

WAC 286-13-110 Income, use of income. (1) The source of any income generated in a funded project or project area must be compatible with the funding source and project agreement.

(a) The way the project or project area is defined varies with the source of funds provided by the board. That is, income generated in a project assisted with funds that originate from:

(i) A state source must be consistent with the limits of the element(s) assisted by the board (for example, within the area of an athletic field or habitat area).

(ii) The federal land and water conservation fund must be consistent within the protected boundary as described in the Land and Water Conservation Fund Act, 36 C.F.R., Part 59.

(b) User or other fees may be charged in connection with land acquired or facilities developed with board grants if the fees are consistent with the:

(i) Value of any service(s) furnished;

(ii) Value of any opportunities furnished; and

(iii) Prevailing range of public fees in the state for the activity involved.

(iv) Excepted are firearms and archery range recreation program safety classes (firearm and/or hunter) for which a facility/range fee must not be charged (RCW 79A.25.210).

(2) Regardless of whether income or fees in a project area (including entrance, utility corridor permit, cattle grazing, timber harvesting, farming, etc.) are gained during or after the reimbursement period cited in the project agreement, unless precluded by state or federal law, the revenue may only be used to offset:

(a) The sponsor's matching resources;

(b) The project's total cost;

(c) The expense of operation, maintenance, stewardship, monitoring, or repair of the facility or program assisted by the board's grant;

(d) The expense of operation, maintenance, stewardship, monitoring or repair of other similar units in the sponsor's system; or

(e) Capital expenses for similar acquisition or development.

[Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-13-110, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720. WSR 97-17-004, § 286-13-110, filed 8/7/97, effective 9/7/97; WSR 97-08-003, § 286-13-110, filed 3/20/97, effective 4/20/97. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-13-110, filed 3/29/96, effective 4/29/96. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-13-110, filed 8/17/94, effective 9/17/94.]