

WAC 286-13-180 Long-term obligations for restoration 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) 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) Provides another project area to serve as a replacement for the restoration project. The replacement must:

(i) Be of reasonably equivalent habitat utility and location;

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

(iii) Be a new project area that satisfies need(s) identified in the sponsor's current plan as described in WAC 286-13-035 or the other relevant local or statewide plan;

(iv) Be administered under similar stewardship methods as the converted project area;

(v) Be eligible in the same grant program or category from which funds were originally allocated, unless otherwise approved by the board; 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, § 286-13-180, filed 5/17/17, effective 6/17/17.]