

2018 Agency Centennial Accord Plan

Washington State Parks and Recreation Commission

I. Introduction and Agency Overview

The Washington State Parks and Recreation Commission (Commission¹) is committed to the successful implementation of the Centennial Accord's policies for achieving government-to-government relationships. This 2018 Centennial Accord Plan identifies the policies, programs and people through which State Parks will interact with tribal governments.

Washington State Parks operates one of the largest, most diverse, and beautiful state park systems in the country. With more than 120,000 acres, the system includes 125 developed parks, including 19 marine parks, 11 historical parks, 35 heritage sites, 13 interpretive centers and approximately 500 miles of long-distance recreation trails. There are state parks in nearly every county in the state and within an hour's drive from home for almost all Washingtonians. Parks lie along rivers, freshwater lakes and Puget Sound shorelines. State Parks manages lands in mountains and along the Seashore Conservation Area, in Central Washington's desert shrub-steppes and river gorges, and in Eastern Washington's channeled scablands and river corridors.

AGENCY MISSION

The Washington State Parks and Recreation Commission cares for Washington's most treasured lands, waters, and historic places. State parks connect all Washingtonians to their diverse natural and cultural heritage and provide memorable recreational and educational experiences that enhance their lives.

WASHINGTON STATE PARKS VISION

Washington's state parks will be cherished destinations with natural, cultural, recreational, artistic, and interpretive experiences that all Washingtonians enjoy, appreciate, and proudly support.

¹The name "Washington State Parks and Recreation Commission" refers to both the official name of the state agency and its governing body. In this document, when the term "Commission" is used, it refers only to the seven-member governing body, each member of which is appointed to six-year terms by the Governor. When the term "Washington State Parks" or "State Parks" or "Parks" is used, it refers to the agency. When park or parks are used and are not capitalized, they refer to the singular or plural of individual parks within the system, but not the entire park system.

AGENCY GOVERNANCE

A Governor appointed Commission of seven volunteer citizens, oversees the Washington State Parks system and establishes policy direction for the agency. The Commission members serve six-years terms. The Commission hires a Director to manage the agency. The duties and responsibilities of the Commission and Director and functions of the agency are specified in Chapter 79A.05 RCW.

AGENCY ORGANIZATION

The Director's Office

The Director's Office is composed of the Agency Director and Executive Assistant. The executives responsible for managing the agency's Communications, Policy and Governmental Affairs, and Human Resources functions, and the Assistant Directors of Park Operations, Parks Development, and Administrative Services divisions report to the Director.

The Agency Director is responsible for the hiring, dismissal, and management of all agency staff as well as the oversight of all agency programs and intergovernmental and public relations. The Commission hires the Director as the lead executive officer of State Parks. The Director serves at the pleasure of the Commission and is annually evaluated by the Commission for work performance and productivity.

Communications Office is responsible for public information, media relations, external communications, strategic communications, web site content, publications management, agency graphic and communication standards, and the Information Center/Front Desk. The Information Center is responsible for issuing all camping passes, boat moorage permits, natural investment permits, and commercial use permits as well as serving as the agency's central public information source for questions on the reservation system and other park system services.

Policy and Governmental Affairs Office is the agency's **principal liaison with the twenty-nine federally recognized Tribes in Washington**, the Governor's Office, federal and state legislators and staff, other local, state, and federal agencies, and constituent groups. The work unit is responsible for policy research and development, manages the agency's rule making and regulatory reform process, oversees performance measurement, prepares the agency Strategic Plan, and provides consultation and support on issues related to agency policy.

Human Resources is responsible for labor relations, recruiting and hiring, compliance with employment laws, rules and collective bargaining agreements, position classification, compensation and employee recognition, employee diversity and

affirmative action, employment investigations, employee performance management, employee training and development, worker's compensation and claims management, state employee ethics, and Equal Employment Opportunity Commission/Human Rights Commission/whistleblower complaint coordination and response.

Administrative Services Division

The Administrative Services Division provides administrative support to agency management and line staff to support the agency's mission. Functions managed by the division include information technology, operating and capital budget development and monitoring, revenue forecasting, risk management, public records, records management, accounting, payroll, contracts, procurement, forms management, mail service, warehouse services and the agency's Lean Program. The agency's internal audit function is also housed within the division but has a direct reporting relationship to the Director.

Operations Division

The Operations Division is responsible for development and implementation strategies that enhance public safety in all parks, develop rules, policies and procedures that govern visitor behavior, coordinate law enforcement activities, advance employee health and safety, manage several statewide recreation programs including Boating Safety, Winter Recreation (snowmobile trail maintenance and cross-country ski trails), and provide day-to-day management of headquarters staff, three regional offices and 125 state parks.

Regional Offices are responsible for administering park operations, resource stewardship and park facilities management at the regional level. Regional operational responsibilities include: ranger supervision; visitor protection and law enforcement; buildings, grounds, and trail maintenance; group camping services; public programs and services; interpretive services; historical, cultural, and natural resource stewardship; statewide trails, shellfish, and tidelands management; boating facilities and boating safety programs; constituent services; commercial use permits; volunteer program services; friends groups; the agency's equipment and signage shops; and the system's marine and arbor crews.

Employee Health and Safety is responsible for employees' safety and accident investigations, supervision of hazardous chemicals, critical incident stress management, ergonomic assessments, facility inspections, employee safety training, Department of Labor and Industries claims, return-to-work and other employee safety activities.

Boating Safety is responsible for ensuring recreational boating remains a safe and enjoyable pastime that encourages a culture of safe and environmentally friendly practices. The program administers funding and provides specialized training to 53 local law enforcement agencies that enforce boating laws on Washington's waters as well as grants to public ports, and marinas to build vessel sewage pump-out facilities. The

program also provides education to Washington boaters through administration of Washington Mandatory Boater Education Program and outreach programs focused on increasing boater awareness of safety and environmental issues. Lastly, the program maintains records of all recreational boating accidents. Funding for these programs is supported by federal grants and vessel registration fees.

Winter Recreation is responsible for managing diverse winter recreation activities, including cross-country skiing, snowmobiling, snowshoeing, skijoring, dog-sledding, and other snow-based recreational activities carried out in state parks or on land administered by the Commission under agreements with other organizations.

Visitor Protection and Law Enforcement develops and directs programs for the safety and security of park visitors and prepares park rangers for their role as public safety professionals. This unit is responsible for Park Ranger policy, law enforcement equipment, ranger hiring and training, and maintaining law enforcement records.

Parks Development Division

The Parks Development Division is responsible for land acquisition, park master planning, capital design and construction, land use and construction permitting, environmental protection, biennial capital budget preparation, business development, and archaeology. Capital design, permitting and construction teams are located in each region. This division also serves as lead to the Folk and Traditional Arts Program, the agency-wide interpretive program, volunteer services and partnership coordination, and stewardship management. The Division's work is managed through the following programs.

Stewardship is responsible for protecting and enhancing the natural and cultural resource functions and values of the state parks system. Stewardship program responsibilities include, weed and pest control, fire protection, cultural and archaeological site protection, maintenance of natural area preserves, natural forest areas, heritage areas, and other sites of significant natural resource conservation value.

The Stewardship program also manages Native American Graves Protection and Repatriation Act (NAGPRA) compliance (federal requirements, staff training, surveys, inventories, negotiations with tribes, and repatriation), environmental and land use permitting and compliance with the State (SEPA) and National (NEPA) Environmental Policy Acts.

Business Development is responsible for professional business support, identifying cost efficiencies and responding to new business opportunities. This unit is responsible for the central reservation system (CRS) for overnight stays, marketing, analysis of fees, and supports agency business analysis and related decision-making.

Partnership and Planning is responsible for developing policies and procedures to establish partnerships within friend's groups, foundations, tribes, communities nearby parks, and other organizations. This program is also responsible for coordinating and

management of the volunteer program, park-specific land use planning (commonly known as Classification and Management Plans or “CAMP”), and statewide and regional land use planning and policies.

The Folk and Traditional Arts Program supports the State Parks and Recreation Commission’s mission to connect all Washingtonians to their natural and cultural heritage through memorable experiences in the parks.

Since 2004, the Folk and Traditional Arts Program supports those experiences with performances in state parks by musicians, dancers, craftspeople and storytellers who represent a wide variety of old and new Washington traditions. From tribal canoe journeys to Cinco de Mayo festivities, from fisher poetry to Ecuadorian song, from Hawaiian hula to old-time square dances, the program brings people together people to celebrate a common heritage and some to learn about the traditions of others.

Capital is responsible for the scoping, design, development, contract management and construction administration of capital facility projects. The State Parks archaeological program also resides within Capital. The program includes professional archaeologists who use scientific methods for assessing cultural resources on State Parks lands. This work helps the agency avoid and mitigate cultural resource impacts associated with ground-disturbing projects and reviews all agency actions for compliance with cultural resource policies, including the protection of traditional cultural properties. For over 20 years, State Parks has taken a leadership role in developing and implementing curriculum for the Pacific Northwest Regional Cultural Resource Training Program, which is available to state and local agencies and tribes. The training covers the state’s historical and cultural resources and how to protect them. Since the training’s inception in 1996, tribal members have served both as instructors and participants.

II. Funding Distribution

While State Parks is not principally a financial granting agency, there are a few statewide programs Parks administers which provide opportunities for tribes and tribal members to apply for grants. There are also opportunities for contracting and volunteering which may be of interest to tribes and tribal members.

Grants

Tribes are eligible to apply for funding under the **Federal Clean Vessel Grant Program** (360-902-8659) for the installation, operation, and maintenance of Boater Sewage Disposal Facilities. Funds are also available from the **Winter Recreation Grants Program** (360-902-8595) to provide winter recreation services to the public.

Tribes are eligible and encouraged to apply for the **No Child Left Inside Grant Program**. Grant funds are available for outdoor environmental, ecological, agricultural, or other natural resource-based education and recreation programs serving youth.

This grant program is intended to empower local communities to engage students in outdoor education and recreation experiences and focuses on serving students with the greatest needs. Students work to improve their overall academic performance, self-esteem, personal responsibility, community involvement, personal health, and understanding of nature.

<https://www.rco.wa.gov/grants/ncli.shtml>

Volunteering and Fee Reductions

The agency offers a wide array of volunteer opportunities. The agency's Volunteer Program (360-902-8583) coordinates Park Host and Park Volunteer ("Friends of the State Park") activities that provides volunteers with park passes, camping discounts, and other appreciations. Likewise, the agency's Information Center (360-902-8844) coordinates and provides off-season citizen and disabled veterans' passes which waive some fees and, depending on the season, discount camping fees.

Contracting, Concessions, and other Business Opportunities

State Parks offers economic development opportunities through its Business Development Program (360-902-8631), for park concessions and leases. The agency announces opportunities for external consulting and contracting work through competitive bidding procedures for capital improvements administered by the Capital Program (360-902-0932). Finally, the agency contracts with tribes through interagency procurement procedures to perform natural and cultural resource evaluation services. For example, tribal archaeologists are regularly hired to perform archaeological investigations – especially in locations known or likely to be sensitive sites. Frequently tribes have special knowledge of park areas which can both assist agency staff in minimizing disturbance of culturally important areas and allow for the tribes to limit public knowledge of particularly sensitive resource locations. Tribes have been essential co-managers and protectors of our state's heritage and State Parks is very thankful for this unique service.

Discover Pass and Boat Launch Information

The state recognizes that enrolled members of federally recognized tribes with off-reservation rights in Washington do not need to have a pass to be on state lands. Tribal members may park or operate a motor vehicle on state-managed recreational lands, without fees, for conducting tribal activities. The following information provides options for tribal governments and members as a matter of convenience to avoid notices of infraction related to Discover Pass Program implementation.

Depending on the treaty, a Discover Pass may not be required for tribal members to pursue Treaty activities such as hunting, fishing, gathering, or harvesting shellfish. To recreate in other types of activities may require a Discover Pass when parking at State Parks, Department of Fish and Wildlife, and Department of Natural Resources public

parking areas. An alternative pass for tribal members to use while pursuing Treaty activities is distributed to the tribes that request them. The alternative pass looks very similar to a Discover Pass. It reads: "ANNUAL PASS- VALID ON DNR, WDFW, AND STATE PARKS LANDS. Not for Resale." The pass is serialized beginning with the first two letters of the tribe, such as MU for the Muckleshoot Indian Tribe, followed by a series of five numbers.

State Parks boat launches require the following:

- 1) Complete a boat launch self-registration envelope (available at launch)
- 2) Write "Tribal ID" and tribal identification number on the outside of the envelope
- 3) Leave the envelope on the dashboard of your vehicle with Tribal ID number showing

Please contact Owen Rowe, State Parks Tribal Liaison, at 360-902-8504 with any questions on grant programs, annual passes available to tribal governments, or other opportunities to engage with State Parks.

III. Consultation Process – Procedures

Purpose of Consultation

Washington State Parks is committed to achieving agreement with affected tribes whenever possible regarding issues of common interest. Both tribes and State Parks share a goal of stewarding the natural and cultural heritage of Washington for future generations.

State Parks recognizes that *The Centennial Accord* and *New Millennium Agreement* establishes a framework to support the development of strong government-to-government relationships between federally recognized Indian Tribes and state agencies. A key component of both agreements is the shared commitment to create a framework within which individual tribes and State Parks can actively consult regarding issues of mutual interest.

Consultation Protocol

The core concept of government-to-government consultation is mutual respect and recognition of the rights and dignities of all parties. State Parks believes that effective consultation occurs when issues are worked on and resolved by people of similar responsibility within the appropriate levels of an organization. When an issue arises of mutual interest, it is important that both agency and tribal leadership are included in efforts to resolve the issue, and that the best technical and professional staff who know the most about an issue participate. The crosswalk below represents the most effective staff to for State Parks to consult with tribes:

State Parks

Parks and Recreation Commission
Agency Director
Tribal Liaison
Area Managers (one of 25 in state)
Stewardship Manager

Tribes

Tribal Council
Tribal Chair and/or Lead Administrative Officer
Any Tribal Leader/Staff desiring initial contact
Any Tribal Leader/Staff with specific park issue
Any Tribal Leader/Staff with a natural or cultural resource management issue extending beyond a single park.

For day-to-day operating issues in a specific park, it is most effective to talk with the park's Area Manager. There are 25 management areas and parks are administered locally by an Area Manager. If tribes bring an issue to an Area Manager, that employee will know how to resolve the issue. For broader statewide issues, or issues that rise to the level and interest of Tribal leadership, the above crosswalk between state and tribal governance structure is a good guide for how a tribe can best consult with State Parks.

There are two common circumstances where tribal consultation occurs frequently. For the purposes of compliance with Executive Order 05-05 on Cultural Resources, the Governor directs state agencies to consult with interested tribes about capital development projects and encourages agencies to avoid or minimize their development impacts on cultural resources.

The second source of regular consultation with tribes is through State Parks' Classification and Management Planning (CAMP) program. This is a land use planning effort that takes place at the park specific level. It functions much like a city planning office, identifying land use permissions and prohibitions and review processes.

Establish Consultation and Communication Policy

The Commission has adopted a Cultural Resource Management Policy, which requires staff to reach out to tribes as it carries out all its work that might affect tribal resources or practices. A relevant portion of the policy is quoted below:

Cultural Resources Management Policy

1. At the earliest practicable time, the Commission will inform other governmental agencies, potentially affected tribes, nearby communities, interest groups, the public at large, and entities that are specified by law or regulation of opportunities to become informed about and comment on anticipated Commission actions with respect to cultural resources.
2. When the requirements or procedures of federal or state law and regulation are not applicable, the Commission will coordinate with interested tribes regarding issues of mutual concern related to the development of cultural resource management plans, the use (including research) and display of collections, and the treatment of cultural resources of interest to Native Americans. Upon request,

the Commission will formally consult with interested tribes consistent with the Centennial Accord, the New Millennium Agreement, and agency guidelines regarding these issues.

Development of New Policy

1. Commission

The seven-member, citizen-volunteer Washington State parks and Recreation Commission holds about seven meetings per year across the state. Notice of each Commission meeting and important issues on the agenda are distributed to all major newspapers and radio station statewide at least one week prior to the meetings. Commission agendas are also published on the agency's website (www.parks.wa.us) at least one week prior to the meeting. During meetings the Commission conducts the agency's business, entertains public comments, undertakes formal "expedited and requested actions," receives reports, and, when necessary, conducts Executive Sessions. In case of rule-making actions, the Commission follows the state's formal rule-making process and calendar as outlined in RCW 34.05 (Administrative Procedure Act). This formal process includes publishing the intended rule change, proposed language, a schedule of formal public hearings, and final adoption.

2. Legislation

For each session's legislative agenda, the Commission and its staff follow the Office of Financial Management's (OFM) schedule and instructions for annual agency request legislation. This generally means soliciting proposals from agency staff in the spring of each year and distributing drafts for review by agency stakeholders, **including Tribes**, prior to the Commission's approval for a submittal to OFM and the Governor by September. Approved agency request legislation is introduced each January.

3. Executive Leadership

The agency's Executive Leadership Team is composed of senior management who report directly to the Director. Leadership members, in touch with field operations, program advisory groups, and external constituencies, propose, debate and recommend policy to the Commission.

4. Each division and corresponding program, guided by the agency's Strategic Plan and advised in most cases by advisory groups, develops and coordinates its own programs. The agency's three Assistant Directors for Operations, Parks Development, and Administrative Services are the overall authority for these day-to-day operations.

A comprehensive list of agency programs, contacts and publications may be found at www.parks.wa.us or obtained by calling State Parks' Information Center Desk: (360) 902-8844.

IV. *Dispute Resolution Process and other Sources for Contact*

General

Disputes between tribal governments and State Parks will be referred to the Director or designee, who may endeavor to resolve the dispute themselves or may call upon service of in-house or outside facilitators, mediators, or arbiters.

Land Transactions and Co-Management with Tribes

1. When property is deemed unsuitable for park purposes by the Commission, it may be sold. Those properties tend to be smaller properties where development for park purpose is not feasible. Selling the property is subject to state law and agency policy and is conducted through a public auction. The Tribes are welcome to participate in the process.
2. The Commission has the authority to transfer park property to other governments or entities, provided that the property is used for park purpose in perpetuity. The Commission used that authority to transfer the former Old Man House State Parks to the Squamish Tribe. Because of the sovereign nature of Treaty Tribes, and to ensure that State Parks property will remain a park in perpetuity, there must be a limited waiver of sovereignty granted by a Tribe before the land transaction is finalized.
3. Another option is to manage land cooperatively with a Tribe. State Parks currently co-owns and co-manages Kukutali Preserve in Skagit County with the Swinomish Indian Tribal Community.

V. *AGENCY CONTACTS*

1. INFORMATION CENTER (360) 902-8844 or (360) 902-8500

2. EXECUTIVE LEADERSHIP TEAM

Don Hoch, Director (360) 902-8501

Becki Ellison, Executive Assistant (360) 902-8505

Peter Herzog, Assistant Director, Parks Development (360) 902-8642

Mike Sternback, Assistant Director, Operations (360) 902-8660

Shelly Hagen, Assistant Director, Administrative Services (360) 902-8521

Virginia Painter, Communications Director (360) 902-8562

Owen Rowe, Policy and Governmental Affairs Director (360) 902-8504

3. PROGRAM IMPLEMENTATION

Mike Sternback, Assistant Director, Operations (360) 902-8660

Peter Herzog, Assistant Director, Parks Development (360) 902-8642
Dan Meatte, State Archaeologist (360) 902-8637
Lisa Lantz, Stewardship Manager (360) 902-8641
Ryan Karlson, Interpretive Program Manager (artifacts, NAGPRA) (360) 902-8650
Steve Hahn, Lands Program (360) 902-8683

4. DISTRIBUTION OF FUNDS

Shelly Hagen, Assistant Director, Administrative Services (360) 902-8521

5. TRIBAL LIAISON

Owen Rowe, Policy and Governmental Affairs Director (360) 902-8504

6. ATTORNEY GENERAL

Michael Young, Assistant Attorney General (360) 586-4034