

MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS AND DISTRICT
COMMANDS

SUBJECT: Policy Guidance Letter No. 59, Recreation Development at Ecosystem Restoration Projects

1. References:

- a. ER 1165-2-400, 9 August 1985, subject: Recreation Planning, Development, and Management Policies.
- b. ER 1130-2-550, 15 November 1996, subject: Recreation Operations and Maintenance Policies.
- c. EP 1165-2-1, 15 February 1996, subject: Digest of Water Resources Policies and Authorities.
- d. ER 1105-2-100, 28 December 1990, subject: Planning Guidance.
- e. Policy Guidance Letter No. 30, Recreation Cost Sharing Credit for Increased Real Estate Interest for Recreation Development at Non-Reservoir Projects.
- f. Policy Guidance Letter No. 36, Recreation Development at (Non-Lake) Structural Flood Control and Harbor Projects.
- g. EM 1110-2-410, 31 December 1982, subject: Design of Recreation Areas and Facilities - Access and Circulation.

2. Applicability. This policy guidance letter (PGL) is applicable to the planning and development of outdoor recreation facilities at single purpose ecosystem restoration projects and projects constructed under the authority of Section 1135 of the Water Resources Development Act of 1986 (WRDA 86), Section 204 of WRDA 92, and Section 206 of WRDA 96.

3. Background:

a. Section 4 of the Flood Control Act of 1944, as amended, authorizes the Chief of Engineers to construct, operate, and maintain recreation facilities at water resources projects under the control of the Department of the Army (16 U.S.C. 460d). Long established policy precludes cost sharing development of new recreation facilities at completed projects. Current budget constraints and the intense competition for Federal funds dictate austerity in the planning and design of recreation facilities at proposed Civil Works projects.

b. Since recreation may be perceived to complement land and water resources, it is

appropriate that public use be accommodated at Corps projects. Potential recreation development at Civil Works projects depends on the type of project, the location, and demographic characteristics of the surrounding area. Ecosystem restoration projects are formulated to restore degraded ecosystem structure, function, and dynamic processes to a less degraded, natural condition. It is important that proposed recreation features are appropriate in scope and scale to the opportunity provided by ecosystem restoration projects, and that the recreation development be compatible with the ecosystem restoration purpose of the project.

c. Recreation development at Civil Works projects provides opportunities that significantly benefit communities throughout the nation. The social, cultural, scientific, and educational values of these recreation opportunities should be considered by districts as they formulate project plans for ecosystem restoration projects. Despite austere budgets and policy requirements, recreational development can contribute to community health and well-being .

4. Purpose. This PGL states the principles for recreation development at new Corps ecosystem restoration projects. No funds are to be expended on planning or development of facilities not in compliance with this guidance. It also provides a limited checklist of recreation facilities which may be cost shared at new Corps ecosystem restoration projects as defined in paragraph 2. This PGL also contains a discussion of locally preferred plans, and presents reporting guidelines for presentation of recreation development.

5. Principles for Recreation Development . At many ecosystem restoration projects, the land base which was provided by the ecosystem restoration project provides a low cost opportunity to provide recreation facilities because most of the cost of the land is a sunk cost. Planning of recreation facilities to be cost shared at new ecosystem restoration projects must comply with three major criteria: (a) philosophy and inclusion on the checklist, (b) economic justification; and, (c) the ten percent limit rule.

a. Philosophy and Checklist.

(1) Philosophy. The Federal interest, for the purpose of Federal investment, is determined from the nature of the benefits derived from a facility or activity. Recreation at ecosystem restoration projects should not only be compatible, but also enhance the visitation experience by taking advantage of the natural values. The social, cultural, scientific, and educational values should be considered within the framework of the ecosystem restoration project purpose. For example, while educational values, through such things as nature study and interpretive signs, can be an integral part of ecosystem restoration projects, this does not mean it is appropriate to build recreation/visitor facilities that overwhelm the natural values. The recreational experience should build upon the ecosystem restoration objective and take advantage of the restored resources rather than distract from them.

(a) Formulation. Ecosystem restoration projects should be formulated to address significant resources and must be justified through a determination that the combined monetary and non-monetary value of the last increment of benefits or losses prevented or replaced exceeds the combined monetary and non-monetary cost of the last added increment of the ecosystem

restoration measure. Recreation development will not influence that formulation. Ecosystem and recreation projects proposed for construction at existing Corps projects should be consistent with the approved Master Plan (Reference 1b).

(b) Recreation Development. Recreation development at an ecosystem restoration project should be totally ancillary. Recreation facilities may be added to take advantage of the education and recreation potential of the ecosystem project, but the project cannot be specifically formulated for a recreation purpose. The recreation potential may be satisfied only to the extent that recreation does not diminish the ecosystem restoration purpose. Where an ecosystem restoration project provides critical habitat for a Federally listed threatened or endangered species, recreation facilities at that project should be precluded in the critical habitat and limited to only those facilities needed for minimum health and safety and/or natural resources interpretation. Where appropriate, recreation at ecosystem restoration projects should be designed for day use only, precluding the need of extensive night lighting. Whenever conflicts occur between the ecosystem restoration purpose and recreation, ecosystem restoration shall have priority. Plans should seek to optimize public use in harmony with the objectives of the restoration project over the period of analysis. Without a non-Federal sponsor to cost share recreation, ecosystem restoration projects should not encourage public use (Reference 1a, Appendix C).

(c) Vendibility. If recreation benefits are vendible (type usually provided by private enterprise), then the facility should be provided by others.

(d) Stand-alone Principle. Simply stated, if a recreation feature could be built at the same location without the ecosystem restoration project and not lose any of its utility or value, it stands alone. When facilities stand alone, the Corps should not participate in their development (Reference 1a, Appendix B).

(e) Access, health and safety. While most facilities at ecosystem restoration projects would "stand-alone" (without Corps participation) the Corps will participate in facility development to provide access to and along the project features. The development of these facilities should not involve extensive structural modification of the terrain and may include rest areas and picnic facilities. Ideally these facilities would be a part of a larger non-Corps recreation plan such as a regional trail system or provide access to other non-Federal recreation facilities or areas.

(2) Check List of Recreation Facilities. Corps regulations, reference 1a and 1d, include a checklist of facilities which may be provided in recreation developments at all types of Corps water resource projects. The referenced list is all encompassing and it includes not only facilities that can be cost shared, but those minimum facilities that may be included at lake projects as a part of the joint cost as well as those that can be constructed by others at non-Federal expense. This list is applicable for lake projects (reservoirs) and the associated recreation experience. A checklist of approved recreation facilities which may be cost shared at new ecosystem restoration projects is provided as an enclosure to this guidance letter. Exceptions to the approved recreation facilities must be fully justified and approved by CECW-P prior to submitting the project report. The scope of the recreation development must also be appropriate. Facilities to be cost shared are limited to

standard designs consistent with the natural environment of the surrounding area but should not include embellishments such as decorative stone work planters, elaborate designs or be ostentatious (Reference 1a, Appendix B and Reference 1d, Appendix J). Recreation development for projects covered by this PGL must be provided on the lands needed and acquired for the basic ecosystem restoration project, except that additional recreation land may be acquired if needed for access, parking, potable water, sanitation and related development for health, safety and public access (Reference 1c, Paragraph 17-3a(1) and Reference 1d, Paragraph 4-25b).

b. Economic Justification. Reports recommending recreation development will clearly present the formulation and justification of the recreation plan to be recommended for Federal implementation. Federal participation should be limited to support development that capitalizes on the recreation potential afforded by the ecosystem restoration project. Incremental justification of recreation features will be demonstrated in the report. The addition of recreation to the plan will not influence formulation of the basic ecosystem restoration project which must produce monetary and/or non-monetary benefits which justify the monetary and/or non-monetary costs without recreation. The report will include a description of the competing recreation facilities, their existing and expected future use with and without the project, and the unfulfilled demand for the recreation facilities as identified in such documents as the Statewide Comprehensive Outdoor Recreation Plan. Recreation benefits, costs and cost sharing must be shown separately (Reference 1c, Paragraph 17-3a(2) and Reference 1d, Paragraphs 2-12h and 4-3a).

c. The Ten Percent Limit Rule. The level of financial participation in recreation development by the Corps at an otherwise justifiable project may not increase the Federal cost of the ecosystem restoration project by more than ten percent without prior approval of the Assistant Secretary of the Army (Civil Works) (Reference 1c, Paragraph 17-3a(3) and Reference 1d, Paragraph 4-25b). The policy to limit the Federal share in recreation development was first established in a 2 June 1996 memorandum from the Assistant Secretary of the Army (Civil Works). The purpose of the policy is to allow concentration of scarce Civil Works funds on high priority features rather than recreation development. The ten percent limit should be viewed as an upper limit on Federal cost sharing and not as a goal for expenditures. The cost of recreation facilities to be cost shared would normally be less than the ten percent limit.

6. Cost Sharing. The cost of recreation facility development is shared 50/50 percent between the Government and non-Federal sponsors. Separable lands required for public access, health, and safety, are the responsibility of non-Federal sponsors, with crediting toward the sponsor's 50 percent share of development costs. Any cost in excess of 50 percent will be the responsibility of the non-Federal sponsor and will not be cost shared. The cost of lands provided by non-Federal sponsors for the basic project are not included for recreation cost sharing purposes. Established policy permits credit towards recreation cost sharing for incremental costs of increasing the real estate interests in land within the boundary acquired for the basic ecosystem restoration project. Additional guidance is provided in reference 1d. Operation, maintenance, replacement, repair and rehabilitation costs are the responsibility of the local sponsor (Reference 1a, Paragraph 7; Reference 1c, Paragraph 17-3a, and Reference 1d, Paragraph 4-26b).

7. Locally Preferred Plan. A recreation sponsor may desire to include recreation facilities that are not on the enclosed checklist, are more elaborate than permitted, do not meet the "stand alone" principle, exceed the ten percent limit rule, are not on lands required for the basic ecosystem restoration project, or cannot be economically justified. Such facilities may be recommended as the locally preferred plan only if they are compatible with the ecosystem restoration purpose. Cost of planning and implementation of facilities provided as the locally preferred plan must be financed by the non-Federal sponsor, cannot be included in the benefit/cost ratio, and will not be credited against the sponsors share of cost shared facilities. Another application of this principle concerns the case where there is a locally preferred ecosystem restoration plan that includes a greater land base than required by the recommended ecosystem restoration plan, extending the project beyond the real limits of the ecosystem restoration plan. In this case, the Federal Government can participate in recreation development of the locally preferred ecosystem restoration plan. However, Federal participation in recreation development will be limited to those facilities shown on the enclosed check list and cannot exceed ten percent of the Federal share of the cost of the recommended ecosystem restoration plan, and all lands must be provided by the non-Federal sponsor.

8. Reporting Guidelines. The scope of the recreation development approved in the project report should be carried through to project completion. Any increase or deviation in the type or scope of cost shared facilities following approval of the project report must be reported to HQUSACE (CECW-P) for approval prior to any expenditure of either Federal or non-Federal funds on that recreation feature.

FOR THE COMMANDER:

Encl

/s/
RUSSELL L. FUHRMAN
Major General, USA
Director of Civil Works

CHECKLIST OF FACILITIES WHICH MAY BE COST SHARED IN RECREATION
DEVELOPMENTS AT ENVIRONMENTAL PROTECTION AND ECOSYSTEM
RESTORATION PROJECTS

I. Access and Circulation

- Roads
- Turnarounds
- Trails (multiple-use)
- Parking
- Bridges and Culverts
- Walks
- Steps/ramps
- Footbridges²

II. Structures

- Sanitation - Vault Toilets, Comfort Stations
- Shelters - Picnic, Trail

III. Utilities

- Water Supply - Municipal System³, Wells, Drinking Fountains and Faucets
- Sewage and Waste Water Disposal - Municipal System, Septic Tanks and Tile Fields
- Storm Drainage
- Public Telephone

IV. Site Preparation/Restoration

- Clearing and Grubbing
- Grading and Land Form
- Vegetative restoration - includes native trees, shrubs and turf establishment

V. Park Furniture

- Picnic Tables
- Trash Receptacles/holders
- Benches

VI. Signs

- Entrance-Directional-Marker
- Traffic Control (Vehicular and Pedestrian)
- Instructional (Includes Fire Danger Notices)

VII. Interpretive Guidance and Media

- Display Boards
- Interpretive Markers (Natural, Historical, Archeological, etc.)
- Bulletin Board

VIII. Protection, Control, Health and Safety

- Gates and Barricades
- Cattle Guards
- Walls and Fencing
- Guardrails
- Entrance Stations
- Lighting
- Handrails

1/ Facilities to be cost shared are limited to standard designs consistent with the natural environment of the surrounding area but should not include embellishments, elaborate designs, or be ostentatious.

2/ Footbridges are to be austere and used only when other crossings methods are impractical. Footbridges which are the center of recreation experience are to be a non-Federal cost. Pedestrian bridges at highways or railroads are normally a non-Federal cost; however, if they are integral to the recreation feature and the most cost effective alternative, they may be cost shared.

3/ Connection to an existing municipal system.