovery Programs: Estuary and Salmon Restoration, Family Forest Fish Passage, Puget Sound Acquisition and Restoration, and Salmon Recovery.

2. What projects are exempt? (*Compliance remedies and conversions are subject to the 05-05 process.*)

- a. A project that triggers compliance with the National Historic Preservation Act, Section 106. In such cases, the applicant-sponsor must provide documentation of compliance and RCO must concur with the findings for the project to be considered exempt. These projects involve those:
 - With federal grants administered by RCO (Boating Infrastructure Grant, Land and Water Conservation Fund, Recreational Trails, Salmon Recovery).
 - Where a federal grant is used as match.
 - That require a federal permit (for example, Army Corps of Engineers; if the project includes upland work, that portion is not exempt and must go through the EO 05-05 review).
 - Those located on federal land.
 - Those submitted by a federal applicant.
- b. Those listed as exempt in the Programmatic Agreement between RCO and the Department of Archeology and Historic Preservation (DAHP).
- c. For cause, RCO may remove a project from a programmatic exemption and submit it for formal consultation. This provision allows for consideration of new evidence after exemption.

3. What is the process for obtaining an exemption from DAHP?

- a. RCO requests DAHP's concurrence with a cover letter with the list of projects exempted under the Programmatic Agreement or federal Sec. 106 provisions.
- b. DAHP responds by concurring, requesting more information, or recommending a cultural review.
- c. RCO responds by either:
 - Adding DAHP's letter of concurrence to the project file (by RCO's outdoor grants manager).
 - Following up with the project applicant (by RCO's outdoor grants manager) to ensure the additional information is provided or the cultural review is completed.

4. Who assumes the lead for other projects?

- a. State agencies: For EO 05-05 purposes, the applicant state agency assumes the lead. Its staff must provide documentation of compliance.
- b. Projects with a federal nexus (for example, on federal land, federal funding, requiring a federal permit, etc.; see 2. a above): the federal agency assumes the lead.

RCO EO 05-05 Tribal Government Cultural Resources Review Process

DAHP and the Governor's Office of Indian Affairs suggest that RCO contact each tribe before formal tribal consultation begins to ask about expectations regarding future contacts. This consultation would normally begin at the same time as consultation with DAHP.

1. RCO's cultural resources coordinator notifies the tribal chair and cultural resources staff of possible RCO funding and asks if there is interest in formal consultation for the project; if the answer is "yes" the *process is conducted by the applicant*; copy DAHP on all tribal correspondence; include the following (much of this is in the EZ form provided by the applicant):
 - a) Cover letter from RCO deputy director indicating initiation of 05-05 tribal consultation and requesting comment within 30 days.
 - b) Project description
 - c) Site map
 - d) Description of the impacted area including the extent (limit) of ground disturbance and depth of excavation
 - e) Local project sponsor and contact information
 - f) Any additional pertinent information provided by applicant.
- 2a. Tribe/s responds with:
 - a) No known cultural resources affected – tribal consultation concluded (however, if a cultural resource is found, activity must stop and consultation must be re-started).
 - b) More information is needed.
 - RCO informs the sponsor and DAHP; DAHP and the tribe can assist the sponsor in determining the extent of the needed surveys.
 - Once the information is supplied, the sponsor submits it to RCO, which provides it to the tribe and DAHP.
 - c) Project of concern: cultural resources are identified
- 2b. If no written response from tribe/s within 30 days, RCO's outdoor grants manager calls the tribe's cultural staff to determine interest. If there is interest, seek comment per item #1, above. If no response, document to file RCO's contact attempts.
3. If cultural resources are identified and affected, a meeting is needed (sponsor, RCO, DAHP and the tribe) to determine how to proceed to avoid, minimize, or mitigate the effect.
 - a) The end product of this process will likely be a memorandum of agreement that becomes part of any RCO contract.
 - b) If agreement is not reached, RCO's director may conclude consultation and use her discretion on proceeding with the project.