

WAC 286-13-160 Long-term obligations for acquisition projects.

(1) The project area may not, without prior approval of the board or director, be converted to a use other than that for which funds were originally approved.

(2) Projects impacted by a reversion order by the Interstate Commerce Commission under section 8(d) of the National Trails System Act, 16 United States Code 1247(d), are not considered a conversion by the board. Substitution or replacement with interest in real property, facilities or moneys which are of at least equal market value at the time of replacement may be required.

(3) The board may only approve a conversion when the sponsor:

(a) Demonstrates the need to convert the project area including all efforts to consider practical alternatives, how they were evaluated, and the reasons they were not pursued;

(b) Provides an opportunity for the public to participate in the identification, development and evaluation of the alternatives, including a minimum public comment period of at least thirty days; and

(c) Commits to provide another interest in real property to serve as a replacement. The replacement must:

(i) Be of reasonably equivalent usefulness and location;

(ii) Be administered by the same sponsor unless otherwise approved by the board;

(iii) Satisfy need(s) identified in the sponsor's current plan as described in WAC 286-13-035 or other relevant local or statewide plan;

(iv) Be eligible in the same grant program account or category from which funds were originally allocated, unless otherwise approved by the board;

(v) Be interest in real property of at least equal current market value to the converted property; and

(vi) Satisfies the conversion without grant assistance from the board.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, 79A.25.210. WSR 17-11-071, § 286-13-160, filed 5/17/17, effective 6/17/17.]