

Title 286 WAC

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 286-12 STATEWIDE OUTDOOR RECREATION AND OPEN SPACE PLAN (UNCODIFIED).

[Filed 2/16/67.] Repealed by Order 1, filed 12/10/71.

Chapter 286-04 WAC GENERAL

WAC	
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WAC 286-04-010 Definitions. For purposes of these rules: (1) "Interagency committee" means the interagency committee for outdoor recreation, (IAC) created by RCW 43.99.110.

(2) "Chairman" means the chairman of the interagency committee. See RCW 43.99.110.

(3) "Administrator" means the administrator of the interagency committee. See RCW 43.99.130 (Order 1, section 286-04-010, filed 12/10/71.)

(4) "Bureau of Outdoor Recreation" (BOR) means the bureau of outdoor recreation. United States Department of Interior.

(5) "Project" means the undertaking which is, or may be, funded in whole or in part with outdoor recreation account money administered by the interagency committee.

(6) "Development" means the construction of facilities necessary for the use and enjoyment of recreational resources.

(7) "Acquisition" means the gaining of rights of public use by purchase, negotiation, or other means, of fee or less than fee interests.

(8) "Planning" means the development of programs of action to increase the availability of recreational resources and/or the preparation of designs and specifications for such resources.

(9) "Action program" means the identification of actions proposed to effectuate the policies and recommendations contained in the plan. [Order 3, § 286-04-010, filed 7/31/73; Order 1, § 286-04-010, filed 12/10/71.]

WAC 286-04-020 Organization and operations. (1) The interagency committee for outdoor recreation is an unsalaried committee consisting of the

- (a) Commissioner of Public Lands,
- (b) Director of Highways Department,
- (c) Director of the Ecology Department,
- (d) Director of the Game Department,
- (e) Director of the Fisheries Department,
- (f) Director of the Parks and Recreation Commission,
- (g) Director of the Department of Commerce and Economic Development, and five citizens appointed by the governor from the public-at-large for a term of three years. The Chairman of the Committee is appointed by the governor from the five citizen members. (RCW 43.99.110)

(2) The interagency committee was created by Initiative 215 (Marine Recreation Land Act of 1964). It is authorized to allocate and administer funds to local and state agencies from the State General Fund Outdoor Recreation Account. This account includes monies derived from (a) unclaimed marine fuel tax refunds; (b) sales of bonds under Referenda 11, 18, and 28; (c) the state apportionments of the federal land and water conservation funds, and (4) [(d)] from such other sources as the legislature may provide. (RCW 43.99.060)

(3) The interagency committee is authorized and obligated to prepare, maintain and update a comprehensive state-wide outdoor recreation and open space plan. (RCW 43.99.122)

(4) The interagency committee does not operate any outdoor recreation facilities.

(5) The work of the interagency committee is performed by a staff under the direction of an administrator appointed by the Committee. The office of the committee and its staff is 4800 Capitol Boulevard, Tumwater, Washington 98504.

(6)(a) Regular meetings of the interagency committee are held according to a schedule adopted by the interagency committee which schedule is reviewed from time to time as need dictates.

(b) Special meetings may be called by the chairman at any time. (RCW 34.04.020(2))

(7) Reimbursement of Expenses. Members of the Interagency Committee appointed from the public-at-large shall receive per diem and travel expenses while engaged on official business away from their homes officials and employees generally, (RCW 43.99.110). [Order 3, § 286-04-020, filed 7/31/73; Order 1, § 286-04-020, filed 12/10/71.]

WAC 286-04-030 Goals and objectives. The goals of the interagency committee for outdoor recreation are to: (1) provide funds and planning assistance for acquisition and development and use of outdoor recreation resources in a manner to maximize preservation of the natural quality of the environment; (2) provide funds planning assistance for a system of public recreational facilities and opportunities for state residents and visitors; (3) assist with funds and planning assistance local government in providing the type of facilities which, under its jurisdiction, will best serve the local needs for outdoor recreation; (4) encourage programs which promote outdoor education, skill development participation opportunity and proper husbandry of recreation sources. [Order 3, § 286-04-030, filed 7/31/73.]

WAC 286-04-050 Compliance with State Environmental Protection Act guidelines (SEPA). The Interagency Committee for Outdoor Recreation, in response to RCW 43.21C.120 calling for regulations integrating the policies and procedures of the State Environmental Policies Act of 1971, has determined after reviewing its authorized activities that all of such activities are exempt from threshold determinations and environmental impact statement requirements under the provisions of chapter 197-10 WAC, as more particularly noted in the express exemption of "all activities" of the Interagency Committee contained in WAC 197-10-175(12)(l) and the categorical exemptions referenced in WAC 197-10-170(7)(d), (3) and (8). [Order 76-2, § 286-04-050, filed 6/30/76.]

Chapter 286-06 WAC PUBLIC RECORDS

WAC	Purpose.
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286-06-130	Records index.
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286-06-150	Adoption of form.
286-06-990	Appendix A—Form—Request for public record.

WAC 286-06-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Interagency Committee for Outdoor Recreation with the provisions

of chapter 1, Laws of 1973 (Initiative 276), codified as chapter 42.17 RCW, Disclosure-Campaign-Finances-Lobbying-Records; and in particular with sections 25-34 of that act, dealing with public records. [Order 73-4, § 286-06-010, filed 12/19/73.]

WAC 286-06-020 Definitions. (1) Public Records. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) Writing. "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents."

(3) Interagency Committee for Outdoor Recreation. The Interagency Committee for Outdoor Recreation is the 12 member committee comprised of the Commissioner of Public Lands, Director of Highways Department, Director of the Ecology Department, Director of the Game Department, Director of the Fisheries Department, Director of the Parks and Recreation Commission, Director of the Department of Commerce and Economic Development and five citizens appointed by the Governor from the public for a term of three years. The chairman of the Committee is appointed by the Governor from the five citizen members. (RCW 43.99.110). The Interagency Committee for Outdoor Recreation shall hereinafter be referred to as the "Committee." Where appropriate, the term Committee also refers to the staff and employees of the Interagency Committee for Outdoor Recreation. [Order 73-4, § 286-06-020, filed 12/19/73.]

WAC 286-06-030 Description of the organization of the Interagency Committee for Outdoor Recreation. The Committee, created by Initiative 215 (Marine Recreation Land Act of 1964) is authorized to allocate and administer funds to local and state agencies from the state general fund Outdoor Recreation Account. For more detailed description of the sources of funding and related duties, see WAC 286-04-020 detailing such special information. [Order 73-4, § 286-06-030, filed 12/19/73.]

WAC 286-06-040 Operations and procedures. The Committee staff workers perform under the direction of an administrator appointed by the Committee. The office of the Committee and its staff are located at 4800 Capitol Boulevard, Tumwater, Washington 98504. The Committee functions through regular meetings which are held according to a schedule adopted by the Committee which schedule is reviewed periodically as the need dictates. Special meetings are authorized to be called by the chairman at any time. See WAC 286-04-030 for specific rules and objectives adopted by the

Committee for its own guidance. [Order 73-4, § 286-06-040, filed 12/19/73.]

WAC 286-06-050 Public records available. All public records of the Committee, as defined in WAC 286-06-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by state or federal law, section 31, chapter 1, Laws of 1973 and WAC 286-06-100. [Order 73-4, § 286-06-050, filed 12/19/73.]

WAC 286-06-060 Public records officer. The Committee's public records shall be in charge of a public records officer designated by the Committee chairman. The person so designated shall be located in the Administrative Office of the Committee. The public records officer shall be responsible for the following: The implementation of the Committee's rules and regulations regarding release of public records, coordinating the staff of the Committee in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973. [Order 73-4, § 286-06-060, filed 12/19/73.]

WAC 286-06-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the Committee. For the purposes of this chapter, the customary office hours shall be consistent with RCW 42.04.060 as now or hereafter amended; i.e., from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays. [Order 73-4, § 286-06-070, filed 12/19/73.]

WAC 286-06-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained consistent with these concepts by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the Committee which shall be available at its administrative office. The form shall be presented to the public records officer or his designee if the public records officer is not available, at the office of the Committee during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to any of the Committee's current indexes, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested. [Order 73-4, § 286-06-080, filed 12/19/73.]

WAC 286-06-090 Copying. No fee shall be charged for the inspection of public records. The Committee shall charge a reasonable fee per page of copy for providing copies of public records and for use of the Committee's copy equipment. This charge is the amount necessary to reimburse the Committee for its actual costs incident to such copying. [Order 73-4, § 286-06-090, filed 12/19/73.]

WAC 286-06-100 Exemptions. (1) The Committee reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 286-06-080 is exempt under the provisions of state or federal law, or section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the Committee reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973.

(3) All denials of requests for public records, in whole or part, must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld. [Order 73-4, § 286-06-100, filed 12/19/73.]

WAC 286-06-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or his designee which constituted or accompanied the denial.

(2) Promptly after receiving a written request for review of a decision denying a public record, the public records officer or his designee denying the request shall refer it to the Committee's administrator or his designee. The administrator or his designee shall promptly consider the matter, either affirm or reverse such denial after consulting with the Committee chairman and/or the Attorney General's Office wherever possible to review the denial. In any case, the request shall be returned with a final decision wherever possible within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the Committee has returned the the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first. [Order 73-4, § 286-06-110, filed 12/19/73.]

WAC 286-06-120 Protection of public records. Records shall not be removed from the place designated for their inspection. [Order 73-4, § 286-06-120, filed 12/19/73.]

WAC 286-06-130 Records index. Availability. The current indexes promulgated by the Committee shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 73-4, § 286-06-130, filed 12/19/73.]

WAC 286-06-140 Committee address. All communications with the Committee pertaining to the administration of chapter 1, Laws of 1973 and these rules shall be addressed as follows: I.A.C., c/o Public Records Officer, 4800 Capitol Boulevard, Tumwater, Washington 98504. [Order 73-4, § 286-06-140, filed 12/19/73.]

WAC 286-06-150 Adoption of form. The Committee hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix "A", entitled "Request for Public Record." [Order 73-4, § 286-06-150, filed 12/19/73.]

WAC 286-06-990 Appendix A—Form—Request for public record.

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

(a) Signature of Applicant Name (Please Print)
Name of Applicant's Organization, If Applicable
Mailing Address of Applicant Phone Number
(b) Date Request Made Time of Day Request Made
(c) Nature of Request
(d) Identification Reference on Current Index (Please Describe)
(e) Description of Record, or Matter, Requested if not Identifiable by Reference to the Committee's Current Index

(f) The Requirer does not intend to use List of Individuals for Commercial Purposes.

Request Approved: Date By Public Records Officer

Request Denied: Date

Reasons for Denial:

Referred to Date By Public Records Officer

[Order 73-4, Appendix A (codified as WAC 286-06-990), filed 12/19/73.]

Chapter 286-16 WAC
ELIGIBILITY FOR STATE OUTDOOR RECREATION GRANT-IN-AID ASSISTANCE

WAC

- 286-16-010 Scope of chapter.
286-16-020 Eligibility for funding assistance.
286-16-030 Apportionment of monies between state and local agencies.
286-16-040 Matching requirements.
286-16-050 Projects eligible for funding.
286-16-060 Local agency requirements.
286-16-070 State agency requirements.
286-16-080 Reimbursement policy.

WAC 286-16-010 Scope of chapter. This chapter contains rules affecting the eligibility of local and state agencies to share outdoor recreation account money for eligible projects available from or through the interagency committee except for funds deposited in the Outdoor Recreation Account to be administered and distributed by the interagency committee for outdoor recreation for the planning, acquisition, development and management of All Terrain Vehicle trails and areas. [Order 3, § 286-16-010, filed 7/31/73.]

WAC 286-16-020 Eligibility for funding assistance. Only public agencies authorized to acquire or improve public outdoor recreation land, including Indian tribes now or hereafter recognized as such by the federal government for participation in the land and water conservation program, are eligible for funding assistance by the interagency committee. [Order 3, § 286-16-020, filed 7/31/73.]

WAC 286-16-030 Apportionment of monies between state and local agencies. Unless otherwise specified in the enabling legislation, monies available from all sources, including the United States government, shall be divided into two equal shares, one for aid to state agencies and one for aid to local public agencies. [Order 3, § 286-16-030, filed 7/31/73.]

WAC 286-16-040 Matching requirements. (1) Local Agencies—Matching Requirements.

(a) Insofar as it is possible under the state-wide outdoor recreation plan, local project applications will be administered and approved for funding from the outdoor

recreation account in a manner that will maximize federal assistance available for the benefit of state and local outdoor recreation projects in Washington.

(b) The interagency committee will not approve any local project where the local share is less than 25 percent of the total project cost, with the remaining share of up to, but not exceeding, 75 percent being composed of state funds, and/or state and federal funds, regardless of federal source.

(2) State Agencies, Matching Requirements. (a) The interagency committee may approve 100 percent funding from the outdoor recreation account for projects proposed by state agencies.

(b) If federal matching money, regardless of federal source, is available, the state agency may be assisted by interagency committee funds so as to achieve 100% funding. [Order 3, § 286-16-040, filed 7/31/73.]

WAC 286-16-050 Projects eligible for funding. Projects eligible for funding are (1) acquisition, and (2) development projects which encompass the goals and objectives contained in WAC 286-04-030. [Order 3, § 286-16-050, filed 7/31/73.]

WAC 286-16-060 Local agency requirements. Before the interagency committee will consider any project proposed by a local agency, the agency must have an accepted plan on file with the interagency committee;

(1) An officially adopted comprehensive plan of the area within its jurisdiction which includes a park and recreation element, or a separate park and recreation plan.

(2) An action program including a current six year capital improvement program. [Order 3, § 286-16-060, filed 7/31/73.]

WAC 286-16-070 State agency requirements. Before the interagency committee will consider any project proposed by a state agency, the following steps must be taken by that agency:

(1) Submission to the interagency committee of a capital improvement program.

(2) Submission of a long range capital plan which is to include a long term (20 years) statement of agency outdoor recreation acquisition and development goals. [Order 3, § 286-16-070, filed 7/31/73.]

WAC 286-16-080 Reimbursement policy. State aid for acquisition or development of outdoor recreation land is intended to supplement and expand the existing capacity of a state or local agency; it is not intended to supplant the agency's own program, or to reimburse the agency for the cost of projects it would have undertaken without the state matching money. Therefore, except as hereinafter provided, the interagency committee will not approve the disbursement of outdoor recreation funds for a project when land has been purchased or the development has been undertaken before the interagency committee has approved the project and a project contract has been signed.

(1) Retroactive costs. Acquisition: Retroactive costs on an acquisition project are those costs incurred after

receipt of application but prior to the execution of the project contract or project contract amendments.

(a) When it is determined by an applicant that an emergency exists, which may jeopardize the project, the administrator may, upon a showing in writing of necessity for action prior to normal processing of the application, grant permission by waiver of retroactivity which letter will not be construed as a qualitative approval of the proposed project, but if the project is subsequently approved, the retroactive costs thus incurred will be eligible for assistance.

(b) After a project contract for acquisition has been executed, the applicant agency will not lose its approved state assistance because it thereafter acquires the subject property prior to action on the agency's application for assistance from a federal agency if (1) the applicant agency requests in writing, and receives the permission of the administrator to purchase and (2) the federal agency has notified the administrator that acquisition of the land will not jeopardize the proposed federal funding.

(2) Retroactive Costs. Development: Retroactive costs on a development project are defined as those costs incurred after receipt of an application but prior to execution of the project contract or project contract amendments.

(a) When it is determined by an applicant that an emergency exists, which may jeopardize the project's progress and/or benefits, the administrator may, upon a showing in writing of necessity for action prior to normal processing of the application, grant permission by waiver of retroactivity, which letter will not be construed as a qualitative approval of the proposed project, but if the project is subsequently approved, the retroactive costs thus incurred will be eligible for assistance.

(b) Necessary costs for the preparation of a development project incurred prior to project approval may be eligible, but must be specifically listed in the project proposal.

(c) After a project contract for development, which has been funded wholly or partially with federal funds has been executed, no costs will be eligible for consideration as retroactive; except as provided in WAC 286-16-080(2)(b), unless the federal agency administering the federal funds has issued its own waiver of retroactivity as provided under its rules and regulations.

Provided, that the administrator shall file said rule with the code reviser.

(3) Cost Increases: (a) If an agency has applied for financial assistance for an outdoor recreation project, and the project has been approved, the applicant agency may request the interagency committee to increase such financial assistance under these circumstances, and the request shall be considered on its merits and in relation to competing requests for any available funds.

(b) If an approved project recommended for federal funding is denied by the appropriate federal agency, the applicant agency may request the interagency committee to increase the state fund assistance by an equivalent amount; and the request shall be considered on its merits and in relation to competing requests for available funds.

[Order 76-2, § 286-16-080, filed 6/30/76; Order 3, § 286-16-080, filed 7/31/73.]

Chapter 286-20 WAC APPLICATION PROCEDURE

WAC

286-20-010	Scope of chapter.
286-20-020	Application form.
286-20-030	Deadlines.

WAC 286-20-010 Scope of chapter. This chapter contains the mandatory procedural requirements that must be met by all agencies applying for state aid for acquisition or development of outdoor recreation land and facilities except application for All Terrain Vehicle Funds. [Order 3, § 286-20-010, filed 7/31/73.]

WAC 286-20-020 Application form. (1) All applications for matching funds for outdoor recreation projects must be submitted to the interagency committee on forms supplied by the interagency committee, with all provisions of the application completed.

(2) If the administrator determines that the applicant is eligible to apply for federal funds, administered by the interagency committee, the applicant must execute the forms necessary for that purpose, prepared by the interagency committee. [Order 3, § 286-20-020, filed 7/31/73.]

WAC 286-20-030 Deadlines. Applicant agencies must meet deadlines for submittal of project applications as established and published by the interagency committee. [Order 3, § 286-20-030, filed 7/31/73.]

Chapter 286-24 WAC FUNDED PROJECTS

WAC

286-24-010	Scope of chapter.
286-24-020	Project contract.
286-24-040	Disbursement of funds.

WAC 286-24-010 Scope of chapter. This chapter contains rules relating to the manner of funding projects and the duties of an agency after its project has been funded in whole or part with monies administered by the interagency committee except All Terrain Vehicle funds. [Order 3, § 286-24-010, filed 7/31/73.]

WAC 286-24-020 Project contract. For every funded project, a project contract must be executed as provided in this section.

(1) The project contract shall be prepared by the interagency committee staff prior to the committee meeting when the proposed project will be considered for approval. The agency shall execute the contract prior to that meeting.

(2) After approval by the interagency committee, the Administrator will execute the contract and the applicant agency will thereafter be bound by the project contract terms. [Order 3, § 286-24-020, filed 7/31/73.]

WAC 286-24-040 Disbursement of funds. Except as otherwise provided herein the Administrator will provide disbursement of funds allocated to a project only on reimbursable basis, after the agency has acquired or developed the outdoor recreation land with its own funds and on a billing showing satisfactory evidence of property rights and compliance with partial and/or total provisions of the project contract.

(1) Exception. Funds are appropriated to state agencies by the Legislature.

(2) Advances. Advance payments may be made for acquisition or development projects following interagency committee approval when the applicant agency demonstrates to the Administrator that it lacks financial resources to purchase the proposed property or complete the development and then seek reimbursement.

(3) Partial payment. Partial payments may be made during the course of an acquisition or development project upon a reimbursement basis pursuant to a billing showing satisfactory evidence of partial acquisition or development. [Order 3, § 286-24-040, filed 7/31/73.]

Chapter 286-26 WAC ALL TERRAIN VEHICLE FUNDS

WAC

286-26-010	Scope of chapter.
286-26-020	Definitions.
286-26-030	Eligibility.
286-26-040	Qualification.
286-26-050	Apportionment of funds.
286-26-060	Distribution of funds.
286-26-070	Fund accountability.

WAC 286-26-010 Scope of chapter. This chapter contains rules affecting the eligibility of agencies to share in all terrain vehicle funds for all terrain vehicle trails and areas. [Order 3, § 286-26-010, filed 7/31/73.]

WAC 286-26-020 Definitions. For purposes of this chapter, the following shall be defined as follows:

(1) "All-Terrain Vehicle" (ATV) means any self-propelled vehicle when used for cross-country travel on trails and non-vehicle roads or any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland and other natural terrain; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, logging and private forestry vehicle, snowmobiles or any military or law enforcement vehicles.

(2) "All-terrain vehicle funds" (ATV Funds) mean those funds deposited in the Outdoor Recreation Account to be administered and distributed by the interagency committee for the planning, acquisition, development and management of ATV trails and areas.

(3) "All-terrain vehicle trail" (ATV trail) means a corridor designated and maintained for public recreational ATV travel which may be either a trail not generally traversable by a conventional two-wheel drive vehicle or a non-highway road which: (1) is any road other than a highway generally capable of travel by a

conventional two wheel drive passenger automobile during most of the year and in use by such vehicles, and (2) is private or controlled and maintained by the Department of Natural Resources, the State Parks and the Recreation Commission or the State Game Department, and (3) may not be built or maintained by appropriation from the motor vehicle fund.

(4) "All-terrain vehicle area" shall be divided into two types: (a) Intensive use - a designated area suitable for high density public use with a sufficient percentage of total site free enough of vegetative cover and of gentle slope to be traversed by ATV vehicles; and (b) dispersed use - an area suitable for low-density, off ATV trail public recreational ATV use and not normally requiring support facilities or on-site staffing.

(5) "Highway" means the entire width between the boundary lines of every way publicly maintained by the State Department of Highways or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right. (Chapter 46.09 RCW)

(6) "Management" means the action taken in exercising control over, regulating the use of, and operation and maintenance of ATV trails and ATV areas. [Order 3, § 286-26-020, filed 7/31/73.]

WAC 286-26-030 Eligibility. Those agencies of government which are eligible to receive ATV Funds are: Departments of state government, counties, and municipalities. [Order 3, § 286-26-030, filed 7/31/73.]

WAC 286-26-040 Qualification. To qualify to receive ATV funds an eligible recipient must file with the interagency committee:

(1) An action plan. This plan must be accompanied by proof of official adoption by the appropriate public administrative bodies.

(2) An All-terrain vehicle trails and area inventory which shall consist of all present and proposed ATV trails and areas on which the applicant permits or will permit public, recreational ATV use.

(3) An application supplied by the interagency committee. The action plan and the inventory must be submitted on or before November 30 of each odd numbered year. [Order 3, § 286-26-040, filed 7/31/73.]

WAC 286-26-050 Apportionment of funds. All-terrain vehicle funds shall be apportioned as follows:

(1) Up to 5% of the All-terrain vehicle permit fees may be used to reimburse the Department of Natural Resources for administrative costs upon submission of the interagency committee for outdoor recreation of vouchers detailing the expenses incurred.

(2) The apportionment of the remaining All-terrain vehicle funds to each qualified recipient shall be on a basis determined by the amount of present and proposed All-terrain vehicle trails and all-terrain vehicle areas as defined. [Order 3, § 286-26-050, filed 7/31/73.]

WAC 286-26-060 Distribution of funds. (1) Fund distribution will be made in a timely manner according to a schedule or schedules adopted by the IAC.

(2) In the event a qualified recipient does not apply for all-terrain vehicle funds available to it, such amounts shall immediately revert to the Outdoor Recreation Account for reappropriation and distribution to qualified recipients in the next funding cycle. [Order 3, § 286-26-060, filed 7/31/73.]

WAC 286-26-070 Fund accountability. (1) Each agency having received all-terrain vehicle funds during any year, shall provide a summary certified statement of expenditures of ATV funds and corresponding accomplishments to the interagency committee at the time the action plan or plan updated is submitted.

(2) Expenditures shall be made for and summarized by planning, acquisition, development and management categories.

(3) All expenses defrayed with ATV funds must be associated with ATV programs identified within an agency's action plan.

(4) State agencies shall account for ATV funds as unanticipated receipts following all pertinent accounting requirements of the Budget and Accounting Act of 1959 (chapter 43.88 RCW). Municipalities and counties shall account for ATV funds as Special Revenue Funds following all pertinent accounting procedures of the Budgeting, Accounting, Reporting System Manual for Counties and Cities and other Local Governments (BARS).

(5) Any expenditure made by a recipient of ATV funds not in conformance with the Act must be repaid to the Outdoor Recreation Account for reappropriation and distribution to qualified recipients as part of the next funding cycle.

(6) Any portion of an ATV fund apportionment not expended by a recipient within five years of the date on which it was distributed shall be returned to the Outdoor Recreation Account for reappropriation and distribution to qualified recipients as part of the next funding cycle. [Order 3, § 286-26-070, filed 7/31/73.]