

## PAC notes – APPL meeting March 5-9, 2012

Mary Coulombe hosted the USACE forum to discuss the following topics:

- Review of America's Great Outdoors (AGO) and its impacts and initiatives that involve the COE. Items included conserving the great outdoors and getting Americans outdoors. There are 70 action items, 22 involve the COE.
- AGO established the Federal Interagency Committee on Recreation (FICOR), the COE Chief of Ops is our rep. it includes the enhancement of Recreation.gov as an initiative of the President. It will attempt to transform rec.gov from a reservation site to an all encompassing information site.
- There will be directive to add and update information into the Recreation Information Database
- There will also be directives to update masterplans and shoreline management plans as a result.
- Presidential initiative to get a Veteran's job corps to give vets more employment opportunities – it may be direct hires or indirect through our partners, has not been clearly defined.
- Budget funding appears to continue decline: \$289 in fy11, \$259 in fy12, \$254 projected in fy13.
- Little Rock reviewed their "recreation adjustment plan" resulting in facility closures. Follow guidance available.
- It does not appear there will be a national NRM conference. Webinars are not the most effective tool for sharing information like is done at conferences, there are too many distractions. With Army guidance it is tough to get together to share information, CENRF may be able to sponsor conferences. Sharing information is important to success. PROSPECT courses are also looking for sites to act as hosts.
- CorpsLakes.com is the recreation information database. We need to involve stakeholders in updates, not just our direct partners but all stakeholders.
- There will be a military pass added to FLREA to cover entrance fees for active duty military. COE will keep existing program to cover camping and day use at no charge.
- There is a water safety coordinator temp detail – virtual location for 120 days.

## BOR

- Members of the PAC met with a representative of the Bureau of Reclamation to discuss the establishment of a cooperative association to serve as an umbrella group of the lower Colorado River partners. There are currently multiple organizations all with similar goals, but not working together to benefit the local parks. BOR has typically identified these types of groups and then gave away management responsibility.
- The PAC provided examples of CA's, templates, and the COE guidance that establishes CA's to assist the BOR with the creation of this group. Recommendations on bylaws, articles of Incorporation, grants, and non-profit application were provided.
- From this discussion the COE appears to be well ahead of the BOR in our partnering ventures. Even though the BOR is in the DOI, sharing with the other DOI agencies has been difficult in this instance.
- No follow-up required.

## Cooperative Management

- PAC sent letter to RLAT requesting consideration to questions regarding cooperative management – 12 Dec 2011.
- RLAT prepared **draft** response (January 2012) recommending projects keep funds not spent as a result of the CM program. It also recommended setting up a 5 year protection for projects to

retain funding generated from CM to allow COE to study impacts of CM. Response offered several alternatives to redirect funds to assist with improvements to prevent closure of areas.

- Clarification is needed on the alternatives. The RLAT white paper identifies 5 alternatives but indicates in the introduction that the RLAT abandoned these ideas. Clarification needed.
- Section 3c in proposed method indicates funds must be spent on recreation or the “5 year status quo is void.” Clarification needed.
- White paper treats outgrant, closure, and alternative management options as equal. These are not equal because outgrants and closures cannot be returned to COE operation, alternative management parks can be returned to COE operation.
- Section 5 provides for a credit for actions taken in earlier years. Clarification needed.
- Limitation section #1 identifies a CM as a permanent change. CM can be returned to COE for operation and is not a permanent change.
- Limitation section #3 makes the assumption that funds were lost as a result of the CM. There is no need for restoration of funds if funds were not redistributed.
- If the parks do not get to keep funds offset by CM then what is incentive for CM?
- Current guidance in ER & EP 1130-2-500 regarding Challenge Partnerships, Cooperative Associations, and Contributions all provide COE projects authority to partner and retain fees collected through a CM. Older guidance from ER1130-2-441 that was replaced by 1130-2-500 is founded in 16USC2328 providing the authority for projects to retain 100% of appropriated funds. Authority is currently found in 1130-2-500.
- Cooperative associations are permitted to operate recreation facilities and collect funds and then provide them back as a contribution.
- Contributions states “contributions received will be available for projects in addition to the allocated O&M budget and will not result in a reduction of allocated funds”.
- Challenge cost share states, “These contributed resources will be combined with regular project resources as a supplement to accomplish the work designated in the agreement.”
- Scott Jackson (ERDC) indicated that there was some concern that OMB would see the reduction in collected NRRS funds and reduce budgets by that amount. However, NRRS collected funds are still deposited into NRRS account but rather than go to LWCF as they do now they are being sent back to park. Does not appear to be a concern.
- Mr. Jackson also indicated that there may be some percentage of the offset allocation allowed to remain at the park, but less than 100%. Still to be determined.
- Some consideration will have to be given if funds are redistributed due to the potential breach of contract with partner groups. If the cooperative association and COE agree to do certain things and then the COE is unable due to reduced funding then COE is not living up to agreement. Could potentially have political ramifications due to partnering groups lobbying capabilities.
- HQ OC says COE funds must remain within “premises”. Premises is interpreted as RE leased area so collected CM funds and COE funds that were allocated for the CM park must remain in that park or “premises”.
- NRRS is a COE system. Audits and Fee tracking should remain the responsibility of the COE but may be spelled out differently in the CA.

- PAC action- work with ERDC and RLAT to rewrite ER and determine steps to provide reference and consistency on contributions, challenge partnerships, and Cooperative Management leases.

#### Non-Profit Associations

- Omaha district is facing an OC review of signing a cooperative agreement with a tourism group that has 501(c)6 status. PAC is working with them to show regulatory guidance that allows partnering with all non-profits.
- Guidance in 1130-2-500 only references “non-profit”, it does not limit to any one type.
- Issue arises due to Appendix P in the EP, the Sample Agreement identifies the non-profit as 501(c)3. This is only a sample and should not infer that only c3’s are permitted.
- Action – change Sample agreement in the EP to strike “501(c)3” and replace with blanks following the words “non-profit”.
- Template on gateway partnership pages already does this, but EP needs to be updated.

#### Partnership Training

- Support and attendance provided for APPL training sessions.
- PAC members met to plan logistics and presentations for Thursday and Friday training sessions.
- COE sessions included:
  - Partnership 101
  - How to build a Friends Group
  - Contributions plans
  - Gateway updates
  - Cooperative Management of Parks
  - Handshake Overview and updates
  - Partnering with Health Care
  - Partnering with Education
  - Partnering with Military
- Many of these sessions and content will be used to build content for the PROSPECT class being prepared for FY13. Instructors and final content are still being determined.