



State Fiscal Year 2025 Funding Guidelines Water Quality Combined Funding Program

Centennial Clean Water Program

Clean Water Act Section 319 Program

Clean Water State Revolving Fund

Stormwater Financial Assistance Program

**Sewer Overflow and Stormwater Reuse Municipal
Grants Program**

Water Quality Program

Washington State Department of Ecology
Olympia, Washington

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This document is available on the [Department of Ecology's website](#)¹.

Contact Information

Water Quality Program

Financial Management Section

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-407-6510

Website: [Washington State Department of Ecology](#)²

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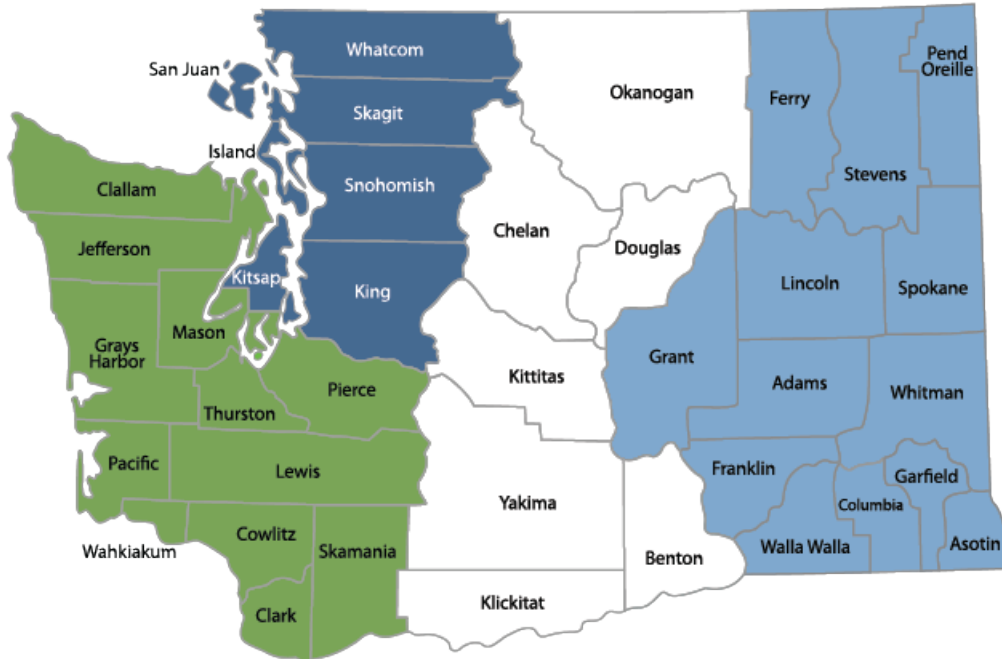
¹ <https://apps.ecology.wa.gov/publications/documents/2310020.pdf>

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Department of Ecology's Regional Offices

Map of Counties Served



Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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How to Use This Document

This guidance document includes valuable information that will help you understand how Ecology selects projects to fund and manages funding agreements. We recommend that you review this guidance carefully prior to preparing your application and that you retain a copy to help you manage your funded agreements. New guidance is released annually, and agreements are managed according to the guidance that was issued the year the project was funded.

The steps below may help you navigate through this document and locate the information you need to prepare a project application.

Determining Eligibility

Start with Chapter 1 – Program Overview. Use this overview to determine if your organization is eligible to receive funding for the category of project you are proposing. This chapter includes:

- Eligible applicants.
- Critical deadlines.
- Project category descriptions.
- Ineligible project categories and components.

Next go to Chapter 2 – Eligible Project Categories and review the section(s) that is the best fit for your project. This chapter will include additional links and resources that will help you craft a better application such as:

- Project category-specific eligibility requirements.
- Project category-specific application requirements.
- References to funding assistance types and sources available.

After you review the information for your project category, you will know the funding sources available for your project. **Now you are ready to review Chapter 3 – Funding Programs** to ensure that you can meet the funding source provisions and any match requirements.

Finally, review Chapter 6 – Agreement Development, Management, and Conditions, and Appendix F – Water Quality Program/Ecology Terms and Conditions to identify any additional requirements that may affect your budget, schedule, or scope.

Preparing and Submitting an Application

If your proposed water quality project appears to fit within the eligibility criteria, you are ready to begin your application. **Chapter 4 – Preparing and Submitting Your Application**, will help you

begin the process of filling out the funding application and submitting the application in the Ecology Administration of Grants and Loans (EAGL) system. The application questions are available in Appendix C – Applicant Prep Tool; however, you **MUST** submit your application electronically via the [EAGL](#)⁴ system.

If you have questions at any time during the application process, please contact Ecology. Current Ecology funding program staff contact information can be found at in Appendix A – Ecology Contacts. Ecology also hosts free applicant workshops. See Figure 2 and Section 4.1 for information on the workshops for the current funding cycle.

Summary of Changes from SFY24

General changes

- Environmental review (SERP) guidance is found in a separate publication. Please refer to the [Ecology Environmental Review Process for Water Quality Grants and Loans website](#)⁵ and download the [State Environmental Review Process Environmental Information Document: Guidance for Clean Water State Revolving Fund Agreements](#)⁶ (EID). Contact the Environmental Review Coordinator, Liz Ellis, at (360) 628-4410 or liz.ellis@ecy.wa.gov if you have questions. This change is reflected in Appendix N.
- Bipartisan Infrastructure Law (BIL) will provide additional funding capacity through the CWSRF, but eligibilities remain the same. This change is reflected in Section 3.1.
- Buy America, Build America Act (BABA) will expand requirements on designated federally funded projects (designated equivalency), to implement preference for products manufactured in the United States for projects receiving direct federal funding. This change is reflected in Section 3.1.4 and 6.2.14.
- Sewer Overflow and Stormwater Reuse Municipal Grants Program is a new federal funding source included in the SFY24 WQC application. This change is reflected in Section 3.5.
- Agreements are now signed electronically. This change is reflected in Section 6.1.

Wastewater changes

- Clarification on eligible wastewater projects.
- Brief overview and guidance provided for Small Community Project Priority List.
- Clarification for criteria used in construction hardship determinations.

⁴ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans>

⁵ <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Environmental-review>

⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html>

Onsite Sewage System (OSS) changes

- More information about eligible projects and match requirements. This change is reflected in Section 2.2.

Stormwater related changes

- Stormwater Step process review was revised to clarify requirements for Step 3 in Section 2.3.
- Eligibility for BMPs that provide treatment or flow control for stormwater generated by publicly owned industrial sites was revised for clarity in Section 2.3.
- Eligibility for trees as a stormwater facility was revised for clarity in Section 2.3.6.

Nonpoint related changes

- Match is no longer required for nonpoint activity projects, as of SFY24. These changes are reflected in Sections 3.3.3 and 3.4.
- Restoration and Riparian Buffers:
 - Riparian buffer requirements must follow recommendations from Chapter 12 of the [Voluntary Clean Water Guidance for Agriculture⁷](#). This change is reflected in Section 2.5.8 and Appendix J.
 - Agroforestry plantings that follow recommendations in Chapter 12 of the [Voluntary Clean Water Guidance for Agriculture](#) are eligible. This change is reflected in Section 2.5.2.
 - Restoration sites that implement the preferred option riparian buffer are eligible for an additional 5 years of post-planting establishment and maintenance (this is in addition to the standard 5 years post-planting maintenance eligible for all restoration plantings). This change is reflected in Section 2.5.8.
 - Clarification that water rights verification is not required for source water if any will be used for livestock water BMPs or irrigation for vegetation establishment as part of a restoration project. This change is reflected in Section 2.5.1.
 - Ecosystem Service Incentive payments are eligible for projects that implement a riparian buffer one site potential tree height in width. This change is reflected in Section 2.5.12.
- Agricultural BMPs:
 - Culvert style livestock crossings that meet WDFW requirements for hydraulic project approval permits are eligible. This change is reflected in Appendix I.
 - Grazing Management Plans as described in chapter 10 of the [Voluntary Clean Water Guidance for Agriculture](#) are eligible. This change is reflected in Section

⁷ <https://apps.ecology.wa.gov/publications/parts/2010008part6.pdf>

2.5.1.

- Silvopasture practices recommended in an approved grazing management plan are eligible. This change is reflected in Section 2.5.2.
 - Cross fencing recommended in an approved grazing management plan is eligible. This change is reflected in Section 2.5.2.
- Funding caps for off-stream watering systems, heavy use areas, waste storage facilities, and windbreaks have increased. These changes are reflected in Appendices H & I.

Chapter 1: Program Overview

The Washington State Department of Ecology’s (Ecology) Water Quality Program awards grants and loans on a competitive basis for high priority water quality projects throughout Washington State. Ecology administers five funding programs that make up the Water Quality Combined Funding Program (WQC) through an integrated annual funding cycle.

WQC includes the following four funding programs:

- The Washington State Water Pollution Control Revolving Fund Program; commonly referred to as the Clean Water State Revolving Fund (CWSRF).
- Stormwater Financial Assistance Program (SFAP).
- The Centennial Clean Water Program (Centennial).
- The Clean Water Act Section 319 Nonpoint Source Grant Program (Section 319).
- Sewer Overflow and Stormwater Reuse Municipal Grants Program (OSG)

Eligible applicants prepare and submit applications for many types of water quality projects using a single application. Ecology reviews and ranks the projects and then assigns funding based on project rank and available funding. Applicant and project eligibility is different for each of the programs within WQC. After reviewing applicant and project eligibility for each submitted application, Ecology offers funding to high priority projects from one or more of the five funding sources.

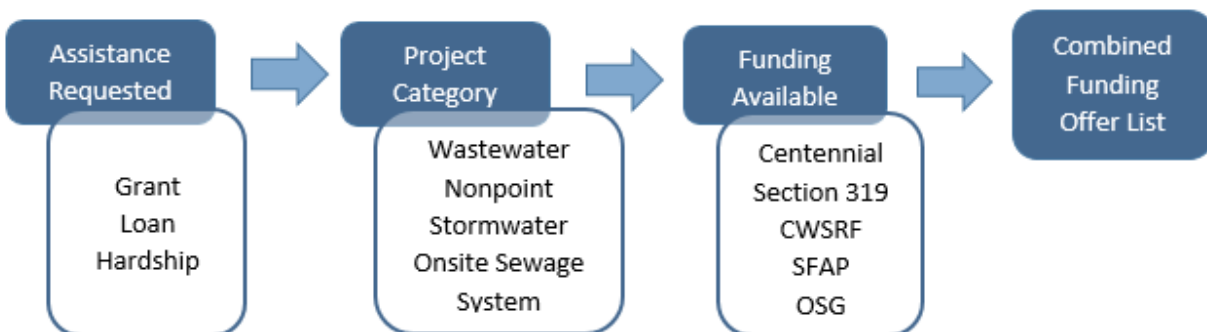


Figure 1: Water Quality Combined Program Funding Process

Section 1.1 Eligible Applicants

WQC provides grant and/or loan funding to:

- Conservation districts.
- Counties, cities/towns.

- Federally recognized tribes.
- Institutions of higher education if the project is not included in the institution’s statutory responsibilities.
- Irrigation districts.
- Local health jurisdictions.
- Not-for-profit organizations that are recognized as tax-exempt by the Internal Revenue Service. Not-for-profit organizations are only eligible for Section 319 funding.
- Port districts.
- Quasi-municipal corporations.
- Sewer districts.

This information is summarized for the different fund sources in Table 1. For additional information about each of these funding sources, see Chapter 3.

Table 1: Eligible Applicants by Funding Source

Applicant Type	CWSRF/ OSG	SFAP	Centennial	Section 319
Conservation districts	X		X	X
Counties, cities/towns	X	X	X	X
Federally recognized tribes	X		X	X
Institutions of higher education ⁸	X		X	X
Irrigation districts	X		X	X
Local health jurisdictions	X		X	X
Not-for-profit organizations ⁹				X
Port districts	X	X	X	X
Quasi-municipal corporations	X		X	X
Sewer districts	X		X	X

Section 1.2 Eligible Project Categories

Eligible project categories for grant and/or loan funding include:

- Wastewater facility
 - Combined sewer overflow (CSO) abatement.
 - Facilities for wastewater conveyance and treatment.

⁸ If the project is not included in the institution’s statutory responsibilities.

⁹ Must be recognized as tax-exempt by the Internal Revenue Service.

- Infiltration and inflow (I/I) correction.
- Planning, environmental, and cultural review, design, and construction.
- Reclaimed water and reuse, including reclaimed water distribution.
- Onsite sewage system
 - Large onsite sewage systems/community systems (planning, design, and construction).
 - Local grant/loan repair/replacement program.
 - Planning, outreach, surveys.
- Stormwater¹⁰ facility
 - Construction of facilities for stormwater treatment and flow control.
 - Low impact development or green retrofit projects.
 - Planning and design.
- Stormwater activity
 - Stormwater pollutant management program plans.
 - Stormwater pollutant source control planning and implementation.
- Nonpoint source activity
 - Agricultural best management practices (BMPs).
 - Demonstration nonpoint BMP projects (with Ecology preapproval).
 - Groundwater, aquifer, wellhead planning and implementation.
 - Land acquisition.
 - Pollution Identification and Correction (PIC) Programs.
 - Public outreach and education.
 - Restoration planning and implementation.
 - Site planning (including compliance with applicable local, state, and federal requirements, including cultural resource reviews).
 - Water quality monitoring.
 - Watershed planning.

Table 2 summarizes the project categories and their general eligibility by funding source. For additional information, see Chapter 2 and Chapter 3.

¹⁰ For the purposes of these guidelines, the term “stormwater” refers to water generated by urban surfaces such as buildings and roads, may be used interchangeably with the term urban runoff.

Table 2: Projects Supported by WQC

Project Type	CWSRF	SFAP	Centennial	Section 319	OSG
Nonpoint activity	X	X (urban runoff only)	X	X	
Onsite sewage systems	X		X		
Stormwater activity	X	X	X		X
Stormwater facility	X	X (retrofit only)			X
Wastewater facility	X		X (hardship only)		X

Section 1.3 Ineligible Projects and Components

In general, projects or project components that do not have a direct water quality benefit are not eligible for funding through WQC. Projects or project components prohibited by statute, federal appropriation, or administrative rules are also ineligible. Table 3 contains a list of some projects and project components that are ineligible for all funding sources. Chapter 2 includes additional information on eligibility and ineligibility.

Table 3: Ineligible Projects or Project Components for All Funding Sources

Description
Annual permit fees
Application preparation (grant or loan)
Aquatic plant control for aesthetic reasons, navigational improvements, or other purposes unrelated to water quality
BMP implementation on most federal and state-owned property
BMP implementation for private gain
Bond costs for debt issuance
Bonus or acceleration payments to contractors to meet contractual completion dates for construction
Buildings unless they are required to protect water quality, or they are needed to implement permit requirements such as a laboratory at a wastewater treatment facility
Cost-plus-a-percentage-of-cost contracts (also known as multiplier contracts), time and materials contracts, and percent-of-construction contracts; this does not apply to General Contractor/Construction Manager (GC/CM) contracts procured in accordance with Chapter 39.10 RCW
Culvert installation, repair, or replacement unless required to protect water quality for wastewater projects, or convey water to a stormwater BMP, or for nonpoint projects were determined to be the most appropriate stream crossing alternative to protect water quality.
Facility and equipment operation and maintenance expenses
Fees for failure to pay invoices on time, check overdrafts, etc.
Fines and penalties due to violations of or failures to comply with federal, state, or local laws
Giveaways and "SWAG" except for approved educational materials
Land acquisition for right of way using eminent domain

Description
Landscaping for aesthetic reasons
Lighting or other project elements that do not provide a water quality benefit
Lobbying or expenses associated with lobbying
Mitigation projects
Monitoring equipment used by an industry for sampling and analyses of industrial discharges to municipal water pollution control facilities
Operating expenses of local government, such as the salaries and expenses of a mayor, city council member, city attorney, etc.
Overtime differential paid to employees of local government to complete administrative or force account work
Pavement Repair beyond the width of the roadway cut necessary for the water quality project.
Projects or project objectives previously funded by Ecology
Projects solely for flood control
Reclamation of abandoned mines
Removal of existing structures or demolition of structures that are not interfering with proposed construction
Scientific research unrelated to a specific activity or facility
Solid and hazardous waste cleanup
State and federal agency facilities and other duties and responsibilities
Vehicle purchase, except where Ecology has determined that a specialized vehicle is essential to directly satisfy the project scope of work and to achieve the project water quality goals and outcomes
Water supply and conveyance

Section 1.4 The WQC Annual Funding Cycle

The WQC annual funding cycle begins in August. Before the application period opens, Ecology posts information explaining the application process and sends out a notice about the application period and corresponding applicant workshops.

During the annual funding cycle, Ecology:

- Accepts applications for approximately two months.
- Holds applicant training workshops.
- Posts a summary list of applications received and funds requested on its website.
- Rates and ranks the eligible applications based on the evaluation criteria.
- Solicits advice on project scope of work from other state agencies and other Ecology programs, if applicable.

- Conducts evaluators' meetings to discuss the project proposals water quality priorities, finalize evaluations, and develop a Draft Water Quality Funding Offer List and Intended Use Plan (Draft List).
- Sends the Draft List to the Governor's Office of Financial Management and the State Legislature for consideration during the funding appropriation process and adjusts based on legislative provisions.
- Holds a 30-day public review and comment period.
- Conducts a public meeting during the 30-day public review process to present the Draft List.
- Publishes the Final Water Quality Funding Offer List and Intended Use Plan (Final List) that includes a responsiveness summary to comments received on the Draft List.
- Develops agreements.
- Manages agreements.
- Closes-out agreements.



Figure 2: The SFY25 Funding Cycle Estimated Timeline

Agreement effective date must be within 10 months following the funding offer list publication, starting July 1, 2024, and no later than May 1, 2025. Expiration date is a maximum of 3 years (activities) or 5 years (facilities) from effective date. Applicants should develop their project schedules based on the dates in Table 4. Effective

Table 4: Important SFY25 Funding Cycle Dates

Important SFY25 Funding Cycle Dates
Application and Funding Offer Dates
August 15, 2023: Application opens
August 22, 23, 24 Applicant Workshops
October 12, 2023: EAGL applications due before 5:00 pm
January 30, 2024: Draft offer list published, start of funding program public comment period

Important SFY25 Funding Cycle Dates
February 7, 2024: Public meeting
February 29, 2024: Funding program public comment period closes
July 1, 2024: Final offer list published; project expenses may be eligible ¹¹
Negotiation and Agreement Development
Early July: Prepare for negotiation, update Recipient Contacts in EAGL, review comments from Evaluation Scorecards, compile any changes in scope/budget, schedule, staff etc.
July 2024: Recipient training workshops (dates and locations TBD)
July 2024: Begin negotiation and agreement development.
July – August 2024 Ecology meets with Recipients and prepares draft agreements.
September– October 2024: Negotiate scope, schedule, and budget for final agreement.
November – December 2024 Ecology conducts final agreement reviews in EAGL.
January 31, 2024: All agreements are signed and activated in EAGL.
Project Implementation and Closeout
April 30, 2025: All projects have started work
June 30, 2027: Activity projects complete
June 30, 2029: Facility projects complete

Section 1.5 Application Evaluation

All eligible funding applications are independently evaluated and scored in accordance with standard scoring criteria. Proposals are evaluated based on responses provided in the application. A total of 1,000 points are available. Table 5 shows the scoring breakdown and the rating criteria. See Chapter 5 for additional information on the evaluation process.

Table 5: Application Rating Criteria

Application Points and Rating Criteria
<ul style="list-style-type: none"> • 0-15 points: Applicant has identified adequate matching funds. (Full points if no match is required.) • 0-75 points: The scope of work represents a complete and concise description of the project tasks and outcomes, including deliverables. To receive full points, scope of work must align with the schedule and detailed budget. • 0-50 points: The application demonstrates how the applicant arrived at the cost estimate for each task. The process used by the applicant to develop this estimate is based on real-world data. • 0-85 points: The cost to complete the scope of work is reasonable when compared to similar projects in the region. • 0-50 points: Team members' roles and responsibilities are well defined and adequate for the scope of work. Team members' past experience is relevant to the proposed project. Applicant has a plan in

¹¹ Expenses incurred prior to agreement negotiation are at the recipient's own risk. No reimbursement will be made until the agreement is signed by the Recipient and Ecology.

Application Points and Rating Criteria

place to maintain sufficient staffing levels to complete the project.

- **0-15 points:** The applicant documents successful performance on other funded water quality projects, including Ecology funded projects. Previously constructed projects provided the water quality benefits described in the project application on time and within budget.
- **0-40 points:** Applicant used a complete and well-defined set of criteria to determine the value and feasibility of the proposed project and included the useful life and long-term maintenance costs in their evaluation of the project and project alternatives.
- **0-20 points:** Applicant has provided documentation showing that key stakeholders have been identified and how they will support the project.
- **0-25 points:** The project schedule includes all tasks including pre-project administrative elements such as permitting, MOUs, landowner agreements, etc., and provides sufficient time to complete all elements.
- **0-75 points:** The applicant is ready to start on the proposed scope of work within 10 months of publication of the Final Offer List (a.k.a., readiness to proceed).
- **0-135 points:** Project proposes to reduce or prevent pollution in a waterbody that has been identified as a priority by a local, state or federal agency through the development of a federal, state or local water quality plan.
- **0-150 points:** The proposed project area is directly connected to the water body identified for improvement and applicant has provided sufficient technical justification to show the proposed project will reduce the pollutants of concern in the water body identified for improvement.
- **0-50 points:** Applicant has identified how the project will be evaluated in order to determine success, noted if the measure is quantitative or qualitative, and defined a goal.
- **0-100 points:** The water quality and public health improvements that will be achieved represent a good value.
- **0-50 points:** Applicant has a plan and commitments in place to fund long-term maintenance and sustain the water quality benefits of this project.
- **0-15 points:** How well does the applicant and the project address greenhouse gas emission reductions in accordance with RCW 70.235.070?
- **0 points:** If the applicant does not meet the criteria for wastewater construction hardship.
- **50 points:** If the applicant meets the criteria for wastewater construction hardship.

Chapter 2: Eligible Project Categories

Eligible projects fall into five main categories: wastewater facilities, onsite sewage systems, stormwater facilities, stormwater activities, and nonpoint source activities. Some projects are eligible for both loans and grants, while other projects are eligible for loans only.

Section 2.1 Wastewater Facility Projects

Water pollution control facility projects can include planning, design, and construction of wastewater infrastructure, including treatment systems, collection systems, combined sewer overflow (CSO) abatement, and infiltration and inflow (I/I) correction. The technical prerequisites and approval process for facility projects can be extensive. Ecology encourages applicants to work closely with our staff to ensure all technical prerequisites are in place when planning facility projects.

Applicants that propose wastewater facility projects must proceed according to a systematic method known as the Step Process. Funding for one step does not guarantee funding for subsequent steps. The Step Process is composed of four steps.

- **Step 1 (Planning)** involves preparing a site-specific plan, which identifies cost-effective alternatives for addressing a water pollution control problem.
- **Step 2 (Design)** involves preparing plans and specifications for use in construction.
- **Step 3 (Construction)** is the actual building of the facilities based on the approved design.
- **Step 4 (Design and Construction)** in certain cases Steps 2 and 3 can be combined into one application. To qualify for Step 4, the project must be \$7,000,000 or less, and applicants must demonstrate they can complete the design and obtain approval by Ecology within one year of the funding agreement.

Section 2.1.1 Prerequisites

Step 1: No prerequisites required.

Steps 2, 3 OR 4: Applicants must submit the following prerequisites for a Step 2 (Design) projects by:

- Applicants must submit an approvable site-specific planning document to Ecology for review on or before **October 12, 2023**(the application due date). You are highly encouraged to connect and work with your Ecology permit manager well ahead of the application due date to help facilitate the Ecology review process.
- **Applicants must submit** Ecology's letter of approval for the site-specific planning document for the project by **December 13, 2023**. The site-specific planning document

should include documentation that the project is the cost-effective approach to achieving the water quality benefit.

Irrigation efficiency projects, and other types of projects that are not required to prepare a general sewer plan or engineering report, may substitute a pre-design report for Step 1 of the process.

In some circumstances, approved plans and specifications are not required for certain types of wastewater collection system construction projects. As indicated within [WAC-173-240-030](#)¹² if an applicant has received Ecology approval of a general sewer plan and standard design criteria, Ecology does not require plans and specifications for sewer line extensions, including pump stations, to be submitted for approval.

Section 2.1.2 Step 1 Wastewater Planning

Costs of preparing planning documents, including general sewer plans, engineering reports, environmental and cultural review, value engineering studies, feasibility studies and rate studies are eligible for funding. Applicants must comply with planning requirements to be eligible.

Subsequent project steps often require Ecology approval of a planning document. If Ecology approved a planning document more than two years prior to the close of a loan and grant application period, an applicant must have Ecology complete a more recent review to ensure that the document reflects current conditions.

If a project requires the formation of a utility local improvement district (ULID), formation must be completed during planning. Design, construction, and combined design/construction projects that require formation of a ULID are ineligible to apply for funding until the ULID is formed.

Section 2.1.3 Step 2 Design

Facility design is eligible for funding. Design plans and specifications must be consistent with:

- An approved planning document.
- [Chapter 173-240 WAC](#)¹³.
- Ecology's [Criteria for Sewage Works Design](#)¹⁴ (the "Orange Book").
- Other applicable requirements.

Applicants must base the plans and specifications on the preferred cost-effective alternative identified in the cost and effectiveness analysis.

¹² <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-240-030>

¹³ <http://app.leg.wa.gov/wac/default.aspx?cite=173-240>

¹⁴ <https://apps.ecology.wa.gov/publications/summarypages/9837.html>

Section 2.1.4 Step 3 Construction

Recipients of grants and loans for facility construction must ensure that the project complies with the approved plans and specifications. To this end, the applicant must provide adequate and competent construction management and inspection. Professional engineering services may be required to ensure this requirement is satisfied. Construction of facilities is regulated by [Chapter 173-240 WAC](#).

Section 2.1.5 Step 4 Design and Construction

Applicants can also apply for a combined facility design and construction project. The total project cost for both phases must be less than \$7,000,000 to be eligible to apply under one application. All the applicable requirements for both design and construction projects apply, including the possibility of preconstruction hardship for the design portion of the project and construction hardship for the construction components.

Section 2.1.6 Small Community Project Priority List

Ecology established the Small Community Project Priority List (SCPPL) with the publication of the State Fiscal Year 2023 Water Quality Funding Offer List and Intended Use Plan. The goal of SCPPL is to create a simplified funding process to help meet the anticipated wastewater infrastructure needs for small financially disadvantaged communities.

Table 12 of the SFY23 and SFY24 Funding Offer Lists includes a list of small community projects and estimated project costs. These projects represent priority need for funding subsidy in the form of Centennial grant, CWSRF FP loan, and CWSRF standard loan for wastewater facility design and construction in the next biennium. The wastewater projects for specific communities listed on Table 12 are based on projects Ecology has already rated, ranked, and provided funding for, or projects for which applications were submitted, rated, ranked, but not yet offered or awarded funding.

One of the goals of SCPPL is to reduce or minimize barriers small communities face in accessing and utilizing CWSRF and Centennial grant and loan funds from Ecology's Water Quality Combined Funding Program. For projects that qualify for SCPPL, the recipient will not have to submit new applications to fund the next project step. Instead, funds can be amended into an existing funding agreement at the current step (planning or design). Please contact your Ecology Project Manager, Financial Manager, or FMS Engineering Team to determine if SCPPL would apply to your project.

Guidance is still being developed for SCPPL, but the list below outlines process guidance that has been implemented so far:

- The population served by the project must be for a population less than 25,000, and there is clear information that the community is financially disadvantaged, and likely to qualify for hardship assistance.
- The Recipient must have an active funding agreement to amend additional funding into.

- Inclusion on Table 12/SCPPL does not indicate eligibility or guarantee hardship subsidy (preconstruction or construction).
- SCPPL projects will be funded one step at a time in accordance with WAC 173-98-530.
- Only traditional design-bid-build projects can be accommodated for SCPPL at this time. Projects that intend to use an alternative construction delivery method are eligible for the existing annual funding cycle process and should contact one of the Financial Assistance Engineers.
- Projects must have been rated and ranked to be placed on Table 12 and eligible for SCPPL.
- Not all small community projects are suitable for SCPPL. Ecology reserves the right to require projects to go through the traditional funding cycle process if the project deviates significantly from approved planning documents, or if sufficient progress is not being made between projects steps.
- SCPPL is not intended for projects that primarily support industrial or commercial needs within small communities.
- Ecology encourages recipients and potential recipients to reach out to the Financial Assistance Engineers or regional permitting staff to discuss project specifics with regards to SCPPL.
- Questions not answered in the funding guidelines can be directed to the Financial Assistance Engineers.

Section 2.1.7 Reclaimed Water Facilities

Reclaimed water facilities are eligible for loans. Reclaimed water facilities must comply with [Chapter 90.46 RCW](#)¹⁵.

Reclaimed water facilities must meet the same eligibility standards as other water pollution control facilities, including demonstrating that the project is the cost-effective solution to a water quality problem. Cost effectiveness can include the environmental benefits of advanced wastewater treatment as well as the provision of additional water supplies.

Generally, project components with water quality benefits are eligible. Components with strictly water supply benefits are not eligible. Eligible project components may include, but are not limited to:

- Wastewater treatment plant facilities.
- Rapid infiltration basins.
- Dedicated irrigation systems necessary to support the use of the water, such as poplar plantations.
- Purchase of land when that purchase is necessary for water storage or is the cost-effective

¹⁵ <http://app.leg.wa.gov/RCW/default.aspx?cite=90.46>

option, such as a dedicated land application site.

- Distribution piping and appurtenances needed to transport reclaimed water to the reuse site.

The purchase of land and distribution systems for recreation facilities (e.g., golf courses, ball fields, and parks) and similar community development features not directly related to water and wastewater infrastructure needs are not eligible for financial assistance.

Section 2.1.8 Land Acquisition

Acquiring land to site a wastewater facility or as an integral part of the treatment process (e.g., land application) must adhere to the Washington State Recreation and Conservation Office’s (RCO) [Acquisition Manual 3](#)¹⁶.

Land acquisition before construction is at the community's risk. Ecology will not reimburse for land acquisition until construction begins. Land acquisition that occurs prior to construction is eligible for reimbursement under the CWSRF interim refinance provisions; see Section 3.1.4.

Table 6 provides a summary of the funding eligibility of some wastewater facility projects and components.

Table 6: Wastewater Facility Projects and Components Eligibility

Description	Centennial Grant	CWSRF Loan
Combined sewer overflow abatement facilities	Yes**	Yes
Construction administration and inspection services	Yes**	Yes
Cost and effectiveness analysis	Yes*	Yes*
Cultural resources review	Yes*	Yes*
Environmental review	Yes*	Yes*
Equipment and/or tools pre-approved for a funded project	Yes**	Yes
Facilities for the control, storage, treatment, disposal, or recycling of domestic wastewater	Yes**	Yes
Facilities or portions of facilities that are solely intended to control transport, treat, dispose or otherwise manage commercial, institutional, or industrial wastewater except for projects at publicly owned industrial wastewater treatment facilities that reduce the treatment burden of a municipal wastewater treatment facility; this does not apply to commercial, institutional, or industrial wastewater entering a municipal wastewater treatment facility	No	No
Development of an Asset Management Program	Yes**	Yes
Indirect rate (up to 30% of salaries and benefits)	Yes**	Yes

¹⁶ <https://rco.wa.gov/wp-content/uploads/2019/07/Manual3.pdf>

Description	Centennial Grant	CWSRF Loan
Investment grade efficiency audit	Yes*	Yes*
Land acquisition to site a wastewater facility	No	Yes
Landscaping for erosion control directly related to a project	Yes**	Yes
Legal expenses associated with use of a bond counsel in developing a loan agreement	No	Yes
Light refreshments for meetings if pre-approved	Yes**	No
LOSS/community wastewater systems	Yes*	Yes*
Mitigation projects	No	No
Mitigation to comply with requirements in SEPA/NEPA or other environmental review directly related to a project	Yes**	Yes
Permits required for project implementation	Yes*	Yes*
Planning, including feasibility studies, value engineering, rate studies, and general sewer plans and engineering reports	Yes*	Yes*
Plans and specifications (facility design)	Yes*	Yes*
Project Management Consultant	Yes**	Yes
Publicly owned industrial wastewater treatment facilities that reduce the treatment burden of a municipal wastewater treatment facility; this does not apply to publicly owned industrial stormwater facilities	No	Yes
Reclaimed water distribution infrastructure for transportation to reuse site.	Yes**	Yes
Refinancing: Interim for any project eligible for a CWSRF loan or Standard for water pollution control facilities begun after March 7, 1985	No	Yes
Side-sewer laterals, pump stations, and other appurtenances on private property for projects that address infiltration and inflow.	Yes**	Yes
Side-sewer laterals, pump stations, and other appurtenances on private property for projects that address documented nonpoint pollution issues	Yes**	Yes
Side-sewer laterals, pump stations, and other appurtenances on private property where the facilities are owned and maintained by a public body, or a public body has a property easement for at least the length of the loan/grant	Yes**	Yes
Side-sewer laterals, pump stations, and other appurtenances on private property where the facilities are not owned and maintained by a public body or a public body does not have a property easement for at least the length of the loan/grant, the project does not address documented nonpoint pollution issues, or the project does not address infiltration and inflow	No	No
Side-sewer laterals, pump stations, and other appurtenances on public property	Yes**	Yes
ULID formation	No	Yes

* Up to 50 percent forgivable principal loan or Centennial grant for qualified preconstruction hardship applicants.

** For qualified construction hardship applicants.

Section 2.2 OSS Projects

OSS projects are eligible for both grants and loans. Eligible projects include planning, design, and construction of community large onsite sewage systems (LOSS), surveys of existing OSS throughout watersheds, local government loan programs provided to homeowners and small commercial enterprises for the repair and replacement of failing OSS, and homeowner education and outreach on the topic of OSS operation and maintenance.

Section 2.2.1 Large Onsite Sewage Systems (LOSS)

The Washington State Department of Health (DOH) permits LOSS designed to treat less than 100,000 gallons per day through [Chapter 246-272B WAC](#)¹⁷. With the exception that planning and design documents are approved through DOH, these systems are considered facilities, and all the rules and requirements for facility projects apply.

Section 2.2.2 Planning and Survey

OSS pollution identification and survey projects may be conducted throughout a watershed. Funded projects have included OSS data collection and management, system inspections and dye testing, and shoreline surveys to identify fecal coliform hotspots within the water source. Recipients may use grant or loan dollars to conduct door-to-door surveys for sewer infrastructure evaluation and to provide education and outreach. Funding may also be used to support the development of Local Management Plans.

Section 2.2.3 Local Loan Program

Ecology may provide loans and grants to local governments to establish and manage OSS repair and replacement loan programs. OSS funding programs through local governments provide low-interest loan options to homeowners and small commercial enterprises for OSS repair and replacement. Local governments that have OSS funding programs in place have ensured improvement to water quality, protection of public health, and assisted in the protection and restoration of critical commercial and recreational shellfish habitat through the reduction of fecal coliform bacteria and nutrient levels in surface waters.

Recipients may use Centennial grants and CWSRF loans for the following:

- Subsidized loans to property owners with financial hardship.
- Project administration and management.
- A loan loss reserve account in accordance with the following:

¹⁷ <http://app.leg.wa.gov/WAC/default.aspx?cite=246-272B&full=true>

- The grant recipient can establish and accumulate a reserve account using Centennial funds and local sources to secure the potential loss from default on individual homeowner OSS repair and replacement local loans.
- Up to 10 percent of the total eligible cost for an individual OSS repair and replacement project may be deposited from the Centennial grant into the reserve account.
- Recipients must apply the amount of Centennial funds on deposit in the reserve account to either:
 - Cover, in-part or in-full, losses realized by the grant recipient on homeowner default.
 - Additional OSS repair and replacement local loans at the timing discretion of the grant recipient.

The loan loss reserve provisions described only apply to OSS local loan program projects, not other projects such as direct seed programs.

OSS repair and replacement programs may also be used for LOSS projects. However, because the LOSS is considered a “treatment works facility,” completion of the State Environmental Review Process (SERP) process will be required before a local OSS repair and replacement program may be used for a LOSS construction. For more information on SERP, refer to the [Ecology Environmental Review Process for Water Quality Grants and Loans website](#) and download the [EID](#). Contact the Environmental Review Coordinator, Liz Ellis, at (360) 628-4410 or liz.ellis@ecy.wa.gov if you have questions.

Centennial grants for up to \$500,000 may be awarded for repair and replacement local loan programs with a 100 percent cash match. Match may be either a CWSRF loan or the recipient’s own source of funds. **Note that targeted OSS repair and replacement projects within a priority watershed are not required to provide match.**

Ecology may adjust CWSRF loan interest rates to a lower rate at the end of the project based on the recipient’s assistance to financially challenged homeowners. Ecology adjusts the interest rate on the local loan program based on the income of loan recipients in comparison to the county MHI.

A local government can tailor the OSS financial assistance program to fit into its existing water quality management strategies and efforts. Local governments may use an outside administrator for complete program management or provide some or all aspects of the loan program using internal resources. Local governments with successful local loan programs use a variety of internal and external resources for marketing and implementing the OSS loan program, application review, loan authorization and processing, and establishment and collection of homeowner installment payments.

Aspects of a successful program include one or more of the following:

- Establishment of a program framework that addresses the identification and/or assessment of the failing OSS, homeowner loan application processing and management, and an on-going operation and maintenance program for repaired septic systems.
- Establishment of environmental and credit worthiness criteria.
- Staffing for program oversight.
- Marketing and promotion of the program through the local health jurisdiction, Septics 101 workshops, and local septic designers, installers, and pumpers.
- Septic surveys to identify OSS failures.

Before signing a loan agreement, the Water Quality Program must review and approve:

- The priority system used by a local government to identify and fund projects with the most critical water quality and public health problems.
- The local government's dedicated source of revenue to repay the loan to Ecology.
- Procedures to ensure that the citizens repay their loans to the local governments.
- Procedures to ensure adequate inspection of the project by the local government during implementation.
- Assurances that citizens receiving local loan funds will properly operate and maintain the systems that are constructed.

Local governments must use the following guidelines when considering providing loans from local loan funds to small commercial enterprises for OSS rehabilitation or replacement:

- No more than one-third of the local loan fund may be used by small commercial enterprises for onsite wastewater treatment corrections.
- No more one-sixth of the local fund may be loaned to any single individual or business, up to a maximum of \$50,000.
- The average daily flows for any small commercial enterprise cannot exceed 3,500 gallons per day.

Small commercial enterprises may include public lodging (including motels, hotels, and bed and breakfast establishments), rentals (apartments, duplexes, or houses), small restaurants, stores, or taverns.

Section 2.2.4 Onsite Sewage System Regional Loan Program

The Regional Loan Program (RLP) is a statewide partnership between local governments, DOH, Ecology, and a financial institution partner (FIP). The FIP provides loans to property owners for repair or replacement of failing OSS in participating jurisdictions. The loans are supported by CWSRF and Centennial funds. Participating jurisdictions support the program through outreach

and education and regular OSS permitting activities.

A participating jurisdiction may submit one funding application on behalf of the entire RLP. The funding application must include information on the relevant water quality and public health priorities of each participating or interested jurisdiction.

More information on joining the RLP can be found on [Ecology’s OSS Projects webpage](#)¹⁸.

Note: Because the well-established RLP serves all counties, and therefore all homeowners, with flexible loan terms, including hardship considerations, for the repair and replacement of failing OSS, Ecology encourages maximizing use of this program rather than applying to start a separate program to meet these needs.

Section 2.2.5 Composting Toilet Systems

Installation, repair, and replacement of composting toilet systems are eligible as Onsite Sewage System projects when there is a clear need or benefit based on water quality. Composting toilets may be funded through CWSRF loans and Centennial grant funds. Proprietary composting systems must be included on the Washington State Department of Health’s (DOH) [List of Registered On-Site Treatment and Distribution Products](#)¹⁹ (WAC-246-272A-0110). All other systems must meet the [recommended standards and guidance for composting toilets](#)²⁰. In addition, these projects must secure applicable permits and submit a maintenance plan.

Table 7 provides a summary of the funding eligibility of some OSS projects and components.

Table 7: Onsite Sewage System Projects and Components Eligibility

Description	Centennial Grant	Section 319 Grant	CWSRF Loan
Composting toilets	Yes	No	Yes
Cost and effectiveness analysis	No	No	Yes
Cultural resources review	Yes	Yes	Yes
Equipment and/or tools pre-approved for a funded project	Yes	Yes	Yes
Fiscal sustainability plans (a.k.a., asset management plans) required for facility construction projects	No	No	Yes
Indirect rate (up to 30% of salaries and benefits for Centennial and CWSRF and up to the EPA/Ecology negotiated rate for Section 319)	Yes	Yes	Yes
Landscaping for erosion control directly related to a project	Yes	Yes	Yes
Light refreshments for meetings if pre-approved	Yes	Yes	No

¹⁸ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/On-site-sewage-projects#RegOSS>

¹⁹ <https://www.doh.wa.gov/portals/1/Documents/Pubs/337-024.pdf>

²⁰ <https://www.doh.wa.gov/Portals/1/Documents/Pubs/337-016.pdf>

Description	Centennial Grant	Section 319 Grant	CWSRF Loan
Local Management Plan development	Yes	No	Yes
LOSS/community wastewater systems repair and replacement through a local loan/grant fund	No	No	Yes
Mitigation projects	No	No	No
Mitigation to comply with requirements in SEPA/NEPA or other environmental review directly related to a project	Yes	Yes	Yes
Onsite sewage system education, information, and technical assistance programs	Yes	Yes	Yes
Onsite sewage system repair and replacement programs through a local loan/grant fund	Yes	No	Yes
Onsite sewage system surveys	Yes	Yes	Yes
Permits required for project implementation	Yes	Yes	Yes
Project Management Consultant	Yes	Yes	Yes
Side-sewer laterals for OSS abandonment and connection projects	Yes	No	Yes
Terralift technology for repairing OSS	No	No	No

Section 2.3 Stormwater Facility Projects

Stormwater facility projects provide water quality benefits by treating and/or providing flow control for water generated from impervious surfaces associated with urban development (such as roads and buildings). In the context of this document, pollution and runoff generated from development of urban surfaces such as homes, roads, and businesses may be referred to as “stormwater” regardless of the permit status of the local jurisdiction.

Applicants may receive grant and/or loan funding for:

- Step 1: Stormwater project planning and prioritization.
- Step 2: Design.
- Step 3: Construction.
- Step 4: Small project design/construct.

Eligible best management practices (BMPs) are facilities including structural BMPs which have been designed in accordance with any of the following:

- [Stormwater Management Manuals for Eastern or Western Washington](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Stormwater-manuals)²¹.
- Equivalent Ecology-approved manual as listed in Appendix 10 of the 2019 revision to the

²¹ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Stormwater-manuals>

[Phase I Municipal NPDES Stormwater Permit](#)²².

- Received a General Use Level Designation (GULD) through the [Technology Assessment Protocol – Ecology \(TAPE\) program](#)²³.
- Received a [Functionally Equivalent designation](#) (to bioretention) from the Department of Ecology.

BMPs that provide treatment or flow control for stormwater generated by publicly owned industrial sites are conditionally eligible for grant and loan funding. Grant funding may be limited to BMPs that manage stormwater runoff generated by existing land use conditions. For proposals that are regulated under an Industrial Stormwater General Permit, an Ecology Engineer must accept the design. For BMP installations that are not regulated under an Industrial Stormwater General Permit, designs must be in accordance with an Ecology-approved Stormwater Management Manual (SWMM) or a General Use Level Designation (GULD) approval criterion. Additional BMPs to manage anticipated stormwater pollutants or run-off generated by proposed or future land uses may be loan eligible. Applicants may also propose to design and install nonproprietary BMPs for TAPE review. Applicants must include technical justification in their application that supports (1) the need to develop additional BMPs and (2) data indicating that the BMP is likely to be highly successful in meeting water quality goals. Applicants proposing a BMP for TAPE review should contact Ecology prior to submitting an application for additional information including Quality Assurance Project Plan (QAPP) requirements.

Design and construction of decant facilities and other equipment necessary for the operation and maintenance of a municipal stormwater system is conditionally eligible for grant and loan funding as part of an Enhanced Maintenance Program. The analysis performed during the Enhanced Maintenance planning process is used by Ecology to determine facility and equipment funding eligibility. Additional information about Enhanced Maintenance Programs is included in Section 2.4 and in Appendix L of this document.

Grant funding for stormwater facility projects is limited to projects that manage runoff from existing urban infrastructure. New or redevelopment projects may be eligible for loan funding, see Tables 3 and 8.

Section 2.3.1 Step 1 Stormwater Quality Planning and Prioritization

Costs associated with planning and prioritizing stormwater infrastructure and stormwater quality facility siting at a basin or watershed scale are eligible for grant and loan funding. This includes the cost of preparing documents, gathering data, mapping, public outreach, environmental and cultural review, stormwater utility rate studies, and water quality and cost benefit assessment and analysis. The type of funding available is determined by the purpose of

²² <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Municipal-stormwater-general-permits/Municipal-Stormwater-Phase-I-Permit>

²³ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Emerging-stormwater-treatment-technologies>

the planning and prioritization project.

Pre-planning steps, including the receiving water conditions assessment and prioritization process described in the [Stormwater Management Action Planning Guidance](#)²⁴ (SMAP) are also eligible for funding.

Although Ecology highly recommends that jurisdictions develop a transparent prioritization process for the selection of water quality project implementation, completion of Step 1 planning is not a prerequisite to receiving Ecology funding for design and construction. Funding for projects in a stormwater quality capital improvement plan will depend on how well the projects score through Ecology's rating and ranking process described in Table 14, as well as the amount of funding available for all applicants.

Please refer to Appendix L for more information about Step 1 Planning projects.

Section 2.3.2 Step 2 Design

Ecology is available for technical assistance and will review all funded stormwater projects to ensure compliance with Ecology design standards and Ecology-approved manuals. Stormwater project design includes preparing design documents, geotechnical work, engineering design reports, environmental and cultural review, and value engineering studies. Appendix L of this document lists the elements that must be provided for Ecology review for the Design Report and 90 Percent Design Package. The Final Bid Package is typically considered part of Step 3 Construction.

Section 2.3.3 Step 3 Construction

Design documents require Ecology review prior to receiving construction funding. An Ecology Design Report and a 90 Percent Design Package **must be submitted with the application** for a Step 3 Construction project. These documents must follow the guidelines listed in Appendix L of this document and meet all Ecology requirements. The design documents will be reviewed by Ecology and must be accepted by July 1 to be eligible for funding. An incomplete design document that does not follow Ecology's guidelines may result in an ineligible application.

Please see the following to determine deliverables needed at time of application.

- Projects that have both the Design Report and the 90 Percent Design Package acceptance letters may proceed with submitting a Step 3 Construction application. Please include the Design Report, 90 Percent Design Package, and acceptance letters with the application.
- Projects that have a Design Report acceptance letter but have not received a 90 Percent Design Package acceptance letter may apply for Step 3 Construction but must submit a complete 90 Percent Design Package with the application for Ecology review.
- Projects that do not have a design report acceptance letter or a 90 Percent Design

²⁴ <https://apps.ecology.wa.gov/publications/documents/1910010.pdf>

Package acceptance letter may apply for Step 3 Construction but must include a complete Design Report and 90 Percent Design Package with the application for Ecology review.

- Projects that have an Ecology Design Report acceptance letter issued more than two years prior to the close of this application period should contact their Ecology regional project manager. Ecology will need to re-review to ensure that the document reflects current site conditions and manual guidance. See Appendix A for contact information.

Section 2.3.4 Step 4 Design and Construction

Working within the existing urban infrastructure and designing stormwater BMPs that are appropriate for site conditions presents unique challenges for project implementation. Most projects separate design (Step 2) and construction (Step 3) into sequential funding requests. This will allow applicants to maximize the total amount of funding Ecology can provide for project implementation.

In some limited cases, it may be appropriate for an applicant to apply for design and construction funding concurrently (Step 4). Successful Step 4 projects are typically small in scale, can be completed quickly, have a limited number of unknowns, and are managed and designed by an experienced team. **Step 4 projects are limited to projects that have a total eligible cost (TEC) of \$300,000 or less.** TEC is equal to the minimum match requirement plus the Ecology funding award.

If an applicant chooses to submit a Step 4 application, Ecology reserves the right to set interim performance milestones or partially fund the project.

Section 2.3.5 Land Acquisition

Acquiring land for installation of a stormwater BMP or to site a facility displaced by construction of a BMP is conditionally eligible for funding. Eligible land acquisitions for stormwater projects are limited to the BMP footprint and require that the property be permanently held for the project through a deed restriction, easement, or other approved mechanism.

Land acquisition to prevent development is not an eligible expense as a stormwater facility but may be eligible as a nonpoint project. Final decisions regarding land acquisitions, easements, or leases will be based on the Recreation and Conservation Office's (RCO) [Acquisition Manual 3](#). Due to the complex nature of projects that include land acquisition or easements, Ecology strongly recommends contacting the SFAP Coordinator or regional Project Manager prior to submitting an application. See Appendix A for contact information.

Eligible expenses, include the appraised/fair market value of the BMP footprint, access necessary to maintain the BMP, and land acquisition due diligence/associated costs. The associated costs may include but are not limited to the following:

- Environmental review/audit.

- Cultural resource review.
- Appraisal and review of the appraisal.
- Purchase agreement.
- Preliminary title report.
- Land survey for property boundaries.
- Deed of right.
- Closing fees.
- Recording fees.

The applicant assumes all risks when purchasing a property prior to securing funding or ensuring that the property is suitable for the proposed water quality project. **The purchase price of land is not eligible for reimbursement until Ecology receives a signed construction completion form and the deed or easement is recorded.**

Required Documentation for Stormwater Land Acquisition

Step 2 Design projects must submit the following documents with the application:

- A map showing the proposed parcel(s) under consideration.
- A signed landowner acknowledgment (LOA) form for all parcels. The LOA form can be found in Appendix E.

Step 3 Construction projects must upload the following documents with the application:

- A map and the legal description of the parcel(s) and/or boundaries of the property or easement.
- Proof of due diligence showing the parcel(s) is suitable for building the stormwater BMP.
- Recent appraisal and appraisal review report (generally less than one-year-old).
- Signed purchase and sale agreement for easement or property (fee-simple) purchase.

Step 4 Design and Construct projects do not allow land acquisition as an eligible expense.

Land owned by the applicant and permanently dedicated to the project may be eligible as match. For additional information about using land as match, see Section 3.2.4.

Section 2.3.6 Eligibility Summary

Most stormwater facility projects are funded through SFAP and CWSRF. SFAP grant funding, including funding for Step 1 applications, is limited to projects that treat and/or manage flows from existing development. For more information about these funding sources, see Chapter 3.

In addition to the projects and BMPs described in Section 2.3, the following project elements

are also eligible for funding through WQC.

- Stormwater BMPs installed as part of the Community Based-Public-Private Partnership (CBP3) pilot project, may be eligible for grant or loan funding and will be reviewed on a case-by-case basis. Additional information about stormwater public private partnerships is available from the Department of Commerce publication [Is a Public Private Partnership Right for Your Community? A Guide for Municipal Stormwater Managers](#)²⁵.
- Trees as a stormwater facility designed in accordance with BMPs T5.16 in the Stormwater Management Manual for Western Washington and F6.62 in the Stormwater Management Manual for Eastern Washington or an Ecology-approved equivalent manual are eligible for grant and loan funding. Tree BMPs must follow the step process and have an Ecology-accepted design before constructing. Costs to protect and preserve existing tree canopy during stormwater project construction to the greatest extent feasible and in accordance with the requirements of the local jurisdiction are also eligible.

Stormwater facility projects or project components that are ineligible to receive funding through WQC include, but are not limited to, the items described in Section 1.3 and the following:

- Projects or project objectives previously funded by Ecology. Multiple phases of the same project may be eligible. Phases must address stormwater from additional geographic areas and provide additional water quality benefits beyond those identified in earlier phases.
- Projects that treat run-off from undeveloped lands or agricultural areas. See Section 2.5 for more eligibility information for such projects.
- Stormwater runoff from private property or public property that has been leased to a private entity, unless the applicant has taken on ownership and maintenance responsibilities for the BMP via acquisition of the land where the BMP is sited, a lease agreement, and/or acquiring a deeded easement.
- Projects that treat process water or sewage.
- Paving projects.
- Equipment purchases without preapproval from Ecology.
- Disproportional costs for ornamental plants, trees, permanent irrigation, or other items associated with the installation and maintenance of landscaping. Reimbursements for vegetation may be limited to the cost to install native or adapted plants for erosion control or to provide BMP functionality.
- Contaminated soils removal or remediation.

²⁵ https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=Report-LGD-Stormwater-II_1b84a971-5351-4c74-b85e-0a9bcae01c5a.pdf

- In-stream restoration or BMPs.
- Projects required for mitigation.
- Facility maintenance.

Stormwater facility projects and project elements may be funded by either CWSRF loan or SFAP grant, however there are some critical eligibility differences between the two funding sources.

Table 8 provides an eligibility summary for some common stormwater facility projects and components. This list is not intended to be exhaustive, and eligibility is conditional upon meeting all project and funding source eligibility requirements. For more information about project eligibility for specific funding sources, see Chapter 3.

Table 8: Stormwater Facility Projects and Components Eligibility

Description	SFAP Grant	CWSRF Loan
Stormwater BMPs for new or redevelopment	No	Yes
Cultural resources review	Yes	Yes*
BMPs located within high-value wetlands	No	Yes
BMP-specific outreach materials such as signage or pet waste containers	Yes	Yes
Fiscal sustainability plans (a.k.a., asset management plans) required for facility construction projects	No	Yes
Indirect rate (up to 30% of salaries and benefits)	Yes	Yes
Individual residential stormwater infiltration treatment and collection systems, such as bioretention swales on private property	Yes**	No
Installation of rip rap, boulders, and retaining walls to prevent sediment discharge into stormwater BMPs	Yes	Yes
In-stream work	No	Yes
Land acquisition for stormwater BMP siting	Yes	Yes
Landscaping for erosion control directly related to a project	Yes	Yes
Light refreshments for meetings if pre-approved	Yes	No
Maintenance, including maintenance with capital construction costs \geq \$25,000	No	No
Mitigation projects	No	No
Mitigation to comply with requirements in SEPA/NEPA or other environmental review directly related to a project	No ²⁶	Yes
Monitoring for TAPE	Yes	Yes
Outreach to property owners/residents potentially affected by installation of a facility	Yes	Yes*
Permanent removal of impervious surfaces	Yes**	Yes

²⁶ May be eligible – to be determined on a case-by-case basis.

Description	SFAP Grant	CWSRF Loan
Permeable pavement replacing an existing pervious surface	No	Yes
Permeable pavement replacing an existing impervious surface	Yes	Yes
Permits required for project implementation	Yes	Yes
Project alternatives and cost and effectiveness analysis	Yes	Yes*
Project Management Consultant	Yes	Yes
Publicly owned industrial stormwater BMPs	Yes	No
Restoration of riparian buffers	No***	Yes
Stormwater conveyance (excluding conveyance to BMPs)	No	Yes
Stormwater retrofit or low impact development retrofit projects	Yes	Yes
Stormwater utility rate studies	Yes	Yes
Trees installed as a BMP or functional component of a BMP per an Ecology-approved stormwater management manual	Yes	Yes
Utility Local Improvement District (ULID) formation	No	No

* Up to 50 percent forgivable principal loan for qualified preconstruction hardship applicants.

** Approval on a case-by-case basis with appropriate title restrictions.

*** May be eligible on a case-by-case basis; see Section 2.4.2.

Section 2.4 Stormwater Activity Projects

Stormwater activity projects that provide water quality benefits through behavior change and management actions may be funded by grant and/or loan funding. In the context of this document, pollution and runoff generated from development of urban surfaces such as homes, roads, and businesses may be referred to as “stormwater” regardless of the permit status of the local government.

Due to the complex eligibility rules for stormwater activities, Ecology strongly recommends contacting appropriate regional or headquarters staff to discuss eligibility prior to submitting an application.

Section 2.4.1 Enhanced Maintenance and Source Control

An Enhanced Maintenance and Source Control Program (EMP) uses data to optimize maintenance resources and ensure the effectiveness of stormwater quality infrastructure in reducing stormwater impacts to waterbodies.

The first step in developing an EMP is to develop a plan to document and assess the water quality benefits of the existing program. This plan may be a sub-component of a larger stormwater planning effort, such as a Stormwater Management Action Plan (SMAP), or it may be a stand-alone effort. Like a stormwater facility project, an enhanced maintenance program

includes distinct planning and implementation steps.

Step 1 Enhanced Maintenance Planning

Stormwater BMPs require regular maintenance to provide water quality benefits. An Enhanced Maintenance Plan (EMP) is a tool help local governments understand the total cost to keep stormwater quality infrastructure performing as designed and to help local stormwater managers direct resources to areas that pose the biggest potential risk to water quality. At a minimum, the EMP should answer the following questions for local stormwater managers.

Existing Program

- Where is my infrastructure located, where are the drainage areas for my BMPs, and how do the drainage areas connect to receiving waters?
- What level of risk to water quality does each drainage area represent?
- What level of treatment and flow control is provided by the existing BMPs?
- What maintenance is currently being done, and what does it cost?
- What equipment and facilities do I currently have, and what is the plan to replace them?

Enhanced Program

- What is the increase in water quality benefits that I would like to achieve by increasing my maintenance efforts? How will I measure this increase?
- What resources will I need to implement these enhancements?
- How much will it cost to implement?
- Is this the most cost-effective way to achieve these water quality benefits?
- How will I know if the implementation is providing the benefits I expected?
- How will I sustain this level of effort over time?
- How will I adapt and change the plan over time?

Additional guidance for development of Enhanced Maintenance Plans, including example task language, is available in Appendix L. Ecology staff will review completed plans and identify program enhancements that are eligible for grant and loan funding. Therefore, successful completion of Step 1 is required prior to applying for Step 2 EMP Implementation Funding.

Step 2 Enhanced Maintenance Program Implementation

Facilities, equipment, or other resources needed to achieve the water quality benefits described in the Ecology approved enhanced maintenance plan, are eligible for grant funding, provided all other eligibility requirements are met. This may include outright purchase of equipment, payment of use rates, or rental of equipment, whichever is shown to be most cost-effective. See Appendix L for additional guidance.

Because funding source eligibility cannot be determined until the EMP is developed and then reviewed, applicants must apply for Step 1 plan development funding and Step 2 implementation funding in separate funding cycles. An Ecology EMP acceptance letter is required at the time of application to ensure grant eligibility.

Funding requests for maintenance equipment or facilities that are not listed in an Ecology-accepted EMP are eligible for loan.

Source Control Programs

The development of programs to adaptively manage stormwater pollutants before they enter the stormwater collection systems or to remove contaminants in the collection system itself are eligible for grant and loan funding. Development of targeted outreach materials, data management systems, and staff training programs necessary to implement new source control programs are eligible for grant and/or loan funding. These programs may be integrated into an enhanced maintenance program or may be stand-alone programs.

Examples include:

- Developing a new local business inspection program.
- Establishing a new privately-owned stormwater BMP inspection program.

Section 2.4.2 Overlap with Nonpoint Projects

Depending on location and permit status, some project types may be considered both nonpoint and urban stormwater projects. Guidance for the following project types is available in Section 2.5.

- Lake restoration planning and implementation.
- Public education and outreach.
- Land acquisition for preservation or protection.
- Riparian and wetland restoration planning and implementation.
- TMDL support projects.
- Water quality monitoring.
- General watershed planning.

The funding source assigned for these projects will be assessed by Ecology on a case-by-case basis after considering the pollution source, applicant eligibility, and funding available.

Section 2.4.3 Eligibility Summary

In addition to the ineligible items described in Section 1.3, stormwater activity projects or project components that are ineligible to receive funding through WQC include, but are not limited to:

- Planning for stormwater conveyance to control flooding.

Stormwater activity projects and project elements may be funded by either CWSRF loan, SFAP grant, or Centennial/Section 319 grants, however there are some critical eligibility differences between the funding sources.

Grant funding for stormwater activity projects is intended to enhance, not replace, current local water quality efforts and stormwater management program requirements. Eligibility for grant assistance will depend on the specific stormwater activity proposed and the jurisdiction where the activity takes place.

Table 9 provides an eligibility summary for some common stormwater activity projects and components. This list is not exhaustive, and eligibility is conditional upon meeting all project and funding source eligibility requirements. For more information about project eligibility for specific funding sources, see Chapter 3.

Table 9: Stormwater Activity Projects and Components Eligibility

Description	Centennial Grant or Section 319 Grant	SFAP Grant	CWSRF Loan
Cultural resources review	Yes	Yes	Yes
Development of inspection programs for private parcel stormwater BMPs	No	Yes	Yes
Facilities for managing and storing decant and sweeping waste and equipment with an approved plan.	No	Yes	Yes
General stormwater quality monitoring	No	No	Yes
Land acquisition for: wetland habitat preservation and protection; riparian area and watershed preservation; drinking water source protection	Yes	No	Yes
Legacy pollutant source identification, tracing, and removal	No	Yes	Yes
Light refreshments for meetings if pre-approved	Yes	Yes	No
Outreach and education projects not required by stormwater permits	Yes	No	Yes
Outreach and education projects required by stormwater permits	No	No	Yes
Project Management Consultant	Yes	Yes	Yes
Purchase, rental, or use fees for high-efficiency vacuum sweepers supporting an approved plan	No	Yes	Yes

Section 2.5 Nonpoint Source Activity Projects

Nonpoint source water pollution control projects include a wide variety of planning and implementation activities that do not involve constructing or preparing to construct a traditional water pollution control facility. Eligible activities are described in this section and

supplemental appendices. Projects that implement direct water quality benefits are prioritized in the application evaluation process.

Nonpoint activities are funded by:

- Centennial grants.
- Section 319 grants.
- CWSRF loans.

Section 2.5.1 General Eligibility Requirements for all Nonpoint Projects

See the following sections and appendices to ensure your application meets all specific criteria and requirements for eligible activities.

Projects Implement Approved Water Quality Improvement Plans or Support TMDL Implementation

All proposed nonpoint source activity projects must implement an element of a state or local plan directed at addressing water quality issues, such as a watershed management plan, nonpoint source pollution control plan, Salmon Recovery Plan, Orca Recovery Plan, Total Maximum Daily Loads (TMDL)/TMDL Alternative/Straight to Implementation (STI) Support Projects, etc.

Applicants should work directly with Ecology staff (Nonpoint compliance specialists, and TMDL coordinators) in their region on planning for and managing these projects. For a list of projects and contact information, see [Ecology's Water Quality Project Directory](#)²⁷.

To be eligible for Section 319 grants (and the Centennial dollars set aside for match), the plan being implemented must meet the criteria of the nine Key Elements for nonpoint source projects as outlined in [EPA's Handbook for Developing Watershed Plans to Restore and Protect Our Waters](#)²⁸. Additionally, all Ecology funded nonpoint source activity projects must also align with the objectives in Table 8 of [Washington's Water Quality Management Plan to Control Nonpoint Sources of Pollution](#)²⁹.

Planning, Design, and Implementation: A Phase Process

The Phase Process is required for lake restoration and irrigation efficiency projects and recommended (not required) as a general guide for all other nonpoint project proposals. Most project proposals should include multiple phases under one application. Projects that include implementation are prioritized for funding over planning-only projects. Those that demonstrate successful Phase 1 progress or completion, and "readiness-to-proceed" may score higher.

²⁷ <https://apps.ecology.wa.gov/ezshare/wq/WaterQualityImprovement/TMDL/projectdirectory.htm>

²⁸ <https://www.epa.gov/polluted-runoff-nonpoint-source-pollution/handbook-developing-watershed-plans-restore-and-protect>.

²⁹ <https://apps.ecology.wa.gov/publications/documents/1510015.pdf>

Design requirements may vary based on the complexity of the project. Applicants should include time for Ecology review of all plans/designs in the project schedule and are strongly encouraged to discuss the project with a regional Ecology Project Manager early in the planning process.

Funding applications should combine implementation of shovel-ready sites with planning (Phase 1) activities in preparation for additional, future project sites.

- **Phase 1 (planning)** involves outreach to landowners and preparing site-specific plans that identify eligible BMPs to address a water pollution problem. Planning activities and deliverables typically include:
 - Landowner outreach.
 - Cultural resources review.
 - Conservation plans and technical assistance.
 - General farm planning is not eligible, however, elements of those plans that relate to water quality may be eligible.
 - Grazing Management Plans that comply with requirements as described in the [Clean Water Guidance for Agriculture](#)³⁰ are eligible (pages 27d-30d).
 - Planting and maintenance plans.
 - Landowner agreements.
- **Phase 2 (implementation or design/construction)** involves implementing conservation and planting plans or preparing engineered designs and installation of BMP structures. Design for nonpoint projects is only eligible when implementation of eligible BMPs are included in the scope of work. Some exceptions may be allowable for large-scale projects on lakes or public lands, with Ecology approval. Examples include:
 - Stream restoration involving channel reconstruction, large woody debris, and some bank stabilization strategies.
 - Lake restoration including riparian shorelines, inflows outflows, and conservation of native vegetation.
 - Design - Applicants must submit the following prerequisites for a lake restoration design project before implementation:
 - Ecology's letter accepting the site-specific planning for the project. The site-specific planning document should include documentation that the project is the cost-effective approach to achieving the water quality benefit.

³⁰ <https://apps.ecology.wa.gov/publications/parts/2010008part4.pdf>

- Construction - Applicants must submit the following prerequisites for a lake restoration construction project before implementation:
 - Ecology’s letter accepting the site-specific planning for the project. The site-specific planning document should include documentation that the project is the cost-effective approach to achieving the water quality benefit.
 - Ecology approval of the plans and specifications for the project.
 - Some activities can go straight from planning to implementation.
- **Phase 3 (restoration/BMP monitoring and maintenance)** includes follow-up site maintenance to ensure plant survival and invasive species control at restoration sites, and to ensure continued BMP function. Most implementation requires a 10-year maintenance plan or agreement. Ecology funding can cover up to 5 years-post-planting maintenance for specific restoration sites. Restoration sites that implement riparian planting of the entire Riparian Management Zone are eligible for an additional 5 years of post-planting maintenance. Activities typically include:
 - Plant survival inventory and re-planting, as necessary.
 - Invasive species control.

Nonpoint Best Management Practices (BMP) Implementation and Approval

Water quality BMPs for nonpoint are defined as physical, structural, and managerial methods recommended through a planning process that have demonstrated success for reducing or preventing water quality degradation. Implementation of BMPs refers to the use of established approaches or practices to address water quality problems.

Ecology may fund BMPs that address or correct water quality degradation, however BMP eligibility is not the same for loans and grants (see Table 10). For SFAP funding eligibility, see Section 2.3 for stormwater facilities and Section 2.4 for stormwater activities.

Templates, forms, and additional training materials can be found on the [Nonpoint source activity project resources webpage](#)³¹.

BMP Funding Eligibility

To be eligible, BMPs must:

- Provide a public benefit through improved water quality.
- Be recommended through a multi-agency watershed management planning process and approved by Ecology (i.e., included in these guidelines) as an effective technique to

³¹ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Nonpoint-source-activity-projects/Nonpoint-source-project-resources>.

reduce nonpoint source pollution.

- Target the most critical areas with structural and non-structural practices that, if properly managed, will provide the greatest protection or improvement in water quality.
- Meet the implementation requirements listed below. Note that the eligibility of some agricultural BMPs requires riparian protection BMPs be implemented.

Implementation Requirements

- **Landowner Agreements:** Must be signed and approved prior to implementation. A template is available on the [Nonpoint source activity project resources webpage](#).
- **Cultural Resources Review:** Must obtain a final determination from the lead agency prior to implementation (see Appendix N).
- **Site-Specific Plans and/or Designs:** Plans and designs must be reviewed and approved in writing by Ecology prior to implementation. Design requirements may vary based on the complexity of the project. Maintenance plans and planting plans may be required. In addition to this section, see Section 2.5.9, and Appendix J for additional information.
- **BMP Approval Form:** BMPs must meet the conditions of these funding guidelines and be reviewed by Ecology prior to installation. Submit the form and supporting documents such as maps, designs, and maintenance plans, etc. to Ecology at least 30 days before implementation. Ecology's Project Manager or Project Engineer will review the proposed project and provide written notice to proceed with implementation. If the recipient installs un-approved BMPs, the recipient assumes the risk that Ecology may delay or deny part or all the reimbursement for that activity.
 - A BMP Approval Form template is available on the resource webpage provided above.
- **Local Requirements:** SEPA, permits, Critical Areas Ordinances, etc. as needed. These may need to be submitted to Ecology for review. Contact the Ecology Project Manager for additional information.
- **Reporting:** Quarterly progress reports and final closeout reports are required for all projects. Most projects will be required to report BMP implementation metrics and load reduction annually (see Section 6.2.13, and Appendix F: Section 3).
- **Specific Criteria and Standards:** Plans, designs, and implementation must comply with the activity specific criteria described in these Funding Guidelines.

Property Ownership Limitations

Planning and implementation for water quality improvements on private property, public property, public easements, or public rights-of-way through private property are eligible for grant and loan funding, with some restrictions. Funding is only provided to public entities and nonprofit organizations; however, those entities can work with private landowners for site-

specific planning and implementation.

Public Property, Easements, and Rights-of-Way

- BMP implementation is eligible on local government and federally recognized tribal lands.
- Permanent structures (such as fencing, manure storage facilities, restoration, etc.) are typically not eligible on state or federal lands. Long-term lease holders of Washington Department of Natural Resource property are eligible on a case-by-case basis.
- Watershed-scale planning may include state and federal lands.
- Activities on public lands owned by an entity other than the recipient should include a Memorandum of Understanding (MOU), interlocal or similar landowner agreement.

Private Property

Ecology limits its financial assistance to public bodies (as specified in Section 1.1). However, the public body that receives a grant or a loan can provide technical and financial assistance to a private landowner or install BMPs on private property for public benefit.

Landowner Agreements and Maintenance Plans

The recipient must obtain and submit a signed landowner agreement or conservation easement to the Ecology Project Manager before time-intensive planning, cultural resource review, and all BMP designs and implementation. Technical assistance and initial conservation planning is allowed before the agreement is signed; however, the recipient must ensure the landowner is aware of the expectations. Maintenance plans may also be required for projects on property owned by the recipient, or other entity.

- The recipient may use the landowner agreement template provided by Ecology, or equivalent document.
- The landowner agreement must include, but not be limited to:
 - A minimum 10-year maintenance agreement that is transferred with the ownership, rental, and leasing of the land.
 - Allowance of inspection of the project area by the recipient and by Ecology staff with prior notification.
 - A written and signed maintenance plan that covers establishment and long-term maintenance of the BMP(s). This plan will detail responsibilities for both the landowner and the recipient and must include details concerning, but not limited to, watering plants, maintaining a reasonable level of plant survivability, replacing dead plants, controlling noxious weeds, and repairing and maintaining exclusion fencing, off-stream watering provisions, or other eligible BMPs. This maintenance plan is generally the responsibility of the recipient unless otherwise written in the landowner agreement.

- Commitment from the landowner and producer to implement a full three-year crop rotation for agreements related to direct seed practices.
- When projects include off-stream watering installation, agreements must include provisions to ensure that water supplied is for livestock use only.
 - Per Ecology Water Resources Program Policy 1025, watering facilities provided must serve no greater number of livestock than historically range that parcel of property. The quantity of water consumed by livestock as a result of the funded off-site watering facility should not exceed the quantity consumed if the stock were to drink directly from the stream.
 - If land use is changed from livestock management to residential, commercial, or industrial development during the 10-year landowner/recipient agreement period, all financial assistance issued for the off-stream watering facilities must be immediately repaid to Ecology by the loan or grant recipient.

Section 2.5.2 Agricultural BMPs

Agricultural BMPs must be based on water quality improvements and not on agricultural production needs, for example, where activity from livestock is contributing to fecal coliform or sedimentation problems and/or other degradation to the riparian area, stream, and water quality.

Agricultural BMPs must comply with the requirements in this document and the Natural Resource Conservation Service (NRCS) Field Office Technical Guide (FOTG) construction specifications or equivalent construction standards **and** be recommended in the Voluntary Clean Water Guidance for Agriculture (Clean Water Guidance). If NRCS specifications are not available, the structural design of the proposed BMP must be designed by a licensed engineer. For further information, see the [FOTG](#)³² for Washington state.

Appendixes G, H, I, and J discuss more specific BMP provisions.

Agroforestry

Low intensity agroforestry practices as described in the Clean Water Guidance are eligible. The proper implementation of agroforestry plantings promotes soil and vegetation community health and avoids the use of synthetic fertilizers and pesticides. When properly implemented, agroforestry practices have a low potential for pollutant generation and transport. Additionally, the native trees integrated into this type of agriculture can provide a supplementary source of stream shading and organic material inputs to streams.

³² <https://efotg.sc.egov.usda.gov/#/>

Conservation-Based Tillage Systems

Conservation-based tillage systems that are consistent with Ecology's Voluntary Clean Water Guidance for Agriculture guidance are eligible for WQC financial assistance. Conservation-based tillage systems are a source control BMP that minimizes surface soil disturbance to the maximum extent while maintaining protective surface and subsurface crop residue, and it eliminates full width tillage for seedbed preparation. Conservation-based systems significantly reduce erosion, improve soil quality, reduce fuel consumption, and are a viable alternative to traditional, full tillage systems. Conservation-based tillage system practices are eligible for three types of funding:

- Equipment rental cost reimbursement.
- Cost of custom application fee reimbursement.
- Conservation-tillage equipment purchase.

Appendix G contains the eligibility conditions for conservation-based tillage systems.

Livestock Exclusion Fencing

Livestock exclusion fencing is eligible for WQC financial assistance when installed at a minimum setback from the ordinary high watermark (OHWM) consistent with the riparian restoration guidance found in Appendix J. Exclusion fencing protects riparian areas from impacts due to livestock activities in and around streams. Recipients are required to plant the buffer established by the fencing setback with native trees and shrubs to provide a higher level of water quality improvement. This minimum setback and vegetation help protect surface waters from pollutants such as pathogens, sediment, and nutrients, and provides physical protection so riparian areas may be restored. Grass filter strips alone are not sufficient to meet this requirement.

Cross fencing is eligible for WQC financial assistance when the following criteria are met:

- The practice is prescribed in an approved Grazing Management Plan.
- Livestock exclusion fencing is installed at a minimum setback from the ordinary high watermark (OHWM) consistent with the riparian restoration guidance found in Appendix J.
- A riparian forest buffer consistent with the riparian restoration guidance found in Appendix J is implemented.

Livestock Off-stream Watering Facilities

A livestock owner uses off-stream watering to provide an alternative source of watering where fencing or other method(s) exclude livestock from streams to protect water quality. Off-stream watering facilities (including well construction) are conditionally eligible for WQC financial assistance for projects that include privately owned livestock operations. If an applicant

proposes to install livestock exclusion fencing as part of a riparian protection/restoration project and the fencing meets the minimum standards, Ecology may award grant dollars to install an off- stream watering facility.

Appendix H contains eligibility conditions for off-stream watering facilities.

Livestock Feeding BMPs

Livestock feeding and waste management BMPs that support the relocation of livestock activities that threaten water quality or enhance existing feeding areas distanced from surface waters are eligible for funding. Recipients may install a combination of these BMPs when appropriate. Funding for livestock feeding BMPs only applies to projects that will protect water quality and may not be used to rebuild feeding facilities where the primary purpose is to repair existing structures. Livestock exclusion fencing and riparian restoration is a required prerequisite for projects that relocate livestock and must meet the minimum setback requirement in Appendix J.

Eligible livestock BMPs include heavy use area protection and associated fencing, waste storage facilities, and windbreaks. Grass filter strips are eligible as needed around heavy use areas, when located outside riparian management zone.

Appendix I contains eligibility conditions for livestock feeding and waste management BMPs.

Silvopasture

Silvopasture practices, such as light intensity rotational grazing within the riparian management zone in accordance with a Grazing Management Plan, as described in the Clean Water Guidance, are eligible. The proper implementation of silvopasture plantings promotes soil and vegetation community health and avoids the use of synthetic fertilizers and pesticides. When properly implemented, silvopasture practices have a low potential for pollutant generation and transport. Additionally, the native trees integrated into this type of agriculture can provide a supplementary source of stream shading and organic material inputs to streams.

Section 2.5.3 Demonstration Nonpoint BMP Projects

Demonstration projects include implementation of new, innovative, or alternative technology BMPs not yet demonstrated in the Ecology region in which they are proposed. Ecology will consider demonstration BMP activity projects for funding if they meet the following two conditions:

- The practice has a proven record to improve the water quality problem of concern.
- The practice has not previously been demonstrated in the Ecology region where the project is proposed.

Demonstration projects should be relatively small in scope, yet large enough to clearly evaluate BMP effectiveness. Demonstration projects also need to incorporate education and outreach, including direct involvement from the local county cooperative extension office or local

conservation district. The applicant should plan outreach efforts that include news articles, focus sheets, or other written materials to maximize public exposure and increase the public awareness of the project. The applicant should describe approaches for planned outreach in the application.

Ecology expects recipients with demonstration projects to include a thorough analysis of the effectiveness and outcomes of the project in the final report and provide recommendations for the potential of the BMP to become a grant-eligible activity. Demonstration projects are approved for grant eligibility by Ecology on a case-by-case basis.

Section 2.5.4 Groundwater, Aquifer, Wellhead Planning and Implementation

Planning for and implementation of wellhead protection projects, groundwater protection projects, source water (including groundwater and surface water) protection, and critical aquifer recharge area projects are eligible for loan or grant funding. Applicants undertake these projects to protect the quality of water used as a public drinking water supply. Eligible activities typically include acquisition, OSS programs (surveys, repair/replacement), agricultural BMPs, and/or groundwater monitoring. Decommissioning of abandoned wells is only eligible for loan funding.

Drinking water system data are available on [DOH's Drinking Water System Data webpage](#)³³.

Section 2.5.5 Land Acquisition

The purchase of real property and conservation easements is eligible for WQC financial assistance for the following purposes:

- Wetland habitat preservation and protection.
- Riparian area and watershed preservation and protection.
- Drinking water source protection.

Recipients may use grants to buy the land itself through fee title acquisitions or to buy an interest in the land such as a conservation easement and required due diligence activities. All nonpoint land acquisition projects may require additional documentation of due diligence including, but not limited to, the following:

- Landowner acknowledgment.
- Environmental review.
- Cultural resource review.
- Appraisal and review of the appraisal.
- Baseline inventory (see the following section).

³³ <http://www.doh.wa.gov/DataandStatisticalReports/EnvironmentalHealth/DrinkingWaterSystemData.aspx>

- Purchase agreement.
- Preliminary title report.
- Water quality deed of right.
- Deed.
- Stewardship plan.

Baseline Inventory and Stewardship Plan

Baseline inventories are required for all conservation easements and may be required for fee title acquisitions (as an eligible expense). The baseline inventory must be completed prior to closing. The stewardship plan may be completed after closing, however it must be approved by Ecology prior to reimbursement of the final payment request, and will include:

- Description of the project area, including the following:
 - U.S. Geological Survey quadrant map and county assessor’s parcel map.
 - Map showing all human-made and natural features.
 - Narrative description of the property.
 - Photographs taken at permanent photograph points.
- Short-term land management goals and objectives.
- Long-term stewardship goals and objectives.
- Restoration goals and objectives (if applicable).
- Monitoring goals and objectives.
- A detailed stewardship plan implementation budget that also identifies the sources of funding.

Requirements for acquisition projects will align with RCO’s [Acquisition Manual 3](#). The funding assistance limits, and all other nonpoint conditions of these funding guidelines still apply.

Section 2.5.6 Pollution Identification and Correction (PIC)

PIC programs work to protect and restore water quality, particularly to clean up and prevent fecal pollution from human and animal waste that threatens public health and our economy. For returning applicants, objectives previously funded by the WQC program are ineligible, so applications for PIC projects should describe how objectives (such as geographic areas) are distinct from any current or past PIC program agreements. Eligible PIC program activities often include:

- Pollution source identification surveys and sampling.
- Mapping.

- Water quality monitoring.
- Outreach.
- BMP implementation.

Section 2.5.7 Public Outreach and Education Projects

Projects with public outreach and education components are eligible for loan or grant funding. Public outreach and education use effective methods and programs, guided by a detailed outreach strategy, to engage the public's interest in improving water quality. Applicants should consider that the public has different levels of background knowledge of both water quality management and its role in reducing water pollution. Therefore, applicants should consider a multi-pronged approach to outreach. Public outreach efforts should include:

- Generating basic awareness of water pollution.
- Educating at a more sophisticated level using more comprehensive content.
- Building on existing recognition of the issue to prompt behavior changes that reduce pollution or opportunities for pollution.

The strategy should also specifically address combining public outreach with the implementation of other water quality management measures. This aspect of outreach could involve more in- depth education, short training courses, live presentations and slideshows, handbooks, posters with educational content and captioned illustrations, and web-based training modules, or websites with photos of good and bad practices.

Applicants should target their outreach and education efforts to landowners with properties adjacent to surface waters. Ecology acknowledges it is important to educate the general public about behaviors and impacts to water quality. However, for grant project purposes, the most benefit is gained by targeting landowners with properties adjacent to surface waters.

Activities that support Farmed Smart or Salmon Safe Certification and related regenerative agriculture programs, beyond those specifically identified above, may be conditionally eligible on a case-by-case basis through coordination with Ecology.

Appendix K provides guidance on how to develop outreach and education project proposals. Ecology provides this information as a resource or checklist and does not require the applicant to follow it. The goal of the checklist is to help design effective projects that change behaviors and achieve environmental results.

Section 2.5.8 Restoration Planning and Implementation

Riparian Area, Wetland, and Floodplain Restoration

Planning and implementing riparian and wetland habitat restoration projects are eligible for loans or grants. Maintenance is eligible for up to 5 years following planting. Restoration sites that implement riparian planting of the entire Riparian Management Zone are eligible for an

additional 5 years of post-planting maintenance, for a total of 10 years. Applicants can include installation of livestock exclusion fencing as part of a riparian protection/restoration project.

Appendix J contains specific requirements for riparian restoration and planting projects. The following documents provide guidance in developing a project proposal.

- [Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications](#)³⁴.
- [Riparian Ecosystems, Volume 2: Management Recommendations](#)³⁵.
- [Ecology’s Restoring Wetlands in Washington: A Guidebook for Wetland Restoration, Planning & Implementation](#)³⁶.
- [Voluntary Clean Water Guidance for Agriculture](#).³⁷

Stream Restoration and Bank Stabilization

Stream restoration includes all in-stream work, such as daylighting, culvert removal/replacement, channel modification or re-establishment, beaver dam analogs, large woody debris and engineered logjams, bank stabilization (using any materials beyond plants), etc.

All stream restoration and bank stabilization projects must meet the riparian buffer and other standards established in Appendix J of this document and the [Washington State Aquatic Guideline Program’s Stream Habitat Restoration Guidelines](#)³⁸. Streambank protection designs must be consistent with the Aquatic Habitat Guidelines Program’s, [Integrated Streambank Protection Guidelines](#)³⁹.

Lake Restoration

Lake restoration planning and implementation projects on lakes with public access are eligible for loans or grants. Lakes with no public access are not eligible for funding. The “Phase Process” (Section 2.5.1) is required for all lake restoration projects. Phase 1 is planning. Phase 1 involves the identification of problems and evaluation of cost-effective alternatives. Phase 2 is the implementation of the planning document. If the project includes construction, a design component may be included before the implementation step.

In-lake treatments, such as alum, are only eligible for CWSRF loans.

Section 2.5.9 Technical Assistance and Conservation Plans

Ecology may reimburse the costs associated with project-specific planning and technical

³⁴ <https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf>

³⁵ <https://wdfw.wa.gov/sites/default/files/publications/01988/wdfw01988.pdf>

³⁶ <https://apps.ecology.wa.gov/publications/documents/93017.pdf>

³⁷ <https://apps.ecology.wa.gov/publications/SummaryPages/2010008.html>

³⁸ <https://apps.ecology.wa.gov/publications/SummaryPages/2010008.html>

³⁸ <http://wdfw.wa.gov/publications/01374>

³⁹ <http://wdfw.wa.gov/publications/00046/>

assistance for planning, design, and implementation of grant and loan eligible water quality BMPs or riparian restoration. Site-specific planning for resource and land management is an eligible activity if the resulting plan includes eligible water quality BMPs consistent with the criteria required under these guidelines. Elements of conservation plans, including Grazing Management Plans, that directly pertain to water quality are eligible, however general farm planning is not eligible. In-depth planning or engineered designs on private property require a landowner agreement prior to significant investment. Any plan for riparian buffer protections, streambank stabilization, and/or stream restoration must include recommendations that meet or exceed the buffer width guidance found in Appendix J.

Section 2.5.10 Water Quality Monitoring

Water quality monitoring before and during implementation and after project completion is critical for tracking environmental and project results. Ecology may provide loans or grants for water quality monitoring projects. Typically, a recipient undertakes monitoring to characterize the existing conditions of ground waters and surface waters, to identify or quantify pollutant sources or loads, or to establish the effectiveness of BMPs. Soil monitoring for water quality related purposes may be eligible with Ecology approval. Monitoring may be the entire project or a component of a larger project.

Quality Assurance Project Plan (QAPP)

Prior to initiating water quality or soil monitoring activities, the recipient must prepare a Quality Assurance Project Plan (QAPP). The QAPP must follow Ecology's [Guidelines and Specifications for Preparing Quality Assurance Project Plans for Environmental Studies](#)⁴⁰. [QAPP Standard Operating Procedures for field sampling and testing activities](#)⁴¹ associated with monitoring QAPP development are also available. The QAPP template is also available by request from the Fund Coordinator, or regional Ecology Project Manager; see Appendix A for contact information.

Recipients may also reference Ecology's [Technical Guidance for Assessing the Quality of Aquatic Environments](#)⁴² in developing the QAPP.

The QAPP must:

- Describe in detail the monitoring and data quality objectives, procedures, and methodologies that will be used to ensure that all environmental data generated will meet the QAPP requirements.
- Describe in detail the water quality monitoring approach and laboratory protocols, including types of data and samples to be collected, sample location, sampling frequency, sampling procedures, analytical methods, quality control procedures, and

⁴⁰ <https://apps.ecology.wa.gov/publications/documents/0403030.pdf>

⁴¹ <https://ecology.wa.gov/About-us/How-we-operate/Scientific-services/Quality-assurance/Quality-assurance-for-NEP-grantees>

⁴² <https://apps.ecology.wa.gov/publications/summarypages/9178.html>

data handling protocols.

- Describe data assessment procedures.
- Explain how the project will yield sufficient information to achieve the purpose and intent of monitoring.
- Discuss data accuracy and statistical requirements.

The recipient must submit the QAPP to Ecology’s Project Manager for review, comment, and approval before starting the environmental monitoring activities. Any monitoring activity conducted before the QAPP receives final approval is not eligible for reimbursement.

Use of an Ecology Accredited Laboratory

The recipient must use an environmental laboratory accredited by Ecology to analyze water samples for all parameters that require bench testing. Information on currently accredited laboratories and the accreditation process is provided on [Ecology's Lab Search webpage](#)⁴³.

The recipient should manage all monitoring data collected or acquired under the agreement to be available to secondary users and meet the “10-year rule.” The 10-year rule means that data documentation is sufficient to allow an individual not directly familiar with the specific monitoring effort to understand the purpose of the data set, methods used, results obtained, and quality assurance measures taken 10 years after data are collected.

Monitoring Data Management and Submittal

Recipients that collect environmental monitoring data must submit all data to Ecology using the Environmental Information Management System (EIM). Data must be loaded into EIM following instructions on [Ecology’s EIM webpage](#)⁴⁴ and be approved by Ecology’s Project Manager. Final payment requests will be withheld until data has been approved in EIM.

The data submittal portion of the EIM webpage provides information and help on formats and requirements for submitting tabular data. Specific questions about data submittal may be directed to the EIM Data Coordinator.

Recipients must follow Ecology data standards when Geographic Information System (GIS) data are collected and processed as documented on [Ecology’s GIS Standards webpage](#)⁴⁵. Recipients must submit copies of all final GIS data layers, imagery, related tables, raw data collection files, map products, metadata, and project documentation to Ecology.

Section 2.5.11 Watershed Planning

Watershed planning projects are eligible for loans or grants. If the project is in the Puget Sound Watershed, it must comply with planning criteria contained in [Title 400 WAC, Puget Sound](#)

⁴³ <https://apps.ecology.wa.gov/laboratorysearch/>

⁴⁴ <https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database>

⁴⁵ <https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Standards>

[Partnership](#)⁴⁶. Ecology provides guidance for other jurisdictions.

All watershed plans must comply with the SEPA and must be submitted to Ecology for review and approval. Watershed-wide planning projects funded by Section 319 must also meet the nine Key Elements for Watershed Plans in [EPA’s Handbook for Developing Watershed Plans to Restore and Protect Our Waters](#) and the [Watershed Planning training module](#)⁴⁷.

Section 2.5.12 Ecosystem Service Incentives

Ecosystem service incentive payment programs that implement riparian planting of the core zone, as defined by the Clean Water Guidance, are conditionally eligible for Recipients with established incentive programs.

Projects that implement a riparian buffer one site potential tree height in width are eligible for a lump-sum ecosystem payment of \$2,000 per acre.

All ecosystem service payments will require Ecology pre-approval, and a Washington State Ecosystem Service Contract that includes, but is not limited to the landowner agreement requirements outlined in Section 2.5.1.

Section 2.5.13 Summary Table of Eligible Nonpoint Activities

Table 10 is provided for convenience; see above sections and related appendixes for criteria and requirements that apply. This list is based on commonly asked questions and is not comprehensive. Please contact the funding program coordinator or your Ecology project team if you have specific eligibility questions.

Reminders: All BMP implementation requires preapproval by the Ecology Project Manager. Implementation on private property requires a landowner agreement. Implementation on any public property owned by an entity other than the grant recipient must have a maintenance plan/agreement, or memorandum of understanding (MOU).

Table 10: Nonpoint Source Activity Projects and Components Eligibility

Description	Section 319 or Centennial Grant	CWSRF Loan
Agricultural BMPs		
Acquisition/installation of livestock exclusion fencing along stream	Yes	Yes
Agricultural BMP implementation on private property at concentrated animal feeding operations (CAFOs) (only CAFOs in areas covered by federally designated National Estuaries are eligible for CWSRF loans)	No	Yes
Agroforestry plantings	Yes	Yes
Alternative/innovative technology with Ecology preapproval	Yes	Yes

⁴⁶ <https://app.leg.wa.gov/WAC/default.aspx?cite=400>

⁴⁷ https://cfpub.epa.gov/watertrain/moduleFrame.cfm?parent_object_id=2868&object_id=2873#2873

Description	Section 319 or Centennial Grant	CWSRF Loan
Bridges for livestock crossing– up to 6 feet wide that meet WDFW's requirements for fish passage	Yes	Yes
Cover crop establishment with conservation-based tillage.	Yes	Yes
Cross fencing	Yes	Yes
Culverts for livestock crossing – up to 6 feet wide that meet WDFW's requirements for fish passage	Yes	Yes
Direct seed custom application fee reimbursement	Yes	Yes
Direct seed equipment purchases by public body for rental purposes	Yes	Yes
Direct seed equipment purchases for private landowner use	No	Yes
Direct seed equipment rental by private landowner - reimbursement	Yes	Yes
Grass filter strips (outside of riparian buffer areas)	Yes	Yes
Grassed waterways	Yes	Yes
Groundwater and source water protection	Yes	Yes
Hardened stream crossings for livestock	Yes	Yes
Heavy use area protection for livestock	Yes	Yes
Irrigation canal efficiency measures (such as lining or piping existing canals)	No	Yes
Irrigation efficiency implementation (such as drip, mist, or low delivery systems)	No	Yes
Livestock exclusion fencing	Yes	Yes
Manure waste storage lagoon	No	Yes
Nutrient Management Plan	No	Yes
Off-stream watering provisions for livestock	Yes	Yes
Residue management via no-till, direct seeding	Yes	Yes
Roof runoff structures (gutters)	Yes	Yes
Silvopasture	Yes	Yes
Spring development	Yes	Yes
Technical assistance	Yes	Yes
Waste storage facilities for livestock (lagoons only eligible for loan)	Yes	Yes
Well decommissioning	No	Yes
Wellhead protection	Yes	Yes
Wind breaks to discourage livestock from congregating near surface waters	Yes	Yes
Land Acquisition		

Description	Section 319 or Centennial Grant	CWSRF Loan
Conservation easement administration and legal costs associated with establishing conservation easements	Yes	Yes
Land acquisition for: wetland habitat preservation and protection; riparian area and watershed preservation; drinking water source protection	Yes	Yes
Planting trees for future harvesting	No	Yes
Outreach and Education		
Education and stewardship programs related to water quality	Yes	Yes
Educational and funding recognition signage	Yes	Yes
Pledge programs	Yes	Yes
School programs (water quality related)	Yes	Yes
Planning		
Comprehensive planning for basin, watershed, and area-wide water quality	Yes	Yes
Conservation plans (site-specific) targeted to water quality BMP implementation, including grazing management plans	Yes	Yes
Technical assistance for the planning, design, and implementation of eligible water quality BMPs and stream restoration activities	Yes	Yes
TMDL plan development and implementation	Yes	Yes
Restoration		
Acquisition/installation of native plant material	Yes	Yes
Acquisition/installation of plant material stabilizer	Yes	Yes
Aquatic plant control when it has been established that water quality degradation is due to the presence of aquatic plants, and sources of pollution have been addressed sufficiently	Yes	Yes
Armoring of the toe	Yes	Yes
Beaver Dam Analogues	Yes	Yes
Channel re-establishment or naturalization/meander reconstruction/ re-sloping	Yes	Yes
Culvert removal for improved water quality and riparian restoration	Yes	Yes
Ecosystem service payments	Yes	Yes
Flood gates	No	Yes
In-lake treatments, such as alum (lake must be publicly accessible)	No	Yes
Lake restoration implementation that has gone through the Step process (lake must be publicly accessible)	Yes	Yes
Lake water quality planning (lake must be publicly accessible)	Yes	Yes
Lakeshore riparian installation (lake must be publicly accessible)	Yes	Yes

Description	Section 319 or Centennial Grant	CWSRF Loan
Log structures	Yes	Yes
Riparian and wetlands habitat restoration and enhancement	Yes	Yes
Riparian forest buffers (not for future harvest)	Yes	Yes
Root wads	Yes	Yes
Siphons	No	Yes
Site monitoring and follow-up maintenance for up to five years on Ecology funded riparian restoration projects	Yes	Yes
Site preparation work on Ecology funded riparian restoration projects (e.g., weed removal)	Yes	Yes
Site-specific BMP or watershed planning when it results in water quality BMP recommendations consistent with these guidelines	Yes	Yes
Stream bank revegetation and stabilization	Yes	Yes
Stream restoration projects for water quality purposes	Yes	Yes
Wetland creation	No	Yes
Wetlands restoration	Yes	Yes
Water Quality Monitoring		
Diagnostic studies to assess current water quality	Yes	Yes
Monitoring equipment used for water quality monitoring	Yes	Yes
Water quality monitoring and data management	Yes	Yes
Miscellaneous and Administration		
Activities required by NPDES municipal stormwater permits	No	Yes
BMPs on public property (excluding most federal and state-owned land)	Yes	Yes
Computer equipment, software, etc. specific to a funded project	Yes	Yes
Cost and effectiveness analysis to encourage implementation of eligible BMPs	No	Yes
Cultural resources review	Yes	Yes
Equipment and/or tools pre-approved for a funded project	Yes	Yes
Indirect rate (up to 30% of salaries and benefits for Centennial and CWSRF and up to the EPA/Ecology negotiated rate for Section 319)	Yes	Yes
Legal expenses associated with development of local ordinances for water quality protection	Yes	Yes
Light refreshments for volunteer events, workshops, field days, or meetings if pre-approved	Yes	No
Mitigation projects	No	No
Mitigation to comply with requirements in SEPA/NEPA or other environmental review directly related to a project	Yes	Yes

Description	Section 319 or Centennial Grant	CWSRF Loan
Model ordinances to prevent or reduce pollution from nonpoint sources (development and dissemination)	Yes	Yes
Permits required for project implementation	Yes	Yes
Project Management Consultant	Yes	Yes
Sediment control basins	No	Yes
Use of sediment settlers (e.g., Polyacrylamide)	No	Yes

Chapter 3: Funding Programs

This chapter provides a basic overview of each of the four funding programs, including applicant and project eligibility and funding provisions. Additional information about project eligibility may be found in Chapter 2 and Appendices G, H, I, and J. Additional Terms and Conditions may be found in Section 6.2 and Appendix F.

Ecology manages the four primary sources of funding under an integrated annual funding cycle. Each of the programs has different eligibility requirements and limitations and may have specific set-asides or funding priorities. Applicants use one integrated financial assistance application to apply for funds from the four funding sources simultaneously. Ecology reviews, rates, and ranks applications. Then Ecology distributes funds to the highest priority projects in a combination of grants and loans, depending on the project type and funding source.

Total funds available for WQC vary. The amount of funding available on a competitive basis for each State Fiscal Year (SFY) is based on program policies, legislative directives, previous commitments, and funding levels. Funding levels are not known until state and federal appropriations are made.

Section 3.1 CWSRF

Section 3.1.1 Program Purpose and Guidance

The United States Congress established the Water Pollution Control Revolving Fund Program (CWSRF) as part of the Clean Water Act (CWA) Amendments of 1987. The Environmental Protection Agency (EPA) offers states capitalization grants each year according to a formula established in the CWA. The state must provide a 20 percent match of the Capitalization Grant. Each year Ecology estimates the funds from:

- The Capitalization Grant.
- State match.
- Known and expected repaid principal and interest from previous loans.
- Interest earned through investments by the Washington State Treasurer's Office.
- Early repayments of previous loans.
- Declined offers.
- Differences between offers and agreements.

Ecology offers the combined total in new loans to eligible public bodies.

Due to repayment of previous loans and interest plus infusions from the Capitalization Grant, state match, and investments, the CWSRF continues to revolve and grow, and more money

becomes available to fund water quality projects. Most of the fund consists of repaid principal and interest.

On November 15, 2021, President Joe Biden signed the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL) which Ecology estimates could provide nearly \$200 million in funding over the next five years to Washington’s Clean Water. Additionally, BIL authorized up to another \$20 million over the next 5 years to address emerging contaminants (CW BIL EC). The BIL authorizes a new Capitalization Grant to provide further funding for CWSRF.

Statutory requirements, administrative rules, and program and agency policy guide the use of CWSRF funds. The following are the key rule and statutes that guide use of the CWSRF.

- [Chapter 173-98 WAC](#)⁴⁸.
- [Chapter 70A.135 RCW](#)⁴⁹.
- [Chapter 90.50A RCW](#)⁵⁰.

Section 3.1.2 Eligible Applicants

Applicants eligible for CWSRF funding include:

- Conservation districts.
- Counties, cities/towns.
- Federally recognized tribes.
- Institutions of higher education if the project is not included in the institution’s statutory responsibilities.
- Irrigation districts.
- Local health jurisdictions.
- Port districts.
- Quasi-municipal corporations.
- Sewer districts.

Section 3.1.3 Eligible Project Categories

Wastewater and Stormwater Facilities

- Preconstruction including:
 - Planning.

⁴⁸ <http://app.leg.wa.gov/WAC/default.aspx?cite=173-98>

⁴⁹ <http://app.leg.wa.gov/RCW/default.aspx?cite=70A.135>

⁵⁰ <http://app.leg.wa.gov/RCW/default.aspx?cite=90.50A>

- Value planning.
- Design.
- Rate studies.
- Ordinance development.
- Value engineering.
- Construction.

See Chapter 2 for additional information.

Onsite Sewage System Projects

- Large onsite sewage systems (further subsidized loans and Centennial grants available for construction hardship).
- Local loan funds for onsite sewage repair and replacement.

Nonpoint and Stormwater Activities

- Nonpoint source planning and implementation.
- Low impact development planning and implementation.

See Chapter 2 for additional information.

Section 3.1.4 Funding Provisions

Build America, Buy America

Congress passed BABA in 2021 concurrently with the BIL. For SRF recipients, BABA expands existing American Iron and Steel (AIS) domestic preference requirements to include construction materials and manufactured products. However, the BABA requirements only apply to projects selected to receive federal funding as designated equivalency, which allows the Department to meet this new requirement. The Department recognizes this is a new and complex provision, and we will work closely with funding recipients and provide appropriate guidance, technical assistance, and training. See Section 6.2.14.

Preconstruction

Eligible preconstruction projects include facility planning, facility design, rate studies, sewer use ordinances, and value engineering. Applicants with a population of 25,000 or less, and a Median Household Income (MHI) less than 80 percent of the state MHI, are eligible for preconstruction hardship subsidy funding under the preconstruction category (see Appendix M). Applicants who do not meet the population and MHI criteria for this category can still receive standard loan funding for preconstruction projects under the facilities category.

Interest Rates and Loan Terms

Ecology may issue loans for terms of 5, 20, or 30 years with the limitation that the term cannot

be longer than the useful life of the project being financed.

Ecology bases standard interest rates on the average market interest rate for tax- exempt municipal bonds. Ecology uses the average 11-Bond GO Index rate for the period 30-180 days prior to the beginning of a new funding cycle. The average 11-Bond GO Index was 3.34 percent for the period 30-180 days prior to beginning this funding cycle. Ecology sets its annual interest rate, depending on the loan term, at 80 percent, 60 percent, or 30 percent of that average for most projects. Interest rates for nonpoint source activity projects are set at the rate equivalent to the rates for “moderate” hardship projects found in Table 12.

This year, Ecology evaluated several additional factors in setting interest rates, including market conditions, the cost of federal requirements, and the construction cost index. Based on these factors and elevated bond interest rates, Ecology decided to maintain its interest rates from SFY24, which will provide significant savings for CWSRF borrowers and increased affordability for financially disadvantaged community projects. Table 11 shows the term and interest rates for standard CWSRF loans for the SFY25 funding cycle.

Table 11: SFY25 Interest Rates for Standard CWSRF Loans

Loan Term	Interest Rate for Most Projects	Interest Rate for OSS/Nonpoint Source Activity Projects
5 Years	0.6%	0.2%
20 Years	1.2%	0.4%
30 Years	1.6%	0.8%

Based on Ecology’s rate structure the cost savings over the life of the loan are significant when compared to the best bond rates. For example, the interest cost at a bond rate of 3.3 percent for a \$1,000,000 loan at 20 years is approximately \$368,000. The interest cost on a 2.0 percent CWSRF loan at 20 years is approximately \$214,000, which is a savings of \$154,000 over the life of the loan. Additional advantages of a CWSRF loan include the fact that there are no bond or issuance fees to pay and there are no payments on the loan until one year after the project is complete.

Hardship

Ecology may offer qualified applicants forgivable principal (FP) loans, further subsidized loans, and/or Centennial grants for wastewater and stormwater facility preconstruction projects and wastewater facility construction projects.

If Ecology offers only partial funding to a construction hardship eligible project because insufficient funds are available, Ecology may place the project at the top of the priority funding list for the next funding cycle. The applicant must be able to demonstrate that the project can be completed within the allowable funding timeframe to be placed on the priority funding list for the next funding cycle.

Preconstruction Hardship for Wastewater and Stormwater Facility Projects

Wastewater and stormwater facility preconstruction projects funded through the CWSRF are eligible for preconstruction hardship consideration if the project meets the following criteria:

- The existing residential population of the service area for the proposed project is 25,000 or less at the time of application.
- The MHI for the proposed service area is less than 80 percent of the state MHI (see Appendix M).

Ecology may award applicants who meet these criteria a FP loan for 50 percent of the eligible project costs. The same project may not receive hardship incentives from both SFAP, which provides a reduced match requirement, and the CWSRF. In other words, a project that has a reduced match requirement under SFAP hardship will not receive preconstruction hardship subsidy under CWSRF. Appendix M provides information on community MHI and preconstruction hardship eligibility.

Construction Hardship for Wastewater Facility Projects

Wastewater facility construction projects funded through CWSRF are eligible for construction hardship consideration and funding subsidy if the project meets the following affordability criteria:

- The existing residential population of the service area for the proposed project is 25,000 or less at the time of application.
- Financing the project with standard CWSRF loan would cause residential sewer rates to be two percent or more of the MHI for the service area (see Appendix M).

The hardship calculation takes into consideration additional affordability data, including annual operation and maintenance costs, existing debt service, portion of the project addressing residential need versus commercial/industrial users, and current versus expected future populations served. This information is collected as part of the funding application process in EAGL and assessed by Ecology as part of the project eligibility review. If Ecology determines that construction hardship exists, it may structure a funding offer that includes further subsidized loan terms, Centennial grant and/or forgivable principal loan. Table 12 shows the SFY25 wastewater construction hardship loan interest rates and grant eligibility.

Table 12: SFY25 Wastewater Construction Hardship Loan Interest Rates and Grant/Forgivable Principal Loan Eligibility

Sewer fee divided by MHI is:	<2% (non-hardship)	>2%-<3% (moderate hardship)	>3%-<5% (elevated hardship)	>5% (severe hardship)
5 years term:	0.6%	0.4%	0.2%	0.0%
20 years term:	1.2%	0.7%	0.4%	0.0%
30 years term:	1.6%	1.1%	0.8%	0.4%

Sewer fee divided by MHI is:	<2% (non-hardship)	>2%-<3% (moderate hardship)	>3%-<5% (elevated hardship)	>5% (severe hardship)
Grant/forgivable principal loan eligibility:	Not eligible	50% up to \$5M	75% up to \$5M	100% up to \$5M

Hardship for Onsite Sewage System

Hardship funding is available for onsite sewage system (OSS) repair and replacement local loan projects in the form of further subsidized loans and Centennial grants. Ecology determines the final blended subsidized interest rate for the subsidized CWSRF loan based on the loans provided to homeowners. Ecology will award no more than \$500,000 in Centennial grant to cover all eligible costs, including hardship, for an OSS project.

The following are requirements for project activities to qualify for a further subsidized loan interest rate based on hardship:

- Household income not to exceed 80 percent of county MHI.

Ecology may adjust interest rates to below the standard rate based on evaluation of the recipient’s total portfolio of local onsite sewage system loans issued to homeowners.

Table 13 provides the CWSRF interest rate schedule for loans targeted to homeowners at three levels of county median household income.

Table 13: SFY25 CWSRF Interest Rate Schedule for OSS Loans Targeted to Homeowners

Homeowner income is:	>80% of county MHI (non-hardship)	>50% <80% of county MHI (moderate hardship)	<50% of county MHI (severe hardship)
5 years term:	0.5%	0.3%	0.0%
20 years term:	1.1%	0.5%	0.3%
30 years term:	1.4%	0.7%	0.4%

Green Project Reserve

Green Project Reserve (GPR) are projects or project components that focus on green infrastructure, water efficiencies, energy efficiencies, or “environmentally innovative” activities. Although GPR projects can be stand-alone projects, GPR is typically a component of a larger project type. To qualify for GPR consideration, projects or project components must meet the GPR criteria defined by EPA guidelines.

To encourage GPR applications, Ecology may offer up to 25 percent of the loan funding for GPR-eligible components in the form of a FP loan. Only loan offers will receive FP loan. If the actual cost of a GPR-eligible component changes, only 25 percent of the actual cost will be forgiven. Forgivable loans for GPR-eligible components are not guaranteed.

Stormwater projects that meet the requirements for GPR and receive a reduced match in accordance with SFAP hardship are not eligible for GPR FP subsidy.

Additional information and guidance for GPR projects can be found at [EPA’s GPR webpage](#)⁵¹ or within [EPA’s GPR guidance document](#)⁵².

Set-asides and Limits

The following are set-asides and limits on CWSRF.

- Ten percent of the Capitalization Grant is set-aside for GPR projects.
 - GPR-eligible projects or project elements may receive up to 25 percent FP loan.
- Seventy-five percent of CWSRF is set aside for wastewater and stormwater facility construction projects.
 - No more than 50 percent in this category may be allocated to any single applicant.
 - Wastewater facility construction hardship projects may be eligible for up to 100 percent FP loan and/or Centennial grant.
- The combined total of CWSRF FP loan and Centennial grant may

⁵¹ <https://www.epa.gov/cwsrf/green-project-reserve-guidance-clean-water-state-revolving-fund-cwsrf>

⁵² https://www.epa.gov/sites/production/files/2015-04/documents/green_project_reserve_eligibility_guidance.pdf

not exceed \$5,000,000 for any project.

- A Step 4 (Design and Construction) project may not exceed \$7,000,000 in total costs.
- Twenty percent of CWSRF is set aside for nonpoint source pollution control activities projects.
 - No more than 50 percent of the amount in this category may be allocated to any applicant.
- Five percent of CWSRF is set aside for wastewater and stormwater facility preconstruction projects in communities with populations less than 25,000 and MHIs less than the state MHI. In addition, if the MHI is less than 80 percent of the state MHI, the community may qualify for up to 50 percent FP loan and/or Centennial grant.
 - No more than 20 percent of the amount in this category may be allocated to any applicant.
- Ecology may adjust the maximum award under any of the categories up or down based on demand.

For more information about project eligibility see Chapter 2.

Requests for Additional Funding and Budget Adjustments

Subject to available funding, Ecology may provide additional CWSRF funds to projects to cover additional costs or address unforeseen circumstances. Requests for additional funding for construction bid overruns and change orders are subject to the following limitations.

Construction Bid Overruns

Ecology may amend a recipient's facility construction loan agreement to be consistent with the low, responsive, responsible bid. If the low, responsive, responsible bid exceeds the original engineer's estimate of construction costs, Ecology may approve a funding increase for up to 10 percent of the engineer's cost estimate as supplied with the bid documents. If funding is available, Ecology will fund bid overruns on a first-come, first-served basis. If bids come in over 10 percent of the engineers estimate, Ecology will evaluate the bid information and determine if funds are available from supplemental sources to meet the bid amount, with priority given to hardship eligible projects.

If the low, responsive, responsible bid falls below the existing loan or grant agreement amount, Ecology will amend the agreement to match the actual eligible bid amount based on the percentage of Ecology's participation in the overall funding of the project. Ecology will begin the amendment process as soon as possible after the completion of the bid process to make any surplus funds available to other public bodies.

Construction Change Orders

A change order is a formal document that modifies some condition(s) of the original

construction contract. Ecology reviews all construction change orders submitted for eligibility for reimbursement. Significant changes that reflect a deviation from the approved planning document require preapproval. Variations typically include changes in scope of work, contract price, construction methods, times to complete the work, and major design or process changes (such as changes in location, size, or capacity).

If funding is available, Ecology may provide additional CWSRF funds to facility construction projects of up to five percent of the low, responsive, responsible bid minus any contingency included in the bid. If funding is available, Ecology-approved change orders will be funded on a first-come, first-served basis.

Ecology may approve funding for change orders of greater than five percent of the eligible portion of the low, responsive, responsible construction bid only if the recipient can demonstrate that the additional funding is needed to remedy unforeseeable, extraordinary site-specific conditions. Such requests will be addressed through the normal process for amending an agreement to increase funding. The recipient must submit a justification for why the condition that caused the change order was “unforeseeable, extraordinary, and site-specific.” The borrower’s explanation should explain:

- What reasonable steps the engineer took to try to identify the condition.
- Why the reasonable steps failed to identify the unforeseen condition.
- In what way the condition is out of the ordinary.
- How the condition is specific to the project site.

Ecology may decide to disapprove or approve some or all the requested additional funding for such change orders.

Change orders are not eligible for projects using alternative public works contracting allowed under state statute including, but not limited to, design-build, design-build-operate, and general contractor/construction manager. However, change orders are eligible for combined design/construction projects (Step 4).

Refinancing Existing Debt

CWSRF loans are available for refinancing of existing debt. Refinancing can take the form of interim refinance and standard refinance.

Interim Refinance

Interim refinancing is available for projects that will begin work prior to the time Ecology issues the Final Water Quality Funding Offer List and Intended Use Plan (Final List) using non-Ecology funds. Any project that is eligible for a CWSRF loan is eligible for interim refinance.

Applicants for interim refinancing apply for funding in the same manner as any new project. Ecology rates and ranks applications for interim refinance along with all other applications for

new projects. Ecology awards funding on a competitive basis for all applications (including interim refinance applications) based on project ranking, project category, funding program eligibility, and funding availability.

Reimbursement for eligible work performed will occur after a financial assistance agreement has been executed. Applicants beginning work prior to issuance of the Final List are proceeding at their own risk. As with any other project, an applicant must meet all applicable requirements for that project type.

Standard Refinance

Standard refinance is for projects that have been successfully completed using non-Ecology funding sources where the recipient wants to refinance at a lower interest rate. Applicants must meet all applicable requirements for the project and must meet all Ecology prerequisites at the time the project was undertaken. Hardship subsidy is not available for standard refinance projects.

Standard refinance projects are a low priority, and Ecology does not rate and rank them as competitive projects. Ecology makes funding offers for standard refinance projects only if CWSRF money is left after the funding of competitively ranked projects up to the per applicant maximum amount is reached. Ecology ranks multiple standard refinance projects competing for funding according to financial burden on the ratepayers.

Applicants must explain the original source of project funding (e.g., internal funds, other agencies, bond issuance). Applicants must also explain the specific provisions for repayment. The debt for the project must still be outstanding. Ecology will not advance refund a prior debt.

Section 3.2 SFAP

Section 3.2.1 Program Purpose and Guidance

The Stormwater Financial Assistance Program (SFAP) funds facilities and activities that have been proven effective at reducing impacts from existing urban infrastructure and development. The SFAP program was created in 2013 by the Washington State Legislature and developed with the assistance of a stakeholder workgroup.

Section 3.2.2 Eligible Applicants

Applicants eligible for SFAP funding include:

- Counties, cities/towns.
- Port districts.

Section 3.2.3 Eligible Project Categories

Stormwater facilities and a limited suite of stormwater activities may be funded through SFAP. Projects proposed for inclusion in future National Pollutant Discharge Elimination System

(NPDES) municipal structural stormwater or source control programs that meet all other SFAP eligibility requirements are eligible for SFAP funding.

Stormwater Facility Projects

Stormwater facility projects must provide stormwater treatment and/or flow control for stormwater generated from existing hard surfaces. Projects that trigger new or re-development requirements in the appropriate [Stormwater Management Manuals for Eastern and Western Washington](#) are not eligible for SFAP funding.

Examples of SFAP-eligible stormwater facility projects include:

- Developing a plan to site and prioritize the construction of stormwater BMPs to maximize water quality benefit.
- BMPs listed in the Stormwater Management Manuals for Eastern and Western Washington.
- BMPs that have achieved a GULD rating through the Ecology TAPE Program.
- BMPs that provide treatment for industrial stormwater.
- New, non-proprietary, BMP development and assessment through the Ecology TAPE program.

For additional information about stormwater facility projects, see Chapter 2.

Stormwater Activity Projects

SFAP grant-eligible activities are limited to stormwater pollutant source control projects that: (1) enhance existing stormwater programs and (2) provide water quality benefits that extend beyond the grant period (typically three years).

Examples of SFAP-eligible stormwater activities include:

- Development of programs to track and inspect privately-owned stormwater facilities.
- Development of enhanced maintenance programs including street sweeping, line cleaning, and the construction of decant facilities.
- Identification and mapping of stormwater pollution sources.

For additional information about stormwater activity projects, see Chapter 2.

Section 3.2.4 Funding Provisions

Match Requirements

Match for SFAP-funded projects is 15 percent (5 percent for SFAP hardship communities). Projects awarded SFAP funding must provide cash match. Cash match includes any eligible project costs paid directly by the recipient that are not reimbursed by the Ecology grant or another third party.

- Ecology considers donations that become the long-term property of the recipient as cash match.
- Ecology considers loan money provided through CWSRF as cash match.

Recipients may use property dedicated to stormwater facilities as match for construction-only projects with preapproval from Ecology. The following conditions apply for projects using land as match:

- Property used as match is subject to the conditions listed in Section 2.3.4.
- The recipient may not receive reimbursement more than project construction expenditures.
- If Ecology provides funding for land to relocate a structure or feature to install water quality BMPs, a recipient may not use the value of the structure's original location as match. For example, if a project expands a right-of-way and moves a sidewalk to make room for a bioretention feature, the grant recipient cannot use the land value of the sidewalk's original location as match.

Hardship

Stormwater projects in cities, towns, and counties funded through SFAP are eligible for SFAP hardship consideration if the project meets the following criteria:

- The existing residential population of the city or county is 25,000 or less at the time of application.
- The MHI for the city or county is less than 80 percent of the state MHI.

Appendix M provides information on community MHI and preconstruction hardship eligibility. SFAP hardship projects will have a reduced match requirement of 5 percent of the total eligible costs. Ports are not eligible for SFAP hardship.

Green Retrofit Projects

The SFAP funding program defines a green retrofit project as a stormwater and land use management project that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration. Project designs meet those goals by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices. In the event of a scoring tie, the project that best fits the green retrofit definition will receive preference for SFAP funding. For additional information about how scoring ties are broken, see Section 5.1.1.

Set-asides and Limits

The following are set-asides and limits on SFAP.

- One hundred percent is provided to cities, counties, and ports for planning and implementing stormwater-related projects.

- The maximum total SFAP grant award is \$10,000,000 per funding cycle, per city, county, town, or port. If sufficient funding is available, Ecology may increase this limit to fund projects that are identified as high priority projects by Ecology project evaluators during the rating and ranking process.

Requests for Additional Funding and Budget Adjustments

Construction Bid Overruns

Ecology may amend a recipient's facility construction grant agreement to be consistent with the low, responsive, responsible bid. If the low, responsive, responsible bid exceeds the original engineer's estimate of construction costs, Ecology may approve a funding increase for up to 10 percent of the original engineer's cost estimate as supplied with the bid documents. If funding is available, Ecology will fund bid overruns on a first-come, first-served basis. If bids come in over 10 percent of the engineers estimate, Ecology will evaluate the bid information and determine if funds are available to meet the bid amount, with priority will be given to hardship eligible projects.

If the low, responsive, responsible bid falls below the existing loan or grant agreement amount, Ecology may amend the agreement to match the actual eligible bid amount based on the percentage of Ecology's participation in the overall funding of the project. Ecology will begin the amendment process as soon as possible after the completion of the bid process to make any surplus funds available to other public bodies.

Construction Change Orders

A change order is a formal document that modifies some condition(s) of the original construction contract. Ecology reviews all construction change orders submitted for reimbursement eligibility. Significant changes that reflect a deviation from the accepted planning or design document require preapproval. Variations typically include changes in scope of work, contract price, construction methods, times to complete the work, and major design or process changes (such as changes in location, size, or capacity).

If funding is available, Ecology may provide additional SFAP funds to facility construction projects of up to five percent of the low responsive, responsible bid minus any contingency included in the bid. If funding is available, Ecology-approved change orders will be funded on a first-come, first-served basis.

Ecology may approve funding for change orders of greater than five percent of the eligible portion of the low, responsive, responsible construction bid only if the recipient can demonstrate that the additional funding is needed to remedy unforeseeable, extraordinary site-specific conditions. Such requests will be addressed through the normal process for amending an agreement to increase funding. The recipient must submit a justification for why the condition that caused the change order was "unforeseeable, extraordinary, and site-specific." The recipient should explain:

- What reasonable steps the engineer took to try to identify the condition.

- Why the reasonable steps failed to identify the unforeseen condition.
- In what way the condition is out of the ordinary.
- How the condition is specific to the project site.

Ecology may decide to disapprove or approve some or all the requested additional funding for such change orders.

Change orders are not eligible for projects using alternative public works contracting allowed under state statute including, but not limited to, design-build, design-build-operate, and general contractor/construction manager. However, change orders are eligible for combined design/construction projects (Step 4).

Section 3.3 Centennial

The Centennial Clean Water Program (Centennial) is a state funded program created by the Washington State Legislature in the middle 1980s. Ecology must manage Centennial in accordance with state laws and rules, including [Chapter 70A.135 RCW](#) and [Chapter 173-95A WAC](#)⁵³.

Section 3.3.1 Eligible Applicants

Applicants eligible for Centennial funding include:

- Conservation districts.
- Counties, cities/towns.
- Federally recognized tribes.
- Institutions of higher education if the project is not included in the institution's statutory responsibilities.
- Irrigation districts.
- Local health jurisdictions.
- Port districts.
- Quasi-municipal corporations.
- Sewer districts.

Section 3.3.2 Eligible Project Categories

Centennial provides grants for wastewater infrastructure and nonpoint source pollution control projects. Infrastructure (facility) projects are limited to wastewater facility preconstruction hardship and wastewater construction hardship projects. Although it is rarely done, Ecology

⁵³ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-95A&full=true>

may also make loans using funds from Centennial.

Wastewater and Onsite Sewage System Facilities

- Wastewater facility preconstruction hardship and wastewater construction hardship projects, including large onsite sewage systems.
- Onsite sewage system repair and replacement.

Stormwater Activities

- Stormwater utility development.
- Identifying and mapping of pollution sources.
- Education and outreach in unpermitted communities.

Nonpoint Activities

Examples of eligible nonpoint source pollution control projects include:

- Stream restoration and buffers.
- Agricultural BMPs.
- Protection of drinking water sources.
- Comprehensive basin plans.

Section 3.3.3 Funding Provisions

Set-asides and Limits

The following are set-asides and limits on Centennial.

- One-third for wastewater facility construction hardship projects.
 - The total amount may not exceed \$5,000,000 for any single wastewater facility construction project.
- One-third for nonpoint source pollution control activities projects.
- The maximum total grant amount for a Nonpoint project is \$500,000.
- The remaining funding is available competitively to fund either wastewater facility construction hardship or nonpoint source projects based on ranked priority.

Section 3.4 Section 319

Congress established the Clean Water Act Section 319 Program (Section 319) as part of the CWA amendments of 1987 to help address nonpoint sources of water pollution. EPA offers an annual grant to Washington to implement the [Washington's Water Quality Management Plan to Control Nonpoint Sources of Pollution](#). The grant from EPA requires a 40 percent state match, and Ecology provides this match through Centennial grants for nonpoint source

pollution control projects.

There are no specific state laws or rules for Section 319, but Ecology uses federal laws, rules, and guidelines and Centennial laws and rules to steer the program.

Section 3.4.1 Eligible Applicants

Applicants eligible for Section 319 include:

- Conservation districts.
- Counties, cities/towns.
- Federally recognized tribes.
- Institutions of higher education if the project is not included in the institution's statutory responsibilities.
- Irrigation districts.
- Local health jurisdictions.
- Not-for-profit organizations that are recognized as tax-exempt by the Internal Revenue Service.
- Port districts.
- Quasi-municipal corporations.
- Sewer districts.

Section 3.4.2 Eligible Project Categories

Nonpoint Activities

Section 319 provides grants for a variety of activity projects that address nonpoint sources of pollution, including:

- Watershed planning.
- Implementation of BMPs.
- Water quality monitoring.
- Outreach and education.

Ecology requires applicants with projects that implement BMPs to collect and report data to estimate load reductions of nitrogen, phosphorus, and sediment. Ecology must report these reductions to EPA annually.

Section 3.4.3 Funding Provisions

Centennial and Section 319 Match Requirements

The following bullets describe the match requirements for Centennial and Section 319 grants.

- **As of SFY24, there is no match required for nonpoint source pollution control activity projects.**
- Match for Centennial grants that fund OSS repair and replacement local loan programs is 100 percent. **All other OSS activities no longer require match.**
- There is no match required for wastewater facility construction hardship grants.

Section 3.5 Sewer Overflow and Stormwater Reuse Municipal Grants Program

America’s Water Infrastructure Act (AWIA) of 2018 amended section 221 of the Clean Water Act, which reauthorized the Sewer Overflow and Stormwater Reuse Municipal Grants (OSG) program. These amendments expanded project eligibilities to include stormwater management projects and authorized appropriations for the program. Grants will be awarded to states, which will then provide sub-awards to eligible entities for projects that address infrastructure needs for combined sewer overflows (CSO), sanitary sewer overflows (SSO), and stormwater management.

States are required to prioritize funding projects for communities that are financially distressed, have a long-term municipal CSO or SSO control plan. To the extent that eligible projects are available, at least 20 percent of a state’s allocation must be used for green infrastructure, water and energy efficiency improvements, and other environmentally innovative activities. Projects funded by OSG will follow the same requirements as the CWSRF (See Section 3.1 above) under the Water Quality Combined Funding Program.

Chapter 4: Preparing and Submitting Your Application

Section 4.1 Preparing to Apply (January – August)

Potential applicants are highly encouraged to contact Ecology staff early in the project development process. Ecology staff can answer questions about project eligibility and identify ways to help you craft a stronger application. Staff contact information is available in Appendix A.

Ecology staff also provide online workshops each year in mid/late August to assist applicants. Workshop dates and materials (presentation, applicant prep tool, contact list, etc.) are available under the “Funding applicant training” header on [Ecology’s Grants and Loans General Resources webpage](#)⁵⁴. Materials on the website are typically updated from the previous year within a week after the workshop.

SFY25 Workshop Dates:

- **08/22/23** Stormwater Projects
- **08/23/23** Nonpoint/Onsite Projects
- **08/24/23** Wastewater Projects

Section 4.2 Filling out the Application (August – October)

Section 4.2.1 Accessing the Application

Applicants submit applications for funding through EAGL.

To access this system, you will need to establish a Secure Access Washington Account, register your organization, and add EAGL as a service. This process can take several days if you are a new user. Detailed instructions are available on [Ecology’s Grants and Loans webpage](#)⁵⁵.

Once in the EAGL system, applicants can initiate a “Water Quality Combined Financial Assistance: 2025” application after finding it listed on the “Available Funding Opportunities” section on the homepage. The EAGL User’s Manual that provides instructions on accessing and using the system can be found under “Training Materials.”

Applicants can initiate and submit applications beginning August 9, 2022. All applications must be submitted before 5:00pm on October 12, 2022.

⁵⁴ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/General-resources>

⁵⁵ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans>

Section 4.2.2 EAGL Role Management, Forms, and Required Uploads

EAGL Role Management

To ensure that organizations can monitor and control who submits applications on their behalf, **EAGL only allows users that have been assigned the role of “Authorized Official or “Contractor” to initiate an application.** Once an application has been opened, individuals with the roles of Authorized Official, Recipient Project Manager, Contractor, or Writer may edit the forms. For more information about managing EAGL roles and a summary of the permissions granted to each role, see Appendix D.

EAGL Forms

Your grant application will include a series of electronic forms in the EAGL system plus any documents you upload with your application. Many recipients find it easier to develop the answers to the EAGL form questions in a word-processing program and then cut and paste their answers into EAGL. To facilitate this, all the questions that you will see on the forms are listed in Appendix C.

EAGL Uploads

Several EAGL application forms include spaces where an upload is required. It is important to include a simple description along with a clear, easy to understand file name. EAGL accepts most file types but limits the file size to less than 35mb. Do not use “&” or other special characters in your file name. The following provides additional guidance on uploads.

Detailed Budget Spreadsheet

A budget spreadsheet should align closely with your scope of work and inform the reviewer how you calculated the application funding request you made. They should be organized by task, deliverable, and line items such as staff hours, travel, contractors, equipment, etc. They should demonstrate that you thoroughly researched the associated and likely costs to complete your project and that the project isn’t likely to be greatly underfunded or overfunded.

Project Schedule

The schedule should align closely with your scope of work. It should clearly lay out each task and deliverable and the timelines. Organize your schedule so it is easy to follow, and ensure that it contains each important aspect of your project such as planning, design, permitting, implementation, monitoring, maintenance, etc. Using a Gantt chart format is helpful for complex projects.

Photos

Photos can help the reviewer understand the resource issues at that site. Place all photos into one document with figure headings that describe each photo. Compress the photos and then make the document a pdf to decrease the size. Please do not upload several single photos.

Maps

Maps can help orient the reviewer. Include a map that shows where in the state your project is (county, city, watershed, etc.) and a closer map view that shows where your project is in relation to the waterbody of concern. Aerial photos help the reviewer understand the land use around your project site and the conditions upstream, downstream, or at the site.

Letters of Support

If you have stakeholders or partners that are involved in your project or impacted by your project, letters of support help demonstrate that they understand the project, why it is important, and that they support it. The entities providing letters of support should make it clear that they understand the project and explain how they will be involved in the project directly or indirectly. It should not just say that they support the project, but why. Encourage them to write their own letters rather than providing them with cookie-cutter language. These letters are important to demonstrate that you have community support and that there are not going to be significant stakeholder or landowner barriers to initiating and completing the project. You should also have letters of acknowledgment or agreement from any landowners where the project site occurs or that will be potentially impacted by the project.

Large Documents

Documents that are available on the internet, such as TMDLs, watershed planning, salmon recovery documents, etc., should NOT be uploaded to EAGL. You can refer to these documents within your application by providing a link to them. If you provide a link in your application, also explain how the document is related to your project. For example, if your project was identified as a priority action in a watershed plan, state so and then provide a link and a page number(s) where this information can be easily found within the document. Do not expect the reviewer to read an entire document; they do not have time. If your project is related to a document, you can simply say so. For example, maybe your project will help clean up a pollutant that is addressed in a TMDL. Give the TMDL name and explain how the project supports it. Do not upload the TMDL plan.

Other Supporting Documents

It is OK to upload a few supporting documents, such as an informational brochure or an MOU, but please do not upload anything that is already on the internet or that isn't critical in helping the reviewer understand your project. More uploads do not make a project seem more valuable. Instead, too many uploads can make it hard for the reviewer to find what they really need.

Other Tips

- **Combine documents.** Combining documents into a single file can make your uploads more manageable for the reviewer. Documents that can be combined include letters of support, photos, outreach materials, maps, etc. This makes it easier to find and review these documents. Do not, for example, upload five separate budget spreadsheets;

combine them into one spreadsheet with multiple tabs or upload them as a multi-page document.

- **Give the uploaded files clear, easy to understand titles.**
Map_ProjectLocation_Wenatchee Watershed.pdf is a lot easier to understand and locate than *XJ103WWPL.pdf*.
- **Upload to only one form.** If you upload a document, such as a map, to more than one form of the application, it will show up more than once in the EAGL Attachment Repository. The Attachment Repository is the place where all uploads can be found by the reviewer for use in the evaluation. If there are multiple copies of multiple uploads, it can make it hard for the reviewer to find what you want them to review.
- **Do not depend on uploads to answer the questions in the application.** The application should be a stand-alone document that contains all the information needed to evaluate it (except for the budget and schedule uploads, which provide necessary detail not in the application). The uploads should *support* the information in the application, not replace it.
 - A good example is stating in your application that you have the support of partners X, Y, and Z and that they will help with the project in specific ways. The letters of support that you upload help further demonstrate that support. But if you upload a reach assessment that identifies that this type of project will reduce sediment in that reach, but nowhere in your application do you state that your project will reduce sediment, then don't assume the reviewer will figure it out. The reviewer does not have time to look for information that should be in your application.
 - Also, do not assume that the reviewer will already know the pollution issues for the waterbody. Some reviewers are from different parts of the state. Make sure that the answers provide all the needed information, even if obvious to you, and then provide the links to online documents (with page numbers) or uploads that will support those claims.

Other Application Requirements

Most required uploads, such as a map or detailed budget, have a designated space on a specific form. However, some project types such as land acquisitions for stormwater, have additional documents that must be uploaded to the general "Uploads" form for your application to be considered. Please review the appropriate section in Chapter 2 to ensure you are providing all necessary documentation. If you have questions, please contact Ecology.

Section 4.3 Submitting an Application

Once all forms have been filled out, only an Authorized Official may submit the application. The application can be submitted by navigating to the "Application Menu," selecting "View Status Options" under "Change Status" and applying the "Application Submitted" status.

Important Notes: All global errors must be cleared, and the map must be checked back in (saved) before the application can be submitted, so it is important to give yourself plenty of time to address those before the application deadline. If you accidentally apply the “Canceled” status, reach out to Ecology, and if there is enough time, they can change it back to “Application in Process” status so it can be submitted.

Chapter 5: Project Evaluation, List Development, and Public Comment

Section 5.1 Evaluation Process (October – January)

Two Ecology staff review each project proposal; each reviewer gives the proposal a numeric score. One reviewer is from the Ecology region where the project is located, and the second reviewer is from one of the other regions or headquarters. Ecology compares the two scores to ensure evaluation consistency for the application. If needed, a third Ecology reviewer performs an evaluation to ensure accurate, consistent scoring. Ecology develops a ranked list of projects based on the project scores.

Ecology may request input from other state agencies and other Ecology programs about certain types of projects. This outside review may not generate a numerical score, but it can influence the score. Outside reviewers could include staff from the State Conservation Commission, Puget Sound Partnership, or DOH, as well as other Ecology programs.

Ecology evaluates project proposals based on responses provided in the application. A total of 1,000 points are available. To obtain funding, a project must receive a score of at least 600 total points, and it must receive at least 250 of the 500 possible points for Water Quality and Public Health Improvements. Table 14 shows the scoring breakdown along with the rating criteria and guidance.

Table 14: Application Rating Criteria and Guidance

Application Rating Criteria and Guidance
Funding Request
<p>Scoring Worth up to 15 total points as follows:</p> <ul style="list-style-type: none"> • 0-15 points: Applicant has identified adequate matching funds. (Full points if no match is required.) <p>Guidance</p> <ul style="list-style-type: none"> • To receive full points, the match plus funding request must equal the total eligible cost. • Applicants that will accept loan dollars will receive full points. • Match may exceed the minimum amount required. • Nonpoint source activity projects do not require match.
Scope of Work – For Application
<p>Scoring Worth up to 75 total points as follows:</p> <ul style="list-style-type: none"> • 0-75 points: The scope of work represents a complete and concise description of the project tasks and outcomes, including deliverables. To receive full points, scope of work must align with the schedule and detailed budget. <p>Guidance</p>

Application Rating Criteria and Guidance

- Scope must demonstrate an understanding of all elements necessary to implement and complete the project.
- Maps, plans, and detailed drawings of proposed BMPs and their locations, and other documents that show the feasibility of the project should be uploaded on the “Uploads” form.
- Deliverables should provide evidence that the task has been successfully completed. Examples include reports, maps, pictures, educational materials, meeting agendas and notes, construction documents, copies of agreements, lists and quantities of BMPs, etc.
-

Task Costs and Budget

Scoring

Worth up to **135 total points** as follows:

- **0-50 points:** The application demonstrates how the applicant arrived at the cost estimate for each task. The process used by the applicant to develop this estimate is based on real-world data.
- **0-85 points:** The cost to complete the scope of work is reasonable when compared to similar projects in the region.

Guidance

- The uploaded budget should be organized by task and provide sufficient detail to support the scope of work.
- Applicants should “show their work” and describe the general method used for cost estimation. Supporting documentation may be included as a separate upload.
- Applicants should reference any similar projects that they have completed or have been completed in their region and explain why the cost of the proposed project is greater or less than the referenced project.
- For projects that include design costs, design costs should be based on a detailed breakdown of costs and task-hours rather than simply a percent of estimated construction costs.

Project Team

Scoring

Worth up to **65 total points** as follows:

- **0-50 points:** Team members’ roles and responsibilities are well defined and adequate for the scope of work. Team members’ past experience is relevant to the proposed project. Applicant has a plan in place to maintain sufficient staffing levels to complete the project.
- **0-15 points:** The applicant documents successful performance on other funded water quality projects, including Ecology funded projects. Previously constructed projects provided the water quality benefits described in the project application on time and within budget.

Guidance

- Application should demonstrate the applicant’s understanding of the skill set required to successfully complete the project and show that the proposed team has successfully demonstrated those skills. Specific information such as “managed construction of 10 stormwater projects in Washington”, will score higher than “10 years’ experience as a P.E.”.
- If the project team includes staff that will be hired to complete the project, the application should list the skill set they will be seeking to hire

Project Planning and Schedule

Application Rating Criteria and Guidance

Scoring

Worth up to **160 total points** as follows:

- **0-40 points:** Applicant used a complete and well-defined set of criteria to determine the value and feasibility of the proposed project and included the useful life and long-term maintenance costs in their evaluation of the project and project alternatives.
- **0-20 points:** Applicant has provided documentation showing that key stakeholders have been identified and how they will support the project.
- **0-25 points:** The project schedule includes all tasks including pre-project administrative elements such as permitting, MOUs, landowner agreements, etc., and provides sufficient time to complete all elements.
- **0-75 points:** The applicant is ready to start on the proposed scope of work within 10 months of publication of the Final Offer List (a.k.a., readiness to proceed).

Guidance

- Project criteria should include all factors that were considered by the applicant when determining the value and selecting a project to implement. Criteria should reflect both the feasibility of the project and the benefits. Examples of important criteria include, but are not limited to: useful life, installation cost, site suitability, addresses climate impacts, improves resiliency to climate change, and environmental justice. (**Note:** Some climate tools can be found on the University of Washington's, Climate impacts Group's [Analysis Tools](#)⁵⁶ webpage.)
- Applicant must discuss how the proposed project and the rejected alternatives met or failed to meet these criteria.
- Documentation showing stakeholder support may include minutes from public or city council meetings, or letters of support from tribes, other local governments, non-governmental organization, homeowners' associations, landowners, etc. Larger communities must include other relevant departments such as maintenance, parks and recreation, health, permitting, etc. in the stakeholder process to receive full points.
- The applicant should upload a schedule that has enough detail to show the reviewer that all tasks and deliverables have been included. Applicants should consider providing a Gantt chart for complex projects with tasks that will run concurrently.
- The schedule should correlate with the scope of work and budget.
- For design/construction and construction projects, the schedule should include the projected bid date.
- The applicant should upload planning supporting documentation.
- To receive full points, tasks that must be completed prior to beginning work on the proposed scope but are not part of scope of work, (e.g., a design of a road repair project that will be simultaneous with a road stormwater project) must be completed.
- The applicant must be ready to start on the proposed scope of work within 10 months of the publication of the Final Offer List.
- Stormwater facility and wastewater facility design and construction projects where the applicant owns or has clear control over the entire project area will score higher on "readiness to proceed" than those where ownership/control is not clear.
- For CWSRF construction projects, demonstration of completed environmental and cultural requirements is encouraged so as not to delay approval of the funding agreement. We suggest inviting the environmental review coordinator to a pre-application meeting.

Water Quality and Public Health Improvements

⁵⁶ <https://cig.uw.edu/resources/analysis-tools/>

Application Rating Criteria and Guidance

Scoring

Worth up to **500 total points** as follows:

- **0-135 points:** Project proposes to reduce or prevent pollution in a waterbody that has been identified as a priority by a local, state or federal agency through the development of a federal, state or local water quality plan.
- **0-150 points:** The proposed project area is directly connected to the water body identified for improvement and applicant has provided sufficient technical justification to show the proposed project will reduce the pollutants of concern in the water body identified for improvement.
- **0-50 points:** Applicant has identified how the project will be evaluated in order to determine success, noted if the measure is quantitative or qualitative, and defined a goal.
- **0-100 points:** The water quality and public health improvements that will be achieved represent a good value.
- **0-50 points:** Applicant has a plan and commitments in place to fund long-term maintenance and sustain the water quality benefits of this project.
- **0-15 points:** How well does the applicant and the project address greenhouse gas emission reductions in accordance with RCW 70.235.070?

Guidance

- Responses to the questions must be supported by the tasks delineated in the scope of work.
- If the project is required by the state or a federal agency, applicants should provide references or documentation, including permit conditions, Ecology orders, Court orders, or other correspondence.
- Applicants must reference and describe all local or regional water quality planning or regulatory documents that apply to the water body targeted for improvement including local watershed plans, TMDLS, and permits.
- Applicants should provide maps and aerial photos to illustrate how the project area is connected to the water body. Nonpoint projects should include basic topographic information to show direction of overland flow. Projects primarily designed to protect or recharge groundwater should describe the soils in the project area and any known aquifers, wells, or areas of high groundwater.
- The work proposed must be appropriate to address the pollutants generated in the project area and should support the goals outlined in the water quality planning documents.
- Consideration of a project's "value" includes both qualitative and quantitative improvements over time relative to the overall costs of the project.
- Goals should have clear numeric commitments (e.g., volumes or area treated, quantity installed, people contacted, feet restored, etc.). Goals that do not have a strong connection to improvement in water quality will not receive full points.
- Plans to sustain water quality benefits must include an estimate of project life cycle maintenance costs and identify how those costs will be met.
- Projects in the Puget Sound watershed must be consistent with the Puget Sound Action Agenda, and applicants for stormwater projects in the watershed must have considered project connection to [Governor's Executive Order on Southern Resident Killer Whale recovery](#)⁵⁷.
- Evaluators award full points for the greenhouse gas emission reductions question if both the applicant and the project address the issue. Partial points will be awarded if either the applicant or the project addresses the issue. No points will be awarded if neither the applicant nor the project addresses the issue.

⁵⁷ https://www.governor.wa.gov/sites/default/files/exe_order/eo_18-02_1.pdf

Application Rating Criteria and Guidance
Financial Hardship
<p>Scoring</p> <p>Worth 0 or 50 points as follows:</p> <ul style="list-style-type: none"> • 0 points: If the applicant does not meet the criteria for wastewater facility construction hardship. • 50 points: If the applicant meets the criteria for wastewater facility construction hardship. <p>Guidance</p> <ul style="list-style-type: none"> • Ecology awards 50 points to wastewater facility construction projects in communities with less than 25,000 residents where the project costs may result in sewer fees greater than 2% of the median household income of the community.

Section 5.1.1 Other Scoring Considerations

Puget Sound Action Agenda

The Puget Sound Partnership is a Washington State agency, created by the State Legislature and charged to create an Action Agenda that leads to a healthy Puget Sound. The Puget Sound Partnership Action Agenda:

- Prioritizes cleanup and improvement projects.
- Coordinates federal, state, local, tribal, and private resources.
- Makes sure that they are all working cooperatively.

Water quality projects located in the Puget Sound basin in conflict with the [Puget Sound Action Agenda](#)⁵⁸ are not eligible for WQC funding. The Puget Sound basin is defined as Water Resource Inventory Areas (WRIAs) 1 through 19. Projects in the Puget Sound basin that address specific actions outlined in the Puget Sound Partnership Action Agenda will receive preference over projects in the Puget Sound basin that do not.

Greenhouse Gas Emission Reductions

In 2009, the State Legislature passed ESSB 5560 adding policies related to greenhouse gas (GHG) emissions to state funding for infrastructure. These policies are codified in [RCW 70.235.70](#)⁵⁹.

Requirements of RCW 70.235.070 must be included in the CWSRF and Centennial programs as a factor for consideration as part of the competitive selection process. The integration of GHG consideration should be a factor that influences project selection but should not overwhelm the underlying goals of the funding programs. Ecology’s funding application includes questions related to applicant and project consistency with GHG emissions reduction goals, including asking the applicant to describe how it is meeting requirements of RCW 70.235.070.

⁵⁸ https://www.psp.wa.gov/action_agenda_center.php

⁵⁹ <http://app.leg.wa.gov/rcw/default.aspx?cite=70.235.070>

Measures *the applicant* can take to reduce GHG emissions include:

- Enacting goals and policies committing to GHG emissions reduction targets.
- Adopting energy efficiency policies to reduce consumption in buildings and infrastructure.
- Adopting policies that promote and support the generation and use of alternative energy.
- Adopting waste reduction and diversion policies such as methane recovery or waste-to-energy programs.
- Adopting policies to replace or repower existing vehicles with cleaner, more efficient vehicles.
- Adopting equipment procurement policies that result in reduced consumption of fossil fuels.
- Implementing commute trip reduction plans and policies that establish reduction goals and strategies to reduce annual per capita vehicle miles travelled by the entity's community or workforce.
- Adopting policies that preserve forest, agricultural, and open space lands.
- Adopting comprehensive land use plans or planning policies that promote and support development patterns that encourage compact and transit-friendly communities and protect natural resources lands from conversion.

Examples of how *the project* can be designed or built to reduce GHG emissions include:

- The project site reduces GHG emissions by being in:
 - Existing developed areas (e.g., high-density areas, urban growth areas, or designated urban centers) where services exist or are planned.
 - Areas where transportation options can be efficiently provided.
 - Areas where conversion of natural resources and rural land is prevented.
 - Areas that promote transportation choices such as transit, bicycle, and pedestrian accessibility.
 - Brownfield redevelopment areas.
 - Other areas that encourage the use of non-single occupancy vehicles and minimize the amount of land to be devoted to the project.
- Methods used to develop, construct, and operate the project reduce the use of fossil fuels (GHG emissions) by:
 - Using high performance sustainable building design, such as the use of green building standards.

- Using green materials and high-energy efficiency measures.
- Promoting the use of recycled content materials for building construction.
- Supporting environmental/ecological footprint improvements (e.g., energy efficiency, water conservation, habitat preservation, green alternatives, waste-to-energy, and lowering surface disturbance).
- Implementing new technologies, practices, and equipment to lower energy use for operation.
- Using renewable energy (wind, geothermal, solar, etc.), distributed energy (solar photovoltaic panels), or purchased green power.
- Increasing vegetation to offset carbon emissions.

Environmental Justice

In addition to providing special funding considerations for economically disadvantaged communities (e.g., grants, FP loans, further reduced interest rates, and reduced match), applicants that consider other socio-economic environmental justice issues when selecting projects and projects alternatives and provide meaningful outreach to all stakeholders may receive higher scores for project planning. See Appendix N for more information.

Tie-breaking

In the event of a scoring tie, the project that receives the highest score for water quality and public health improvements will receive preference for funding. If a tie remains and the project is a stormwater facility, the project that best fits the definition of green retrofit will receive preference (see Section 3.2.4). If the project is not a stormwater facility, scores will first be compared for project schedule, then task costs and budget to break the tie.

Section 5.2 Offer Lists (January – July)

Section 5.2.1 Draft List

Once all projects have been reviewed and ranked, Ecology publishes a Draft Funding Offer List (Draft List). The Draft List is typically published in middle January. The Draft List is published prior to the enactment of a state budget and is based on funding estimates. Once the Draft List is published, applicants may view the Ecology Evaluator notes and scores via the EAGL system.

Section 5.2.2 Public Review and Request for Reconsideration

There is a 30-day public comment period for the Draft List. Applicants and the public receive notice from Ecology about the 30-day public comment period on projects proposed for funding when Ecology issues the Draft List. During the 30-day public comment period, applicants and the public may provide comment on the process or request reconsideration of a project proposal.

Official comments on the Draft List and process or requests for reconsideration must be submitted to Ecology in writing within the 30-day comment period. Any request for reconsideration must be well-defined and supported. Ecology will provide a response to written comments when it issues the Final Funding Offer List (Final List).

Section 5.2.3 Final List

Ecology publishes a Final List following the final approval of the state's budget that provides appropriation authority for funding and the awarding of federal grants supporting the CWSRF and Section 319 programs. This typically occurs on or before July 1. Funding recipients will also receive an offer of funding via letter. These offers are a maximum funding award and are conditional upon recipients meeting all funding conditions and the successful negotiation of a project scope of work and final budget.

Chapter 6: Agreement Development, Management, and Conditions

Section 6.1 Agreement Development Process

The information provided in the application is the basis for the scope of work used in a funding agreement. Through the agreement negotiation process, Ecology and the funding recipient work together to develop a funding agreement that achieves the water quality and public health benefits described in the application and meets all state and federal funding requirements.

NOTE: In SFY 2024 Ecology is putting new emphasis on completing agreement development in a timely fashion. All agreements awarded funds on the Final Offer List will need to have the funding agreement signed by the end of January 2024 or risk the loss of the funding offer.

Section 6.1.1 Project Management Team

Ecology makes formal funding offers at the time of the Final List publication. Ecology assigns a Project Management Team to each project receiving a funding offer. The Project Management Team consists of one or more of the following: a Financial Manager from the headquarters office; a Project Manager from the regional office where the project is located; and a Technical Advisor. Ecology's Project Management Team contacts the applicant within four weeks of the loan or grant offer to schedule a time to discuss the funding offer and begin the process of developing a funding agreement. Negotiation meetings should include Technical Advisor(s) and the Environmental Review Coordinator, if applicable to the project. The Project Management Team works to develop and negotiate funding agreements and monitor recipient performance after an agreement is signed.

The Project Management Team uses information found in the funding proposal as the basis for developing the funding agreement. Funding agreements for clearly defined project proposals that include a detailed scope of work, measurable objectives, and accurate budgets take less time to develop. If the applicant makes significant changes to the scope of work after the award, Ecology may withdraw or modify a funding offer. To speed development and processing, Ecology standardizes much of the funding agreement language and includes general terms and conditions and other conditions that are required by state or federal law.

The **Financial Manager** reviews and approves payment requests and assists the Project Manager in the negotiation of agreements. The Financial Manager also administers the project, determines eligibility, and maintains project files.

The **Project Manager** is the primary contact for technical assistance and day-to-day questions. The Project Manager also works with the Financial Manager to resolve payment or eligibility issues if they arise. When in doubt, call any member of the Project Management Team for information.

Ecology also assigns a regional project engineer as a Technical Advisor for most facilities projects to provide engineering technical assistance and conduct engineering review and approvals. The project engineer may also serve as the Project Manager.

After developing the agreement, the Project Management Team requests a funding program review. When the agreement is finalized, the Financial Manager sends the agreement to the applicant and then the Water Quality Program Manager (or the authorized designee) for electronic signatures using DocuSign and uploads the signed agreement to EAGL.

Once Ecology signs the agreement, the Financial Manager returns a fully executed original to the recipient. The *applicant* becomes the *recipient* once the agreement is signed.

Section 6.2 Agreement Conditions

Ecology funding agreements include several sections. In addition to the scope of work and agreement-specific terms and conditions, each agreement includes standard terms and conditions that apply to agreements funded by specific funding sources and to all agreements funded through WQC and Ecology. These standard agreement conditions are updated regularly in response to state and federal legislative, regulatory, or executive directives and agency policy. See Appendix F for the most recent standard terms and conditions that apply to funding agreements.

The following sections highlight some specific conditions that play a role in the day-to-day decisions made on loan or grant projects and may influence how you develop your application including your scope of work, schedule, and budget. The sections are organized alphabetically. Some of the conditions apply before a funding agreement can be signed.

A complete listing of the administrative requirements for all grants and loans administered by Ecology is contained in [Administrative Requirements for Recipients of Ecology Grants and Loans \(Yellow Book\)](#)⁶⁰.

Section 6.2.1 Budgets

All recipients must track the project budget by task. An object-based budget is not permitted. Object budget information provided in the application is used to evaluate if all costs were considered by the applicant at the time of application and to track requested purchases during project implementation.

The budget amount for administration should not exceed 15 percent of the total eligible cost of the project.

Section 6.2.2 Contract Clauses and Specification Inserts

Agreements for projects funded through Centennial, CWSRF, and SFAP may contain several

⁶⁰ <https://apps.ecology.wa.gov/publications/documents/1701004.pdf>

contract clauses and specification inserts.

The contract clauses and specification inserts for Centennial- and CWSRF-funded projects can be found on [Ecology's Facility Project Resources webpage](#)⁶¹.

The specification clauses and bid inserts for SFAP-funded projects can be found on [Ecology's General Resources for Water Quality Grants and Loans webpage](#).

Section 6.2.3 Growth Management Act (GMA) Compliance

In accordance with [WAC 173-98-710](#)⁶² and [WAC 173-95A-610](#)⁶³, any county, city, or town required or choosing to fully plan under [RCW 36.70A.040](#)⁶⁴ of the Growth Management Act (GMA) that is proposing a **wastewater or stormwater facility** project **must be in compliance with the applicable GMA requirements at the time a loan or grant agreement is signed** unless exceptional situations exist.

Ecology may make exceptions if the proposed project is required to address a “serious public health need” or a “significant environmental degradation.” Ecology looks at such designations very carefully and makes determinations on a case-by-case basis. However, Ecology exceptions do not relieve applicants of their responsibilities to comply with the GMA requirements.

GMA compliance does not affect activity project applications, such as watershed planning, water quality monitoring, public information and education, etc. GMA compliance also does not affect facilities projects proposed by counties, cities, or towns not fully planning under the GMA.

Section 6.2.4 Historic and Cultural Resources Requirements

Ecology staff work with grant and loan recipients to follow the appropriate steps to work with the Department of Archaeology and Historic Preservation (DAHP), required consulting parties, and the tribe(s) to determine if a site has the potential of disturbing or significantly impacting an archaeological or historic archaeological site, historic building/structure and cultural or sacred place. Assessment of a site to determine the potential risk of encountering historic properties is grant and loan eligible. Acquisitions or disturbance that occurs prior to such assessment, including cultural resources review are not eligible for reimbursement. See Appendix N for further details.

Section 6.2.5 Indirect Rate

The recipient can charge an indirect rate of up to 30 percent of salaries and benefits for Centennial, SFAP, and CWSRF and up to the EPA/Ecology negotiated rate for Section 319 to

⁶¹ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Facility-project-resources>

⁶² <https://apps.leg.wa.gov/wac/default.aspx?cite=173-98&full=true#173-98-710>

⁶³ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-95A&full=true#173-95A-610>

⁶⁴ <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.040>

cover overhead costs that benefit more than one activity of the recipient and that are not directly assignable to a particular objective of the project. Before Ecology can approve requests for reimbursement of indirect costs, recipients are required to upload documentation of their most current rate and list what is included in the indirect rate.

Section 6.2.6 Initial Data Reporting and Federal Funding Accountability and Transparency Act (FFATA)

Recipients of funding from CWSRF must complete the “CWSRF Federal Reporting Information” form in EAGL. The form will be available for completing in EAGL during the agreement negotiation process. Ecology’s assigned Project Manager may also complete the form.

Recipients of funding from Section 319 or Centennial projects used for the state match for Section 319 must complete the “Section 319 Initial Data Reporting” form in EAGL. The form will be available for completing in EAGL during the agreement negotiation process.

Recipients of CWSRF funding identified as Designated Equivalency Projects (DEPs) and Section 319 funding must also complete and submit the [Federal Funding Accountability and Transparency Act \(FFATA\) form](#)⁶⁵ to Ecology during agreement negotiations. Ecology cannot sign a funding agreement until the form is completed.

Section 6.2.7 Investment Grade Efficiency Audit (IGEA)

Recipients of funding from CWSRF and Centennial with Step 2, Step 3 and Step 4 facilities projects are required to conduct an investment grade efficiency audit (IGEA). The IGEA can be just for the funded project or the entire system; the latter is preferable. In addition, if an IGEA was conducted for the entire system within the past 5 years, recipients need only upload a copy of the previously-completed IGEA to EAGL—no additional work is required.

The IGEA may be paid for with Centennial grant or CWSRF loan funds.

Section 6.2.8 Permits

Recipients must secure any required permits and provide documentation upon request. Work on permit preparation is an eligible cost. Permit fees associated with completing a funded project are also eligible. Ecology considers annual permit fees a normal operating expense, so annual permit fees are not eligible for funding.

Section 6.2.9 Progress Reports

Recipients must submit progress reports at least quarterly and with every payment request. Progress reports are submitted through the EAGL system.

Progress reports should include a description of all progress made in the reporting period to meet goals as well as any successes, problems, and delays that affect the project. If a problem

⁶⁵ <https://apps.ecology.wa.gov/publications/documents/ecy070395.pdf>

exists, recipients must discuss the corrective actions taken or proposed and identify any Ecology assistance that may be needed.

Section 6.2.10 Project Management Consultant

In some cases, it may be beneficial or necessary for recipients to hire a “Project Management Consultant” (PMC). The PMC should be well-versed in preparing and managing contracts. The PMC would represent the recipient and be completely independent of the recipient’s consulting engineer and all other contractors. Smaller communities would be most likely to benefit from having a PMC. Ecology maintains the option to require a PMC in accordance with its “Grant and Loan Project Monitoring and Oversight” policy. Applicants who are considering hiring a PMC should consider the costs when submitting their project budget. PMC costs are eligible for funding.

Section 6.2.11 Project Site Visits and Post Project Assessments

Ecology’s Project Management Team may conduct site visits to provide technical assistance and verify progress or payment information for projects.

Recipients of grant funding for activities projects must agree to participate in a brief survey regarding the key project results or water quality project outcomes and the status of long-term environmental results or goals from the project approximately three years after project completion.

Section 6.2.12 Public Awareness

Recipients must inform the public about the project and about Ecology and EPA participation for the following:

- Any site-specific project that is accessible to the public must acknowledge state and federal participation by one of the following means:
 - Standard signage (appropriately sized and weather resistant).
 - Ecology and EPA logos are available from Ecology’s Financial Managers for use on signs.
 - Posters and wall signage in a public building or location.
 - Newspaper or periodical advertisement for project construction, groundbreaking ceremony, or operation of the new or improved facility.
 - Online signage placed on community website or social media outlet.
 - Press release.
- All publications must include acknowledgment of state and federal participation.

Section 6.2.13 Risk Assessment

The Ecology Project Management Team applies Water Quality Program Policy 3-17 to all

funding agreements. The policy was established to implement project monitoring and oversight of grant and loan recipients (this includes sub recipients defined as recipients who receive federal monies and/or federal matching monies from Ecology). See Appendix Q for additional information.

Section 6.2.14 Special Agreement Conditions for CWSRF Loans

The following items are required conditions of specified recipients of CWSRF loans.

American Iron and Steel (AIS)

Recipients of CWSRF loans for Step 3 or Step 4 wastewater facility projects and stormwater facility projects with a construction component must meet the American Iron and Steel (AIS) requirements. Such projects may use only specific iron and steel products that are produced in the United States. The requirements do not apply to activity projects.

For additional guidance visit [EPA's AIS webpage](#)⁶⁶.

Architectural and Engineering (A/E) Services Procurement (DEP only)

Recipients of CWSRF loans for Step 3 or Step 4 wastewater facility projects identified by Ecology as DEPs are required to procure architectural and engineering (A/E) services in accordance with the federal requirements found in [Chapter 11 of Title 40, U.S.C.](#)⁶⁷. The federal requirements differ from the state requirements found in [Chapter 39.80 RCW](#)⁶⁸.

A/E services include, but are not limited to, program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, and architectural related services.

Authorizing Ordinance or Resolution

Recipients of CWSRF loans must provide an authorizing ordinance or resolution that states that the recipient accepts responsibility to repay the loan and abide by the provisions of the agreement. The resolution must be signed by the governing board or council and is included in the loan agreement as an attachment.

Build America, Buy America Act (DEP only)

Recipients of CWSRF loans for facility projects identified by Ecology as DEPs are required to comply with BABAA. EPA released a memorandum on the [Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs](#)⁶⁹ for Infrastructure. EPA is continuing coordination with the Office of Management and Budget and the Made in America Office, to further develop guidance to describe how the BABAA requirements must be met. When final guidance is available, Ecology will include provisions

⁶⁶ <https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement>

⁶⁷ <https://www.govinfo.gov/content/pkg/USCODE-2011-title40/pdf/USCODE-2011-title40-subtitle1-chap11.pdf>

⁶⁸ <https://app.leg.wa.gov/rcw/default.aspx?cite=39.80&full=true>

⁶⁹ <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>

addressing the requirements in all funding agreements that are required to comply.

Cost and Effectiveness Analysis (CEA)

Recipients of CWSRF loans must certify that they have conducted a Cost and Effectiveness Analysis (CEA). The cost-effective alternative is determined through a CEA. A CEA must include a comparison of the life cycle costs of alternatives considering:

- The cost of constructing the project or activity.
- The cost of operating and maintaining the project or activity over the life of the project or activity.
- The cost of replacing the project or activity.
- The selection, to the maximum extent practicable, of a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation.

Recipients must complete a CEA certification in EAGL.

Davis-Bacon Act Wages

Recipients of CWSRF loans for Step 3 or Step 4 wastewater facility projects and stormwater facility projects with a construction component must comply with the federal [Davis-Bacon Act wage requirements](#)⁷⁰.

Equivalency Requirements and Designated Equivalency Projects

“Equivalency requirements” refer to specific federal laws and authorities that EPA requires Ecology to report on and/or track compliance with by CWSRF loan recipients up to an amount equivalent to the amount of the Capitalization Grant Ecology receives from EPA.

The equivalency requirements for CWSRF apply to the following:

- Architectural and engineering (A/E) services procurement.
- A report on compliance with specific federal environmental assurances, often referred to by EPA as cross cutters.
- Build America, Buy America Act
- Disadvantaged Business Enterprises (DBE).
- Funding Accountability and Transparency Act (FFATA).
- Signage.
- Single Audit Act (SAA).
- Suspension and debarment.

⁷⁰ <https://www.dol.gov/whd/regs/statutes/dbra.htm>

- Uniform Relocation and Real Property Acquisition Policies Act.

The EPA requires reporting on federal statutes and regulations associated with the award and requires recipients and sub recipients to comply with these applicable award requirements, often referred to as federal assurances. These cross-cutting laws include but are not limited to federal laws and authorities for civil rights, environmental justice, applicable cultural resource protection and discovery, DBE, signage, and suspension and debarment for all recipients of CWSRF funding. In addition to these, Ecology requires compliance with federal laws and authorities for A/E services procurement, applicable federal environmental cross cutting laws and authorities⁷¹, and Uniform Relocation and Real Property Acquisition Policies Act for Alternate DEPs. Ecology requires compliance with all the equivalency requirements for DEPs, including BABAA, FFATA and SAA.

The core criteria for determining which projects are DEPs and any identified Alternate DEPs are:

- Step 3 and Step 4 wastewater facility projects.
- Population of the applicant is 25,000 or more.

Ecology maintains the option to modify the criteria for determining DEPs and Alternate DEPs if needed to ensure the funding for DEPs is adequate to equal or exceed the amount of the Capitalization Grant. Ecology also maintains the option to remove projects from the DEPs list or Alternate DEPs list if deemed appropriate, for example, if they are unlikely to have a significant environmental impact and removing them will not impact Ecology's ability to meet EPA's equivalency requirements. More information can be found in Appendix N.

Financial Capability Assessment (FCA)

Ecology must conduct a financial capability assessment (FCA) of all recipients of CWSRF loans. Ecology cannot sign loan agreements without an FCA. Among other things, the FCA is used to assess the ability of applicants to repay the CWSRF loan.

Part of the FCA process involves determining an applicant's means of securing the loan. Loan security options include the following.

- Revenue-secured where an obligation is secured by a pledge of the revenue of a utility--for example, when a recipient charges a fee for a utility service such as wastewater fees.
- General Obligation where an obligation is secured by annual taxes levied--for example, when a recipient uses its General Fund.
- General Obligation from Special Assessment where an obligation is secured by special assessments levied--for example, when a recipient has a ULID or when there is a specific assessment based on home value.
- Tribal Government Enterprise where an obligation is secured through a tribal source--for

⁷¹ <https://www.epa.gov/grants/public-policy-requirements>

example, when a recipient uses a tribal enterprise fund.

Fiscal Sustainability Plan (FSP) (a.k.a., Asset Management Plan)

Recipients of CWSRF funding for Step 3 or Step 4 wastewater facility and stormwater projects with a construction component, and recipients of Centennial construction hardship funding must certify that they have prepared a Fiscal Sustainability Plan (FSP) or another plan(s) that contains at least the following:

- An inventory of critical assets that are part of the system.
- An evaluation of the condition and performance of the critical assets.
- A plan to maintain, repair, and replace the critical assets and to fund those activities.
- A process to evaluate and implement water and energy conservation efforts as part of the plan.

Recipients must complete a certification in EAGL during the agreement negotiation process. Ecology requires recipients who do not already have a plan that meets the minimum requirements to prepare one as part of the scope of work for the project and submit a new certification statement upon completion of the plan.

Force Accounts and Staffing Plans

Force account refers to a local government that uses its own staff to complete a facilities project. For activities projects, it may be considered a staffing plan. Force accounts and staffing plans may be eligible for funding under CWSRF if:

- The recipient complies with laws on discrimination, such as wages, job safety, insurance, licenses, and certifications such as [Chapter 39.04 RCW](http://app.leg.wa.gov/RCW/default.aspx?cite=39.04)⁷², [RCW 35.22.620](http://app.leg.wa.gov/RCW/default.aspx?cite=35.22.620)⁷³, and [RCW 35.23.352](http://app.leg.wa.gov/RCW/default.aspx?cite=35.23.352)⁷⁴.
- The recipient demonstrates that they have the legal authority and the technical capability to perform the work.
- The recipient demonstrates that other essential functions will not be affected by performing the work.
- The work is accomplished more economically than if procured competitively.
- The recipient submits a written request to fund the force account work that includes a dollar amount and a general description of the force account work. The request must be approved by the Ecology Regional Section Manager.
- The work to be performed using recipient forces is included as a separate budget line item in the financial assistance agreement.

⁷² <http://app.leg.wa.gov/RCW/default.aspx?cite=39.04>

⁷³ <http://app.leg.wa.gov/RCW/default.aspx?cite=35.22.620>

⁷⁴ <http://app.leg.wa.gov/RCW/default.aspx?cite=35.23.352>

The recipient must maintain separate and identifiable records for a force account or staffing plan to ensure eligible costs are charged to the project. Overtime differential is not allowed.

Insurance

Where applicable, recipients must maintain comprehensive insurance coverage on projects in amounts equal to the funds disbursed.

Interest Accrual

Ecology disburses CWSRF loan funds on a cost-reimbursable basis. An incurred cost is defined as a cost that has occurred and is eligible for payment. Interest begins to accrue on each disbursement at the time it is paid to the recipient. Interest is compounded monthly.

Operation and Maintenance of Utility

The recipients must keep the utility in good working order and operate the utility efficiently. Recipients of funding for stormwater facilities must agree to maintain stormwater facilities for the design life of the facility, typically 20 years.

Opinion of Recipient's Legal Counsel

Recipients must provide a statement from their legal counsel regarding the final draft of the loan agreement. A template can be found on [Ecology's Facility Project Resources webpage](#).

Pledge of Net Revenue or ULID Assessments

If revenue from a ULID is used to secure a loan, the recipient must irrevocably pledge to pay the net revenue of the ULID to cover the principal and interest.

Repayments

Semi-annual loan repayment begins one year after the project completion date or initiation of operation date, whichever comes first. There is no restriction or penalty for early loan repayment.

State Environmental Review Process (SERP)

Recipients of CWSRF funding must complete the minimum requirements (Section A) of the SERP [EID](#). More information on SERP can be found on the [Ecology Environmental Review Process for Water Quality Grants and Loans website](#). Contact the Environmental Review Coordinator, Liz Ellis, at (360) 628-4410 or liz.ellis@ecy.wa.gov if you have questions.

Section 6.2.15 Special Agreement Conditions for OSS Local Loan Fund Projects

Administration

Recipients of funding for OSS local loan projects must use the funds received from Ecology to establish and administer a local loan fund. Recipients are responsible for local loan servicing,

collecting payments, and payment tracking, but may contract for such services through a lending institution. Recipients must officially approve or deny local loan requests and establish the local loan interest rate and the repayment period.

Reporting

Recipients of funding for OSS local loan projects must submit, with each quarterly progress report, a schedule for project completion, including milestone dates for loan marketing activities, numbers of loan applications and closures, disbursements, and application deadlines.

At the end of the project recipients must also submit a final list of the local loans provided to homeowners throughout the duration of the project. The list must include information regarding the number and final dollar amounts of loans funded in the following respective homeowner income levels:

- County Median Household Income
 - Above 80 percent.
 - 50 to 80 percent.
 - Below 50 percent.

Section 6.2.16 Summary

Table 15 summarizes the applicability of some of the agreement conditions discussed in Section 6.2.

Table 15: Applicability of Various Funding Requirements

Requirement	What projects does it apply to?	When does it apply?
American Iron and Steel	Wastewater and stormwater facility construction projects that receive CWSRF funds.	Throughout project.
Authorizing Ordinance or Resolution	Projects that receive CWSRF funds.	Before loan signing.
Build America, Buy America Act	Wastewater facility loans identified as CWSRF DEPs.	Throughout project.
Cost and Effectiveness Analysis Certification	Projects that receive CWSRF funds.	Before loan signing.
Federal Architectural and Engineering Services Procurement	Wastewater facility loans identified as CWSRF DEPs.	Throughout project.
Federal Environmental Assurances (Cross Cutters)	Wastewater facility loans identified as CWSRF DEPs.	Throughout project.
Federal Davis-Bacon Wages and State Prevailing Wages on Public Works	Wastewater and stormwater facility construction projects that receive CWSRF funds.	Throughout project.

Requirement	What projects does it apply to?	When does it apply?
Federal Funding Accountability and Transparency Act Form	Projects that receive CWSRF or Section 319 funds.	Before loan or grant signing.
Final List of Local Loans Report	OSS local loan programs.	At project completion.
Financial Capability Assessment	Projects that receive CWSRF funds.	Before loan signing.
Fiscal Sustainability Plan Certification	Wastewater and stormwater facility construction and combined design/construction projects that receive CWSRF funds and projects that receive Centennial construction hardship funding.	Before loan signing. Recipients that complete the plan during the project must resubmit upon completion.
Growth Management Act Compliance	Wastewater and stormwater facility projects in a city, county, or town that is required to or chooses to plan under the Growth Management Act.	Before agreement signing.
Investment Grade Efficiency Audit	Wastewater facility design, construction, or combined design/construction projects that receive CWSRF or Centennial funds.	During project.
Minority- and Women-Owned Business Enterprises and Disadvantaged Business Enterprises	All projects.	Throughout project.
Single Audit Act	Recipients of CWSRF or Section 319 funds that expend \$750,000 or more in federal funds in the calendar year.	Throughout project.
State Environmental Review Process	Wastewater and stormwater facility projects that receive CWSRF funds.	Each loan agreement.

Section 6.3 Agreement Management

Section 6.3.1 Contractor or Consultant Role Permissions in EAGL

Recipients may not allow any contractors or consultants to hold the Authorized Official role in EAGL. To maintain effective internal controls and accountability and avoid related audit findings, only organization staff can have an Authorized Official role for an active grant or loan. This role allows certification and submittal of payment request/progress reports, submittal of amendment requests, and the ability to change member roles. Recipients may assign contractors to a Contractor or Writer role if they need access permissions for grant or loan administration.

Section 6.3.2 Incurring Eligible Costs

The agreement *effective date* is the earliest date on which eligible costs may be incurred. The

effective date is negotiated between the applicant and Project Management Team during agreement development.

Unless explicitly stated by the State Legislature in a budget appropriation, the effective date for grants cannot be before the beginning of the state fiscal year (July 1, 2024).

The effective date for CWSRF loans can go back to the beginning of the project if appropriate; see Section 3.1.4 for more information.

The applicant may incur project costs on and after the effective date and before Ecology's signature of the final agreement, but expenditures cannot be reimbursed until the agreement has been signed by Ecology's Water Quality Program Manager. While applicants can incur eligible costs before the agreement is signed, they do so at their own risk.

Section 6.3.3 Quarterly and Final Closeout Reporting Requirements

Recipients must provide routine updates on projects while the funding agreement is in active status. Quarterly reports cover January 1-March 31, April 1-June 30, July 1-September 30, and October 1-December 31. EAGL reports are due within 30 days of the end of the quarter.

In addition to quarterly reports, recipients are required to submit an EAGL close-out form and a separate 2-page project summary report as part of the grant close-out process. Recipients should contact the Ecology Project Manager for templates and guidance.

Section 6.3.4 Important Dates

The time limits for starting and ending projects are based on the publication date of the Final List that identifies the project for funding.

While there is some flexibility, the funding agreement for the project should be signed by both parties no later than seven months after the publication date of the Final List. Generally, this means January 31 of the year following the publication of the Final List. **Actual work on the project should begin no later than 10 months after the publication date of the Final List, generally by April 30 of the year following the publication of the Final List.**

The **expiration date (of an agreement or amendment)** is the last date on which costs may be incurred and be considered eligible. The *project completion date* is the date specified in the agreement on which the scope of work will be fully completed. Both dates are negotiated between the applicant and the Project Management Team.

The **initiation of operation date** applies to facilities construction projects. It is the actual date that a facility starts operation or can be used for its intended purpose. This date may occur prior to final inspection. Ecology will determine the initiation of operation date after consultation with the recipient. This date may be the same as the project completion date, or it may be earlier. The initiation of operation date triggers the start of the one-year CWSRF loan repayment grace period. If the project completion date occurs before the initiation of operation date, the start of the one-year loan repayment grace period starts with the project completion

date.

Project Completion Dates and Extensions

Facility and activity projects funded through CWSRF and stormwater facility projects funded through SFAP must be completed within five years of the publication date of the Final List.

After the five-year limit is reached, a time extension of no more than 12 months may be made with valid reasons supporting the time extension. In no event can the project be extended beyond six years of the publication date of the Final List identifying the project.

Activities projects funded with Section 319 grants, Centennial grants used for the Section 319 match, and SFAP grants must be completed within three years. Projects can begin as early as the publication date of the Final List. After the three-year limit is reached, a time extension of no more than 12 months may be made with valid reasons supporting the time extension. In no event can the project be extended beyond four years. Section 319 grants have a limit on contract extensions based on when the grant is awarded to the State; this limit may be less than the three- year limit described previously.

Conditions under which Ecology can authorize time extensions include but are not limited to:

- Schedules included in water quality permits, consent decrees, or enforcement orders.
- Work that falls within an environmental window in a specific season of the year.

To ensure timely processing, the recipient must request extensions no less than three months before the funding agreement is due to expire.

Appendix A: Water Quality Ecology Grant and Loan Contacts

Headquarters

Contact	Phone	Email
Nonpoint Projects		
Cowles, Tamara	(564) 669-3005	tamara.cowles@ecy.wa.gov
Elsen, Seth OSS Planner	(564) 999-1177	seth.elsen@ecy.wa.gov
Gregg, Lori	(360) 628-3701	lori.gregg@ecy.wa.gov
Moscoso, Carson 319 Coordinator	(564) 999-1269	carson.moscoso@ecy.wa.gov
Webster, Laurie	(360) 628-1989	laurie.webster@ecy.wa.gov
Stormwater Projects		
Christensen, Jessica	(360) 742-1180	jessica.christensen@ecy.wa.gov
Conger, Melissa	(360) 706-4202	melissa.conger@ecy.wa.gov
Gilbert, Xavier	(564) 669-1942	xavier.gilbert@ecy.wa.gov
Graunke, Kyle	(360) 628-3890	kyle.graunke@ecy.wa.gov
Herbst, Stephanie	(360) 628-1911	stephanie.herbst@ecy.wa.gov
Izumoto, Karen	(360) 870-7524	karen.izumoto@ecy.wa.gov
Kinerk, Joe	(360) 742-2875	joseph.kinerk@ecy.wa.gov
Ponte, Sarah P3 Planner	(564) 669-4701	sarah.ponte@ecy.wa.gov
Zehner, Sarah SFAP Planner	(360) 628-4791	sarah.zehner@ecy.wa.gov
Wastewater Projects		
Allen, Stephanie Small Community Engineer - Westside	(425) 295-5760	stephanie.allen@ecy.wa.gov
Bridges, Veronica Puget Sound Nutrient Reduction Grants	(564) 669-3842	veronica.bridges@ecy.wa.gov
Hernandez, Peter CWSRF Engineer	(360) 890-0969	peter.hernandez@ecy.wa.gov
Keeley, Eliza WQ Combined Planner	(360) 628-1976	eliza.keeley@ecy.wa.gov

Contact	Phone	Email
McClure, Tammie	(360) 628-4315	tammie.mcclure@ecy.wa.gov
McMurry, Shelly CWSRF Planner	(564) 999-1649	shelly.mcmurry@ecy.wa.gov
Mellon, Sean	(360) 628-7318	sean.mellon@ecy.wa.gov
Prisock, Kim Small Community Engineer - Eastside	(509) 435-1691	kimberly.prisock@ecy.wa.gov
Ridner, Jeanna	(360) 628-4918	jeanna.ridner@ecy.wa.gov
Environmental Review and Cultural Resources Review		
Conger, Melissa Stormwater Projects Cultural Resource Contact	(360) 706-4202	melissa.conger@ecy.wa.gov
Ellis, Liz Environmental and Cultural Resource Coordinator	(360) 628-4410	liz.ellis@ecy.wa.gov
Elsen, Seth Nonpoint Projects Cultural Resource Contact	(564) 999-1177	seth.elsen@ecy.wa.gov
Stormwater Engineers		
Heye, Amanda	(360) 407-6457	amanda.heye@ecy.wa.gov
Howie, Doug	(360) 870-0983	douglas.howie@ecy.wa.gov
Melton, Mark	(360) 407-6470	markus.melton@ecy.wa.gov
Freshwater Aquatic Invasives and Algae		
Seebacher, Lizbeth	(360) 628-7516	lizbeth.seebacher@ecy.wa.gov
National Estuary Program Strategic Stormwater Initiative		
Brummel, Owen	(564) 669-3685	owen.brummel@ecy.wa.gov
Myers, Michelle	(360) 628-4067	michelle.myers@ecy.wa.gov
Supervisors		
Brommer, Pat	(360) 878-4914	patricia.brommer@ecy.wa.gov
Nejedly, Jeff FMS Section Manager	(360) 878-4913	jeffrey.nejedly@ecy.wa.gov
Schwing, Jessica	(564) 999-1267	jessica.schwing@ecy.wa.gov
Wagar, Kim	(360) 878-4915	kimberly.wagar@ecy.wa.gov

Central Region

Contact	Phone	Email
Nonpoint Projects		

Contact	Phone	Email
Julie Conley	(509) 907-3937	julie.conley@ecy.wa.gov
Stormwater Projects		
Gefre, Traci	(509) 731-0513	traci.gefre@ecy.wa.gov
Wastewater Projects		
Matthews, David	(509) 564-2759	david.matthews@ecy.wa.gov
Miller, Coleman	(509) 406-5664	coleman.miller@ecy.wa.gov

Eastern Region

Contact	Phone	Email
Nonpoint Projects		
Johnson, Curtis	(509) 202-6965	curtis.johnson@ecy.wa.gov
Orchard, Joel	(509) 329-3405	joel.orchard@ecy.wa.gov
Redfern, Mitch	(509) 638-2050	mitch.redfern@ecy.wa.gov
Stormwater Projects		
Sprouse, Shilo	(509) 862-8584	shilo.sprouse@ecy.wa.gov
Wastewater Projects		
Dobb, Greg	(509) 329-3440	greg.dobb@ecy.wa.gov

Northwest Region

Contact	Phone	Email
Nonpoint Projects		
Giltner, Shelby	(360) 749-9182	shelby.giltner@ecy.wa.gov
Stinson Ebert, Julia	(425) 651-9046	julia.stinson@ecy.wa.gov
Stormwater Projects		
Giltner, Shelby	(360) 749-9182	shelby.giltner@ecy.wa.gov
Stinson Ebert, Julia	(425) 651-9046	julia.stinsonebert@ecy.wa.gov
Phillips, Maricris Dela Rosa	(425) 367-1204	Maricrisdelarosa.phillips@ecy.wa.gov
Wastewater Projects		
Cook, Suzanne	(425) 758-7776	suzanne.cook@ecy.wa.gov
Diaz, Madison	(425) 495-1777	madison.diaz@ecy.wa.gov
Hood, Steve	(360) 255-4396	steve.hood@ecy.wa.gov

Contact	Phone	Email
Leung, Kevin	(425) 200-8996	kevin.leung@ecy.wa.gov
Ziebart, Kenneth	(206) 594-0163	kenneth.ziebart@ecy.wa.gov

Southwest Region

Contact	Phone	Email
Nonpoint Projects		
Gray, Donovan	(360) 790-3840	donovan.gray@ecy.wa.gov
Holbrook, Chanelle	(360) 522-3801	chanelle.holbrook@ecy.wa.gov
Watson, Ben	(360) 480-9358	ben.watson@ecy.wa.gov
Woodard, Nate	(360) 406-6693	nate.woodard@ecy.wa.gov
Stormwater Projects		
Mora, David	(360) 515-8106	david.mora@ecy.wa.gov
Yonemura, Rachel	(360) 485-2474	rachel.yonemura@ecy.w.gov
Wastewater Projects		
Cholski, Carey	(564) 669-3113	carey.cholski@ecy.wa.gov
Dougherty, David	(564) 999-3586	david.dougherty@ecy.wa.gov
Ott, Ellie	(360) 280-5624	eleanor.ott@ecy.wa.gov

Appendix B: Some Acronyms and Abbreviations Used in This Document

Acronym	Definition
A/E	Architectural and engineering
ACS	American Community Survey
APE	Area of Potential Effect
BA	Biological Assessment
BMP	Best Management Practice
BO	Biological Opinion
CAA	Clean Air Act
CBP3	Community Based-Public-Private Partnership
CDP	Census Designated Place
CEA	Cost and Effectiveness Analysis
Centennial	Centennial Clean Water Fund
CSO	Combined Sewer Overflow
CWA	Clean Water Act
CWSRF	Washington State Water Pollution Control Revolving Fund; a.k.a., Clean Water State Revolving Fund
CZMA	Coastal Zone Management Act
CZMP	Coastal Zone Management Program
DAHP	Washington State Department of Archaeology and Historic Preservation.
DBE	Disadvantaged Business Enterprises
DEPs	Designated Equivalency Projects
DNS	Determination of Nonsignificance, regarding the State Environmental Policy Act
DOH	Washington State Department of Health
Draft List	Draft Water Quality Funding Offer List and Intended Use Plan
DWSRF	Drinking Water State Revolving Fund
EAGL	Ecology Administration of Grants and Loans
Ecology	Washington State Department of Ecology
EFH	Essential Fish Habitats
EFSEC	Energy Facility Site Evaluation
EIM	Ecology Information Management System
EIS	Environmental Impact Statement.

Acronym	Definition
EJ	Environmental Justice
EPA	Environmental Protection Agency
ESA	Endangered Species Act, 16 USC 1531
FCA	Financial Capability Assessment
FEMA	Federal Emergency Management Agency
FFATA	Federal Financial Accountability and Transparency Act
FFY	Federal Fiscal Year
Final List	Final Water Quality Funding Offer List and Intended Use Plan
FIP	Financial Institution Partner
FIRM	Flood Insurance Rate Map
FMP	Fisheries Management Plans
FOTG	Field Office Technical Guide
FP	Forgivable Principal
FPPA	Farmland Protection Policy Act
FSP	Fiscal Sustainability Plan
GAAP	Generally Accepted Accounting Principles
GASB	Governmental Accounting Standards Board
GC/CM	General Contractor/Construction Manager
GEO	Governor's Executive Order
GHG	Greenhouse Gases
GMA	Washington State's Growth Management Act
GPR	Green Project Reserve
GULD	General Use Level Designation
HUAP	Heavy use area protection
I/I	Infiltration and Inflow
IACC	Infrastructure Assistance Coordinating Council
IDP	Inadvertent Discovery Plan
IGEA	Investment Grade Efficiency Audit
LEP	Limited English Proficiency
LID	Low Impact Development
LOSS	Large Onsite Sewage System
MBE/WBE	Minority- and Woman-Owned Business Enterprises
MOU	Memorandum of Understanding
MR/CE	Minimum Requirement/Core Element Analysis

Acronym	Definition
EID	Environmental Information Document
MS4	Municipal Separate Storm Sewer System
N/A	Not applicable
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
OHWM	Ordinary High Water Mark
ORIA	Governor's Office for Regulatory Innovation and Assistance
ORMA	Ocean Resource Management Act
OSS	Onsite Sewage System
PMC	Project Management Consultant
POTW	Publicly Owned Treatment Works
PWD	Persons With Disabilities
QAPP	Quality Assurance Project Plan
RCO	Washington Recreation and Conservation Office's
RCW	Revised Code of Washington
RLP	Regional Loan Program
SAA	Federal Single Audit Act
SCPPL	Small Community Project Priority List
SEA	Ecology's Shorelands and Environmental Assistance Program
Section 319	The Clean Water Act Section 319 Nonpoint Source Grant Program
SEPA	State (of Washington) Environmental Policy Act, Chapter 43.21C RCW
SERP	State Environmental Review Process
SFAP	Washington State Stormwater Financial Assistance Program
SFY	State Fiscal Year
SIP	State (of Washington Air Quality) Implementation Plan
SSA	Sole source aquifer
STEPL	Spreadsheet Tool for Estimating Pollutant Loads for nitrogen, phosphorus, sediment, biological oxygen demand (BOD)
SWMMEW	Ecology's 2019 Stormwater Management Manual for Eastern Washington
SWMMWW	Ecology's 2019 Stormwater Management Manual for Western Washington
TAPE	Technology Assessment Protocol – Ecology
TDA	Threshold Discharge Area

Acronym	Definition
TEPA	Tribal Environmental Policy Act
TMDL	Total Maximum Daily Loads
UIC	Underground Injection Control
ULID	Utility Local Improvement District
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
WAC	Washington State Administrative Code
WIFA	Water Infrastructure Finance and Innovation Act
WISAARD	Washington Information System for Architectural and Archaeological Records Data
WQC	Water Quality Combined Funding Program
WTN	Washington Tracking Network

Appendix C: SFY25 Applicant Prep Tool and Scoring Criteria/Guidance

Applicant Prep Tool

The purpose of this document is to help applicants organize their answers to the questions for the SFY25 application. This is not an application. It may be used in preparation of on-line submittal through Ecology’s Administration of Grants and Loans ([EAGL](#)⁷⁵). Items marked with an * are required.

To assist you, the Scoring Criteria/Guidance table is available at the bottom of this document.

This document is also available in all funding applications and on the [Water Quality Grants and Loans General Resources](#)⁷⁶ webpage.

General Tips

- 1) When pasting text into EAGL, it will strip any formatting. It’s best to prepare plain text without bullets.
- 2) Once you have completed your text, save as “Plain Text” and review before cutting and pasting into EAGL.
- 3) Character limits are indicated below. You can highlight your draft text, select “Review” and “Word Count” to see the number of characters with spaces to ensure you are meeting EAGL size restrictions.
- 4) You should thoroughly review your application well before you plan to submit it to Ecology for review. EAGL’s global error check can help with this process. To re-check your entire document for errors, click the CHECK FOR ERRORS link. This will start a global error check. If any errors are found on your forms, the form name and error message will display on the page. You can click on any of the underlined form names to return to that form. Another option is to check each individual form as you complete it by clicking CHECK GLOBAL ERRORS near the top right of the screen.

General Information Form

*Project Title: (char 75)

*Project Short Description: (char 500)

*Project Long Description: (char 4,000)

⁷⁵ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans>

⁷⁶ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/General-resources>

*Total Cost: (full cost of the project, including ineligible portions and portions paid with other funds)

*Total Eligible Cost: (cost of the work that will be supported by Ecology funding, including any required match)

*Effective Date: (earliest date on which eligible costs can be incurred; auto-loaded with July 1, but can be modified during agreement negotiation)

*Expiration Date: (last date on which eligible costs can be incurred)

*Project Category: (select only one; if more than one, pick the predominant category; may be changed by Ecology)

- Nonpoint Source Activity
- On-site Sewage System
- Stormwater Activity
- Stormwater Facility
- Wastewater Facility

Will Environmental Monitoring Data be collected?

*Overall Goal: (char 1,000)

Project Characterization Form

*Primary Theme: (dropdown list; select one)

*Secondary Theme(s): (dropdown list; select all that apply)

Project Website Address:

Recipient Contacts Form

*Project Manager: (dropdown list)

*Authorized Signatory: (dropdown list)

*Billing Contact: (dropdown list)

Other recipient signatures required on agreement:

Mapping Information Form

*Follow instructions on form. [Detailed instructions](#)⁷⁷ are available in EAGL. Applicants are required to provide a location for the project, draw a boundary, or upload a shape file.

⁷⁷ https://ecyeagl/IntelliGrants_BASE/Documentation/WAECOL/Map_Instructions_Recipient.pdf

Important note: After you have defined the project area or edited it the map, select **Save** to be returned to the Mapping Information form, then be sure to check in the map by selecting **Save** at the top of the form; this will make it available to Ecology and your team.

Funding Request Forms

(Separate forms for Nonpoint, Onsite, Stormwater, and Wastewater projects.)

Total Eligible Cost: (auto filled)

Grant Request

Grant Request: (auto filled; Stormwater, Nonpoint, Onsite Sewage System only)

Match Required: (auto filled; Stormwater, Onsite Sewage System only)

*Do you have any secured funds committed to this project? (If yes, must complete table)

*Source	*Type	*Amount Committed
State/Federal agency: textbox 75 characters	dropdown list	textbox money
Interlocal contributions: textbox 75 characters	dropdown list	textbox money
Local agency: textbox 75 characters	dropdown list	textbox money
In-kind contributions: textbox 75 characters	dropdown list	textbox money
Other textbox 75 characters	dropdown list	textbox money

Loan Request

Requested Loan: (auto filled; Wastewater only)

*Are you requesting or will you accept loan funds for part or all of the eligible project cost or to meet your match requirement? (Stormwater, Onsite Sewage System only)

What is the loan amount you are requesting or willing to accept? (required for Stormwater, Nonpoint, Onsite Sewage System if requesting loan)

*What loan term do you prefer? (required for Wastewater; required for Stormwater, Nonpoint, Onsite Sewage System if requesting loan)

*Do you want your project to be considered for GPR subsidy under the CWSRF program? **Note:** Projects are only eligible if they meet EPA's GPR criteria, and applicants accept a CWSRF Loan.

*Are you applying to refinance debt for a project that has been completed (i.e., standard refinance)? (Wastewater only)

*Is this a Step 3 or Step 4 project, and is the population of the community that will pay for the project less than 25,000, and do you want to be considered for Financial Hardship subsidy? (Wastewater only)

*Name the fund you will use to repay the CWSRF loan and operate/maintain/repair the project. If you do not have a specific fund, describe how you will raise and maintain sufficient funds to repay the loan and operate/maintain/repair the project. (required for Wastewater; required for Stormwater, Nonpoint, Onsite Sewage System if requesting loan) (characters 1,000)

*What is the total number of equivalent residential units (ERUs) for your facility/system? (required for Wastewater; required for Stormwater, Nonpoint, Onsite Sewage System if requesting loan)

*Do you have any secured funds committed to this project? (If yes, must complete table)

*Source	*Type	*Amount Committed
State/Federal agency: textbox 75 characters	dropdown list	textbox money
Interlocal contributions: textbox 75 characters	dropdown list	textbox money
Local agency: textbox 75 characters	dropdown list	textbox money
In-kind contributions: textbox 75 characters	dropdown list	textbox money
Other textbox 75 characters	dropdown list	textbox money

*Do you have a discharge permit for this project? If yes, provide the Permit Number. (Wastewater only)

*Check only one of the four options below that represents the present proposal. Identify all prerequisite planning documents. Include attachments, as necessary. Prerequisites are Due December 14, 2023. (**Important note:** Prerequisite approvals are due by December 14, 2023, but applicants must submit approvable documents to Ecology for review by October 12, 2023.) (Wastewater only)

- Planning (Step 1): No Prerequisites.
- Design (Step 2): Ecology’s letter approving the site-specific planning for the project. If possible, please also upload a copy of the approved planning document.
- Construction (Step 3): Ecology’s letter approving the site-specific planning for the project. If possible, please also upload a copy of the approved planning document. Ecology’s letter approving the plans and specifications for the project.
- Design and construction (Step 4): Ecology’s letter approving the site-specific planning for the project. If possible, please also upload a copy of the approved planning document.

Upload Documents (prerequisites listed above). (Wastewater only)

Scope of Work Form – Task 1 Grant and Loan Administration

Task Title: (auto filled)

*Task Cost:

Task Description: (auto filled)

Task Goal Statement: (auto filled)

Task Expected Outcomes: (auto filled)

Recipient Task Coordinator: (char 100)

Deliverables:

Deliverable #	Description	Due Date	Received?	EIM Study ID	EIM System Link	Latitude	Longitude (decimals)	Location Address
(auto filled)	(auto filled)	(textbox date)	(ECY Use Only)	(textbox)		(decimals)	(decimals)	(textbox 200 characters)

Scope of Work – For Application

(Include all tasks in sequential order that will be part of the Scope of Work for the project; start at Task 2.)

*Task #:

*Task Title: (char 50)

*Expected Start Date:

*Expected Finish Date:

*Describe the work that will be billed to this task. (characters 3,500)

Deliverables Table (*Deliverables are documents that can be uploaded into EAGL to show that work was completed; deliverables should align with the detailed budget provided on the Task Costs and Budget Form and the project schedule uploaded on the Project Planning and Schedule Form.*)

*Deliverables Description	*Deliverables Date	*Deliverables Budget
(textbox 200 characters)	(textbox date)	(textbox number)

Task Costs and Budget Form

*Describe the process used to estimate the cost of the project. If your process included reviewing similar projects, describe how this review affected your estimate. (characters 3,000)

*Describe the process used to determine that this project is the lowest cost solution to the problem. If the proposed project is not the lowest cost, describe the other benefits or considerations such as feasibility, community acceptance, or coordination with other projects that influenced the decision-making process. (characters 3,000)

*Upload a detailed budget for the project and any supporting documentation, including

engineers’ estimates, cost analysis, etc.

Nonpoint project applicants are required to provide a detailed budget. The [Align Grant Coordinator Workgroup](#)⁷⁸ developed a [Project Budget Template](#)⁷⁹ for “conservation projects” and are encouraged to use the template for budget development; other project categories may want to use the template as an example.

Project Team Form

*Fill out the following table to describe your Project Team, including staff, contractors, and partner agencies:

Team Member Name and/or Title	Agency/ Company	Key Responsibilities	Qualifications/ Experience	Estimated Total Hours Devoted to the Project	Who will take over the person’s responsibilities if they are unable to work on the project?
(textbox 50 characters)	(textbox 50 characters)	(textbox 50 characters)	(textbox 50 characters)	(textbox number)	(textbox 100 characters)

*Describe similar projects that your project team or organization has completed. Note any deviations from the original proposal in scope, budget, or schedule and briefly describe project success and lessons learned. If the project was funded by Ecology, include the Ecology grant or loan number. (characters 2,500)

Project Planning and Schedule Form

Project Start Date:

*List and describe the criteria you used to determine the value and feasibility of the project. (Examples: useful life, installation cost, site suitability, and environmental justice.) (characters 7,500)

*Briefly describe all project alternatives (including the preferred alternative) considered, and explain how each alternative met or failed to meet the criteria listed above. (Use one line for each alternative and click “save” to enter additional alternatives.)

Description of Alternative	Criteria
*Alternative 1: (textbox 1000 characters)	*(textbox 5000 characters)

*List project stakeholders and provide documentation showing key stakeholders have been identified and how they will support the project. (characters 5,000)

*Describe the steps you have taken to be ready to start the project by May 1, 2024. Provide detailed information and documentation on project elements such as status of designs,

⁷⁸ https://salishsearestoration.org/wiki/Align_Grant_Coordination_Workgroup

⁷⁹ https://salishsearestoration.org/images/f/f8/Coordinated_conservation_project_budget_template.xlsx

permits, interlocal agreements, landowner agreements, easements, other secured funding, staff, or agency approvals. (characters 5,000)

*For stormwater facility and wastewater facility projects: Do you own or have clear control over the entire project area? (required for Stormwater Facility and Wastewater Facility only)

For stormwater facility and wastewater facility projects requiring road cuts: When was the last time the road was resurfaced or reconstructed? This is for informational purposes; no points are associated with this question.

*Have you reviewed the area of potential effect (APE) in the [Washington Information System for Architectural and Archaeological Records Data](#)⁸⁰ database (WISAARD)? This is for informational purposes; no points are associated with this question.

*Upload a project schedule that includes all tasks necessary to complete the project, including tasks that are not part of the funding request.

Upload any other supporting documentation.

Water Quality and Public Health Improvements Form

*Name the specific water body(ies) this project will improve or protect and the parameters it will address. (characters 1,000)

*Is the project planning, implementation or a combination of both? (For facility projects: check "Planning" for planning and design projects; check "Implementation" for construction projects; check "Planning/Implementation" for combined design/construction projects.)

- Planning
- Implementation
- Planning/Implementation

*What type of plan or regulatory requirement does this project address? (Check all that apply. If a TMDL, you must select at least one TMDL from a dropdown list. You must cite at least one Action and a Reference in the Action table.)

- TMDL/TMDL Alternative (approved or in development)/Straight to Implementation
- Wastewater Engineering Report/Sewer Plan
- Permit
- Salmon Recovery Plan
- Watershed Plan

⁸⁰ <https://dahp.wa.gov/project-review/wisaard-washington-information-system-for-architectural-and-archeological-records-data>

- Shoreline Master Plan
- Administrative Order or Other Legal Action
- Capital Improvement Plan
- Puget Sound Action Plan
- Mitigation
- Other: _____

*Enter the implementation action and plan reference in the Action Table. If this is a planning-only project, you may enter, "Not applicable, planning-only."

Action Table

*Action	*Reference the document that describes the action, including page numbers and where a copy can be obtained
(textbox 200 characters)	(textbox 1000 characters)

*Did you discuss this project with Ecology staff? If yes, provide the name of the staff and the approximate last date of contact. (characters 1,000)

*Describe how the project drainage area connects to the water body. (Examples: surface flow, ditch, pipe, groundwater, infiltration, and path/distance to outfall/discharge.) (characters 5,000)

*Describe the measure and method that will be used to determine the water quality benefit and overall success of the project. (If you need help determining a water quality metric, please refer to the Funding Guidelines for suggested metrics by project type.) (characters 5,000)

*Using the method described above, estimate the water quality and public health benefits that will be achieved by the project. (characters 5,000)

*How long will the project provide benefits after the funding assistance ends? Who will be responsible for maintaining the benefits during its useful life? (characters 5,000)

*How will greenhouse gas emissions be reduced or mitigated under this project? And what policies or measures has your organization put in place to reduce greenhouse gas emissions apart from this project? (characters 5,000)

*Are you aware of any Category I or Category II wetlands on the site or downstream from the site? If you checked "Yes," how do you propose to mitigate any impacts to the wetland? (characters 1,000) This is for informational purposes; no points are associated with this question.

*Upload a map that shows an aerial view of the project area, an estimated direction of flow for the project area, potential locations for the proposed facility or activity, and how the project connects to the water body named above. The map does not need to be precise, but it should

help reviewers with a general understanding of the area. If access to GIS software is not available, screen shots or snips from Google Maps with arrows and text added using a paint program may be used.

Environmental and Cultural Resources Review Documentation & Requirements EAGL Form

Instructions to Recipients:

(1) Upload required documentation based upon instructions in the current Environmental and Cultural Resources Review Guidance appendix in the current Water Quality Combined Program's Funding Guidelines. If you are not sure what to upload, contact the Environmental Review Coordinator.

(2) NOTE: This form is for uploading non-sensitive required environmental documentation – do not upload memos, reports or documents marked "CONFIDENTIAL" or "SENSITITVE". Send sensitive information directly to your Ecology Region Project Manager or the Environmental Review Coordinator.

(3) When done uploading your documents, click the **SAVE** button.

Public Disclosure Notice

Information you provide through use of this site is public information and subject to inspection and copying by members of the public.

In the State of Washington, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. As a public agency, all our information is governed by laws such as Washington's Public Records Act, [RCW 42.56](#) (link is external). The Public Records Act states that each agency, in accordance with published rules, shall make available for public inspection and copying all public records unless the record falls within specific exemptions under state or federal law.

Cultural Resources and Compliance – Upload non-sensitive documents below.

For all Water Quality Funding Program projects, regardless of funding source or project category:

Date of Final Determination:

- Received a DAHP Letter of Concurrence.
- Completed an activity/location specific Inadvertent Discovery Plan (IDP). An IDP is not associated with consultation and is required in the event of a discovery during ground disturbance.

Environmental Review – Upload documents below, for CWSRF as directed by the Environmental Review Coordinator.

- SERP Environmental Information Document (EID)
- NEPA Categorical Exclusion Form
- SEPA Categorical Exemption Form
- SERP Determination

- Other supporting environmental documentation as requested

If you have a stormwater facility project, and you are applying for or have received state funding via SFAP and no federal funds under CWSRF, when applicable upload the following documents.

- SEPA checklist
- SEPA Threshold Determination
- Affidavit of Publication of SEPA Threshold Determination

If you have a nonpoint activity, a CWSRF agreement, an onsite sewage system, or a stormwater activity project, regardless of the funding source, you must upload the following documents.

- Cultural Review Final Determination (No sensitive information allowed)
- DAHP Letter of Concurrence
- Completed activity/location specific Inadvertent Discovery Plan (IDP). An IDP is not associated with consultation and is required in the event of a discovery during ground disturbance

Upload Documents. **Any documents marked sensitive or do not disclose will be removed from EAGL by Technical Reviewers. If you received such a document, such as a cultural resource survey or monitoring report, send it directly to your Project Manager or Cultural Resource Contact.**

Green Project Reserve (GPR) Form

(Only completed by applicants who answered “yes” to the GPR question on a Funding Request form.)

See the Water Quality Guidelines available for download on the application menu.

*List the GPR designation (e.g., Section 3.2-1a) and describe how your project meets the designation.

*Provide the Dollar Amount of the Project Related to GPR Category.

Upload applicable documentation to support your GPR claim.

Financial Hardship Form

(Only completed by applicants who answered “yes” to the financial hardship question on the Funding Request - Wastewater form.)

*Are other loan funds committed to this Project? If yes, provide details on the amounts of secured/committed loan funding for your project from the "Cost estimate and project funding table".

Year	Source	Amount Borrowed	Interest Rate	Years until Maturity	Annual Debt Service

*Provide an estimate of the population for the area served by the project at the time of application and the population the project is designed to serve according to the current Facility Plan.

Current population of the area served by the project:

Design population of the area served by the project:

*Provide information on the number of existing ratepayers responsible for paying for the project.

The information provided in the table is for the ratepayers responsible for paying for the project. Usually this will be the ratepayers of the entire facility. However, some projects are only for a specified area, and only ratepayers in the specified area will be responsible for the paying for the project. An example is a project supported through local improvement districts assessment for similar rate district. For such projects, included only information for the affected ratepayers. Generally, one single family residential sewer account is one equivalent residential unit (ERU). Calculating ERUs for non-single-family residences can be done in many ways, including by costs. For example, multi-family residences, local public facilities, commercial customers, and industrial customers may pay more for sewer service than a typical residential ratepayer. In such cases, you can calculate the number of ERUs based on the typical sewer bill. For example, an industrial customer who pays 5 times the sewer bill of a typical residential ratepayer would be reported as 5 ERUs. "Residential" includes Single Family Residences; Multi-family Residences; Local Public Facilities such as schools, fire stations, community centers, police stations, and city halls; and Small Commercial Customers with a wastewater flow of <3,500 gallons/day.

*Sewer accounts and ERUs for Residential, Commercial Industrial and Institutional.

Attach additional documentation or explanation, as necessary.

Click [here](#)⁸¹ to access a simple Excel tool to calculate ERUs for the purposes of completing this form.

Existing Ratepayers	Sewer Accounts	ERUs
Residential		
Commercial, Industrial & Institutional		

⁸¹ [https://ecology.wa.gov/Asset-Collections/Doc-Assets/Water-quality/Grants-and-Loans/Facility-Resources/Equivalent-Residential-Units-\(ERU\)-calculation-wor](https://ecology.wa.gov/Asset-Collections/Doc-Assets/Water-quality/Grants-and-Loans/Facility-Resources/Equivalent-Residential-Units-(ERU)-calculation-wor)

Existing Ratepayers	Sewer Accounts	ERUs
Total		

*What is the current basic monthly sewer fee for a single-family household?

*What is the current estimated MHI for Project Area? See the current Water Quality Financial Assistance Guidelines. Upload income survey if one was used.

Upload documents.

Refinance Form

(Only completed by applicants who answered "yes" to the refinance question on the Funding Request - Wastewater form.)

*What was the overall water quality problem, how was the problem solved or addressed by the project, and is the project currently meeting its discharge permit requirements?

*Were a "Facility Plan" and "Plans and Specifications" approved by Ecology?

If NO, STOP HERE. Your project is not eligible to compete for funding. Do not submit this application.

If YES, provide the following dates (Ecology's approval of the Facility Plan, Ecology's approval of Plans and Specifications).

Upload Documents ((1) Ecology's letter of approval of the Facility Plan; (2) Ecology's letter of approval of the Plans and Specifications and (3) the Declaration of Construction of Water Pollutions Control Facilities).

*Was the project in compliance with the National Environmental Policy Act (NEPA) or the State Environmental Review Process (SERP)?

If NO, STOP HERE. Your project is not eligible to compete for funding. Do not submit this application.

If YES, provide the following dates (NEPA approval or SERP approval).

*Did the project comply with American Iron and Steel requirements for all construction that occurred on or after June 10, 2014? (Check "Yes" if all construction occurred before June 10, 2014.)

If NO, Stop here. Your project is not eligible to complete for funding. Do not submit the application.

*Did the project comply with the federal Davis-Bacon requirements for all construction that occurred on or after October 30, 2009? (Check "Yes" if all construction occurred before October

30, 2009.)

If NO, Stop here. Your project is not eligible to complete for funding. Do not submit the application.

*Will the loan funds be invested and the proceeds be used to make payments on the original debt?

If YES, STOP HERE. Your project is not eligible to compete for funding. Do not submit this application.

*How was the project financed (check all that apply):

- General obligation bonds
- Revenue bond
- Bank
- Public Works Assistance Account
- US Department of Agriculture/Rule Development
- Inter-local fund transfer
- Other (specify)

Provide additional information on the existing loan and the project.

Scoring Criteria/Guidance

Ecology evaluates project proposals based on responses provided in the application. A total of 1,000 points are available. To obtain funding an application must receive a score of at least 600 total points, and it must receive at least 250 of the 500 possible points on Water Quality and Public Health Improvements. This table shows the scoring breakdown along with the rating criteria and guidance.

Funding Request
Scoring Worth up to 15 total points as follows: <ul style="list-style-type: none">• 0-15 points: Applicant has identified adequate matching funds. (Full points if no match is required.)
Guidance <ul style="list-style-type: none">• To receive full points, the match plus funding request must equal the total eligible cost.• Applicants that will accept loan dollars will receive full points.• Match may exceed the minimum amount required.
Scope of Work – For Application

Scoring

Worth up to 75 total points as follows:

- 0-75 points: The scope of work represents a complete and concise description of the project tasks and outcomes, including deliverables. To receive full points, scope of work must align with the schedule and detailed budget.

Guidance

- Scope must demonstrate an understanding of all elements necessary to implement and complete the project.
- Maps, plans, and detailed drawings of proposed BMPs and their locations, and other documents that show the feasibility of the project should be uploaded on the “Uploads” form.
- Deliverables should provide evidence that the task has been successfully completed. Examples include: reports, maps, pictures, educational materials, meeting agendas and notes, construction documents, copies of agreements, lists and quantities of BMPs, etc.

Task Costs and Budget**Scoring**

Worth up to 135 total points as follows:

- 0-50 points: The application demonstrates how the applicant arrived at the cost estimate for each task. The process used by the applicant to develop this estimate is based on real-world data.
- 0-85 points: The cost to complete the scope of work is reasonable when compared to similar projects in the region.

Guidance

- Nonpoint activity projects are **required** to upload a detailed budget.
- The uploaded budget should be organized by task and provide sufficient detail to support the scope of work.
- Applicants should “show their work” and describe the general method used for cost estimation. Supporting documentation may be included as a separate upload.
- Applicants should reference any similar projects that they have completed or have been completed in their region and explain why the cost of the proposed project is greater or less than the referenced project.
- For projects that include design costs, design costs should be based on a detailed breakdown of costs and task-hours rather than simply a percent of estimated construction costs.

Project Team**Scoring**

Worth up to 65 total points as follows:

- 0-50 points: Team members’ roles and responsibilities are well defined and adequate for the scope of work. Team members’ past experience is relevant to the proposed project. Applicant has a plan in place to maintain sufficient staffing levels to complete the project.
- 0-15 points: The applicant documents successful performance on other funded water quality

projects, including Ecology funded projects. Previously constructed projects provided the water quality benefits described in the project application on time and within budget.

Guidance

- Application should demonstrate the applicant’s understanding of the skill-set required to successfully complete the project and show that the proposed team has successfully demonstrated those skills. Specific information such as “managed construction of 10 stormwater projects in Washington”, will score higher than “10 years’ experience as a P.E.”.
- If the project team includes staff that will be hired to complete the project, the application should list the skill set they will be seeking to hire.

Project Planning and Schedule

Scoring

Worth up to 160 total points as follows:

- 0-40 points: Applicant used a complete and well-defined set of criteria to determine the value and feasibility of the proposed project and included the useful life and long-term maintenance costs in their evaluation of the project and project alternatives.
- 0-20 points: Applicant has provided documentation showing that key stakeholders have been identified and how they will support the project.
- 0-25 points: The project schedule includes all tasks including pre-project administrative elements such as permitting, MOUs, landowner agreements, etc., and provides sufficient time to complete all elements.
- 0-75 points: The applicant is ready to start on the proposed scope of work within 10 months of publication of the Final Offer List (a.k.a., readiness to proceed).

Guidance

- Project criteria should include all factors that were considered by the applicant when determining the value and selecting a project to implement. Criteria should reflect both the feasibility of the project and the benefits. Examples of important criteria include, but are not limited to: useful life, installation cost, site suitability, addresses climate impacts, improves resiliency to climate change, and environmental justice. (**Note:** Some climate tools can be found on the University of Washington’s, Climate impacts Group’s [Analysis Tools](https://cig.uw.edu/resources/analysis-tools/)⁸² webpage.)
- Applicant must discuss how the proposed project and the rejected alternatives met or failed to meet these criteria.
- Documentation showing stakeholder support may include minutes from public or city council meetings, or letters of support from tribes, other local governments, non-governmental organization, homeowners’ associations, landowners, etc. Larger communities must include other relevant departments such as maintenance, parks and recreation, health, permitting, etc. in the stakeholder process to receive full points.
- The applicant should upload a schedule that has enough detail to show the reviewer that all tasks and deliverables have been included. Applicants should consider providing a Gantt chart for complex projects with tasks that will run concurrently.

⁸² <https://cig.uw.edu/resources/analysis-tools/>

- The schedule should correlate with the scope of work and budget.
- For design/construction and construction projects, the schedule should include the projected bid date.
- The applicant should upload planning supporting documentation.
- To receive full points, tasks that must be completed prior to beginning work on the proposed scope but are not part of scope of work, (e.g., a design of a road repair project that will be simultaneous with a road stormwater project) must be completed.
- The applicant must be ready to start on the proposed scope of work within 10 months of the publication of the Final Offer List.
- Stormwater facility and wastewater facility design and construction projects where the applicant owns or has clear control over the entire project area will score higher on “readiness to proceed” than those where ownership/control is not clear.

Water Quality and Public Health Improvements

Scoring

Worth up to 500 total points as follows:

- 0-135 points: Project proposes to reduce or prevent pollution in a waterbody that has been identified as a priority by a local, state or federal agency through the development of a federal, state or local water quality plan.
- 0-150 points: The proposed project area is directly connected to the water body identified for improvement and applicant has provided sufficient technical justification to show the proposed project will reduce the pollutants of concern in the water body identified for improvement.
- 0-50 points: Applicant has identified how the project will be evaluated in order to determine success, noted if the measure is quantitative or qualitative, and defined a goal.
- 0-100 points: The water quality and public health improvements that will be achieved represent a good value.
- 0-50 points: Applicant has a plan and commitments in place to fund long-term maintenance and sustain the water quality benefits of this project.
- 0-15 points: How well does the applicant and the project address greenhouse gas emission reductions in accordance with RCW 70.235.070?

Guidance

- Responses to the questions must be supported by the tasks delineated in the scope of work.
- If the project is required by the state or a federal agency, applicants should provide references or documentation, including permit conditions, Ecology orders, Court orders, or other correspondence.
- Applicants must reference and describe all local or regional water quality planning or regulatory documents that apply to the water body targeted for improvement including local watershed plans, TMDLS, and permits.
- Applicants should provide maps and aerial photos to illustrate how the project area is connected to the water body. Nonpoint projects should include basic topographic information to show direction of overland flow. Projects primarily designed to protect or recharge groundwater should

describe the soils in the project area and any known aquifers, wells, or areas of high groundwater.

- The work proposed must be appropriate to address the pollutants generated in the project area and should support the goals outlined in the water quality planning documents.
- Consideration of a project’s “value” includes both qualitative and quantitative improvements over time relative to the overall costs of the project.
- Goals should have clear numeric commitments (e.g., volumes or area treated, quantity installed, people contacted, feet restored, etc.). Goals that do not have a strong connection to improvement in water quality will not receive full points.
- Plans to sustain water quality benefits must include an estimate of project life cycle maintenance costs and identify how those costs will be met.
- Projects in the Puget Sound watershed must be consistent with the Puget Sound Action Agenda, and applicants for stormwater projects in the watershed must have considered project connection to [Governor’s Executive Order on Southern Resident Killer Whale recovery](#)⁸³.
- Evaluators award full points for the greenhouse gas emission reductions question if both the applicant and the project address the issue. Partial points will be awarded if either the applicant or the project addresses the issue. No points will be awarded if neither the applicant nor the project addresses the issue.

Financial Hardship

Scoring

Worth 0 or 50 points as follows:

- 0 points: If the applicant does not meet the criteria for wastewater facility construction hardship.
- 50 points: If the applicant meets the criteria for wastewater facility construction hardship.

Guidance

- Ecology awards 50 points to wastewater facility construction projects in communities with less than 25,000 residents where the project costs may result in sewer fees greater than 2% of the median household income of the community.

⁸³ https://www.governor.wa.gov/sites/default/files/exe_order/eo_18-02_1.pdf

Appendix D: EAGL Role Management

Terminology

Unassigned – A user that does not have a checkmark next to their name in the system. Unassigned users may not view documents or perform any actions on them.

Assigned – A user that does have a checkmark next to their name on a document’s Add/Edit People Screen. Assigned users may perform the actions of their role unless an inactive date is entered. Once the inactive date is reached, the user may no longer perform the actions of their role of the document.

Current People Assigned

Person	Organization(s)	Role	Active Dates	Assigned By
<input checked="" type="checkbox"/> ECYTest Test Email	Washington Test Org (Authorized Official)	Authorized Official		

Active- A user that is assigned to a document. They may or may not have an active start date. It is not required to enter an active date.

Inactive– A user that is assigned to a document, but has an inactive date entered. Once the inactive date is reached, the user may no longer perform the actions of their role on the document.

Current People Assigned

Person	Organization(s)	Role	Active Dates	Assigned By
<input checked="" type="checkbox"/> ECYTest Test Email	Washington Test Org (Authorized Official)	Authorized Official	Active date → 9/1/2015 - Inactive date → 9/30/2015	

Document- A collection of related forms in EAGL. Each document has a unique number assigned to it, such as AQPM25-2015-EFTO-00014. A document can refer to your application, agreement, amendment, or any other sub document in the system.

Parent Document- A single document that represents your application, agreement (if funded), and future amendments to your agreement. As you progress through the lifecycle of your project, additional forms become available on this document. This is the document initiated by your organization’s Authorized Official or Contractor. All payments, equipment purchase reports, and other reports are connected to your parent document.

Sub Document- Related documents that are children to the parent document. Each sub document has a unique number assigned to it like your parent document.

You know you are looking at a sub document when you see two document numbers listed at

the top of the page. “Document Information,” as shown below, always refers to the document you are currently viewing.

Payment Request Menu

Document Information: [PRPR-JulSep2015-WA-00109](#) ← Sub document
Parent Information: [WQSWCAP-1517-WA-00004](#) ← Parent document
[Details](#)

Info	Document Type	Organization	Role	Current Status	Period Date / Date Due
	Payment Request	Washington Test Org	Recipient Financial Officer	Payment Request/Progress Report Submitted	N/A - N/A 01/01/1900 5:00PM PST

Sub documents include Payment Request/Progress Reports, Recipient Close Out Reports, Site Visit Reports, Ecology Close Out Reports, and Equipment Purchase Reports.

Frequently Asked Questions

What are organization level roles and what do they do?

Organization level roles determine who may initiate new applications (parent documents) and also serve as the default role assignments on newly initiated applications (parent documents). Authorized Officials at the organization level may also update your organization’s profile.

What are document level roles and what do they do?

Document level roles control the level of access on a specific document. They determine who may edit a document, change the status, and initiate sub documents. The document level roles do not need to match the organization level roles.

What happens when a sub document is initiated?

All assigned users will have their role assignments from the parent document copied to the sub document. In other words, the sub document (child) will inherit the roles from the parent document. [What should I do when a new user is added to our organization?](#)

When a new application (parent document) is initiated, all existing organization members are automatically assigned to the parent document with the same role they have at the organization level. **If a user is added to an organization after a parent document has been initiated, an Authorized Official on the parent document must manually assign the user to the document.** The new user must also be manually assigned on existing sub documents if you wish to grant them access.

[Does updating a user’s role on the parent document change that user’s role on sub documents?](#) No, changes to parent document roles are not automatically applied to sub documents. You must manually update that user’s role on each sub document.

What happens if a user is unassigned on a document?

The user may not access the document. The document will not appear in search results, but will be listed with the other organization documents. An error message will be displayed if the user attempts to access the document.

Example of error message:

 [Back](#)

Document Menu

Invalid access to document! You may not have been given permissions to access this document. Click [here](#) to return to the Home page

What happens if a user becomes inactive on a document?

The user will have read-only access to the document. They may not perform any of the actions of their role. To give the user access again, either remove the inactive date or set the inactive date to a future date.

What happens to unassigned users when a sub document is initiated?

Unassigned users will not be assigned to the sub document.

What happens to inactive users when a sub document is initiated?

It depends on the inactive date. If the inactive date has already passed, the user will not be assigned to the sub document. Since the user is unassigned on the sub document, an error message will be displayed when they attempt to access the sub document. **If you want a user to have read access to all documents, including sub documents, consider assigning them as a Reader to the parent document and do not enter an inactive date.**

If the inactive date has not already passed, the user will be assigned to the sub document and the same inactive date from the parent document will be applied to the sub document.

What should I do when a user is no longer working with a specific document?

An Authorized Official on the document may either un-assign the user by unchecking the user's checkbox and saving the Add/Edit People page or by giving the user an inactive date and saving.

If the user is unassigned, they cannot access the document.

If the user is inactive, they may read the document but not perform any of the actions of their role.

What should I do when a user leaves my organization?

If a user leaves your organization, it is best to simply inactivate the user on the organization level so that existing role assignments are preserved for historical and auditing purposes.

An Authorized Official at the organization level can visit the organization members' screen, add an inactive date for the user, and save the page. The inactive date will be applied to all documents the user was assigned to and this will also block access to all your organization's documents. If it is the inactive date or the inactive date has already passed, the user will not be assigned to newly initiated parent documents.

Note: If you add an inactive date on an individual document, the user still has read-only access to the document. If you add an inactive date at the organization level, this will completely block access to the document.

Roles Cheat Sheets

Table 16: Role Levels Cheat Sheet

Action	Organization Level Role	Document Level Role	Ecology Role
Assign/Change Roles at the Organization Level	Authorized Official	None	Fund Coordinator
Assign/Change Roles at the Document Level	N/A	Authorized Official	Fund Coordinator
Update Organization Records	Authorized Official	N/A	N/A
Creates an Application	Authorized Official Contractor	N/A	N/A
Edit Applications (including application forms and uploading documentation)	N/A	Authorized Official Recipient Project Manager Contractor Writer	None
Submit Applications	N/A	Authorized Official	None
Initiate and Submit Equipment Report	N/A	Authorized Official Recipient Project Manager	None
Request an Amendment	N/A	Authorized Official	Funding Program Administrator Ecology Project Manager Ecology Financial Manager
Initiate and Submit Payment Request/Progress Reports and upload any associated documents	N/A	Authorized Official Recipient Project Manager (Progress Report ONLY) Recipient Financial Officer (Payment Request ONLY)	None
Initiate and Submit a Recipient Closeout Report	N/A	Authorized Official Recipient Project Manager	None

Table 17: Document Roles Cheat Sheet

Action	Authorized Official	Contractor	Recipient Project Manager	Recipient Financial Officer	Writer	Reader
Applications & Amendments (Parent Documents)						
Control Access to Applications	X					
Read Application Forms	X	X	X	X	X	X
Edit Forms when Application in Process	X	X	X		X	
Initiate Applications	X	X				
Submit Applications	X					
Cancel Applications	X					
Payment Requests & Progress Reports (Subdocuments)						
Initiate Payment Request or Progress Report	X		X	X		
Read Payment Request or Progress Report	X	X	X	X	X	X
Edit Payment Request or Progress Report	X		Progress Report Only	Payment Request/Form D Only	X	
Submit Payment Request or Progress Report	X		X	X		
Cancel Payment Request or Progress Report	X		X	X		
Equipment Purchase Reports & Closeout Reports (Sub-documents)						
Initiate Sub-documents	X		X			
Read Sub-documents	X	X	X	X	X	X
Edit Sub-documents	X		X		X	
Submit Sub-documents	X		X			
Cancel Sub-documents	X		X			
Change the Status of Sub-documents	X		X			

Appendix E: Landowner Acknowledgment Form

Grant Recipient Information

Organization	Project Manager	EAGL Application Number
Address	Phone	Email

Landowner & Property Information

Landowner Name or Organization	Contact Mailing Address
Property Street Address or Location (s)	Phone

Purpose of Landowner Acknowledgement

- 1) The Landowner or Organization is the legal owner of property described above and mentioned in the Ecology water quality grant program application.
- 2) The landowner is aware that a project is being proposed on the described property.
- 3) If the grant is successfully awarded to recipient, the landowner will be contacted by the recipient and asked to engage in negotiations.
- 4) The landowner signature does not represent authorization of project implementation.
- 5) If the landowner is affiliated with the grant recipient, the landowner will recuse itself from decisions made by the grant recipient to work on or purchase the above-mentioned property.

This acknowledgment does not authorize the Recipient or Ecology to assume jurisdiction over, or any ownership interest in, the premises. The Landowner retains sole responsibility for taxes, assessments, damage claims, and controlling trespass.

Landowner Name:

Date:

Landowner Signature:

Grant recipient to upload a signed copy of this Acknowledgment form and any amendments to this form in EAGL (Ecology Administration of Grants and Loans system).

Appendix F: Ecology Water Quality Program Terms and Conditions

Note: EPA is currently developing final guidance for Build America, Buy America provisions. Agreement terms may be updated to include these provisions once finalized.

WQC-2024—Water Quality Program Special Terms and Conditions (Update June 2023)

SECTION 1: DEFINITIONS

Unless otherwise provided, the following terms will have the respective meanings for all purposes of this agreement:

“Administration Charge” means a charge established in accordance with Chapter 90.50A RCW and Chapter 173-98 WAC, to be used to pay Ecology’s cost to administer the State Revolving Fund by placing a percentage of the interest earned in an Administrative Charge Account.

“Administrative Requirements” means the effective edition of ECOLOGY's Administrative Requirements for Recipients of Ecology Grants and Loans at the signing of this agreement.

“Annual Debt Service” for any calendar year means for any applicable bonds or loans including the loan, all interest plus all principal due on such bonds or loans in such year.

“Average Annual Debt Service” means, at the time of calculation, the sum of the Annual Debt Service for the remaining years of the loan to the last scheduled maturity of the loan divided by the number of those years.

“Accrued Interest” means the interest incurred as loan funds are disbursed.

“Acquisition” means the purchase or receipt of a donation of fee or less than fee interests in real property. These interests include, but are not limited to, conservation easements, access/trail easements, covenants, water rights, leases, and mineral rights.

“Build American Buy American (BABA)” means a portion of the Infrastructure Investment and Jobs Act and establishes a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022.

“Bipartisan Infrastructure Law (BIL)” refers to Public Law 117-58, which authorizes funding to improve drinking water, wastewater and stormwater infrastructure. Also referred to as the Infrastructure Investment and Jobs Act or Bipartisan Infrastructure Deal.

“Centennial Clean Water Program” means the state program funded from various state sources.

“Contract Documents” means the contract between the RECIPIENT and the construction contractor for construction of the project.

“Construction Materials” means an article, material, or supply (other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; aggregate binding agents or additives; or non-permanent products) that is or consists primarily of, non-ferrous metals, plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables), (including optic glass), lumber, and drywall.

“Cost Effective Analysis” means a comparison of the relative cost-efficiencies of two or more potential ways of solving a water quality problem as described in Chapter 173-98-730 WAC.

“Davis Bacon Prevailing Wage Act” means the federal law mandating on-site workers on public works projects be paid certain wages, benefits, and overtime (also known as “prevailing wage” on all government-funded construction, alteration, and repair projects.

“Defeasement” or **“Defeasance”** means the setting aside in escrow or other special fund or account of sufficient investments and money dedicated to pay all principal of and interest on all or a portion of an obligation as it comes due.

“Effective Date” means the earliest date on which eligible costs may be incurred.

“Effective Interest Rate” means the total interest rate established by Ecology that includes the Administrative Charge.

“Estimated Loan Amount” means the initial amount of funds loaned to the RECIPIENT.

“Estimated Loan Repayment Schedule” means the schedule of loan repayments over the term of the loan based on the Estimated Loan Amount and the estimated schedule for completion of the project.

“Equivalency” means the amount of State Revolving Fund (SRF) funding each funding cycle equivalent to the EPA grant to Ecology.

“Equivalency Project” means State Revolving Fund (SRF) funded project(s) designated by ECOLOGY to receive federal funding and meet additional federal requirements.

“Expiration Date” means the latest date on which eligible costs may be incurred.

“Final Accrued Interest” means the interest accrued beginning with the first disbursement of funds to the RECIPIENT through such time as the loan is officially closed out and a final loan repayment schedule is issued.

“Final Loan Amount” means all principal of and accrued interest on the loan from the Project Start Date through the Project Completion Date.

“Final Loan Repayment Schedule” means the schedule of loan repayments over the term of the loan based on the Final Loan Amount and the initiation of operation or completion date, whichever comes first.

“Forgivable Principal” means the portion of a loan that is not required to be paid back by the borrower.

“General Obligation Debt” means an obligation of the RECIPIENT secured by annual ad valorem taxes levied by the RECIPIENT and by the full faith, credit, and resources of the RECIPIENT.

“General Obligation Payable from Special Assessments Debt” means an obligation of the RECIPIENT secured by a valid general obligation of the Recipient payable from special assessments to be imposed within the constitutional and statutory tax limitations provided by law without a vote of the electors of the RECIPIENT on all the taxable property within the boundaries of the RECIPIENT.

“Gross Revenue” means all of the earnings and revenues received by the RECIPIENT from the maintenance and operation of the Utility and all earnings from the investment of money on deposit in the Loan Fund, except (i) Utility Local Improvement Districts (ULID) Assessments, (ii) government grants, (iii) RECIPIENT taxes, (iv) principal proceeds of bonds and other obligations, or (v) earnings or proceeds (A) from any investments in a trust, Defeasance, or escrow fund created to Defeasance or refund Utility obligations or (B) in an obligation redemption fund or account other than the Loan Fund until commingled with other earnings and revenues of the Utility or (C) held in a special account for the purpose of paying a rebate to the United States Government under the Internal Revenue Code.

“Guidelines” means the ECOLOGY's Funding Guidelines that correlate to the State Fiscal Year in which the project is funded.

“Initiation of Operation Date” means the actual date the facility financed with proceeds of the loan begins to operate for its intended purpose. (For loans only)

“Iron and Steel Products” means products made primarily of iron or steel including but may not be limited to: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

“Loan” means the Washington State Water Pollution Control Revolving Fund Loan or Centennial Clean Water Fund (Centennial) Loan made pursuant to this loan agreement.

“Loan Amount” means either an Estimated Loan Amount or a Final Loan Amount, as applicable.

“Loan Fund” means the special fund created by the RECIPIENT for the repayment of the principal of and interest on the loan.

“Loan Security” means the mechanism by which the RECIPIENT pledges to repay the loan.

“Loan Term” means the repayment period of the loan.

“Maintenance and Operation Expense” means all reasonable expenses incurred by the RECIPIENT in causing the Utility to be operated and maintained in good repair, working order, and condition including payments to other parties, but will not include any depreciation or RECIPIENT levied taxes or payments to the RECIPIENT in lieu of taxes.

“Manufactured Products” means, items and construction materials composed in whole or in part of non-ferrous metals such as aluminum plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

“Produced in the United States” means for iron and steel products, that all manufacturing processes, from the initial melting state through the application of coatings, occurred in the United States.

“Net Revenue” means the Gross Revenue less the Maintenance and Operation Expense.

“Original Engineer’s Estimate” means the engineer’s estimate of construction costs included with bid documents.

“Prevailing Wage” means hourly wage, usual benefits, and overtime paid in the largest city in each county, to the majority of workers, laborers, and mechanics performing the same work. The rate is established separately for each county.

“Principal and Interest Account” means, for a loan that constitutes Revenue-Secured Debt, the account created in the loan fund to be first used to repay the principal of and interest on the loan.

“Project” means the project described in this agreement.

“Project Completion Date” means the date specified in the agreement on which the Scope of Work will be fully completed and is the last day eligible costs can be incurred. This term is only used in loan agreements.

“Project Schedule” means that schedule for the project specified in the agreement.

“Revenue-Secured Debt” means an obligation of the RECIPIENT secured by a pledge of the revenue of a utility and one not a general obligation of the RECIPIENT.

“Reserve Account” means, for a loan that constitutes a Revenue Secured Debt and if specifically identified as a term and condition of the funding agreement, the account of that name created in the loan fund to secure the payment of the principal of and interest on the loan.

“Risk-Based Determination” means an approach to sub-recipient monitoring and oversight

based on risk factors associated to a RECIPIENT or project.

“Scope of Work” means the tasks and activities constituting the project.

“Section 319” means the section of the Clean Water Act that provides funding to address nonpoint sources of water pollution.

“Senior Lien Obligations” means all revenue bonds and other obligations of the RECIPIENT outstanding on the date of execution of this loan agreement (or subsequently issued on a parity therewith, including refunding obligations) or issued after the date of execution of this loan agreement having a claim or lien on the Gross Revenue of the Utility prior and superior to the claim or lien of the loan, subject only to Maintenance and Operation Expense.

“State Water Pollution Control Revolving Fund (Revolving Fund)” means the water pollution control revolving fund established by Chapter 90.50A.020 RCW.

“Termination Date” means the effective date of ECOLOGY’s termination of the agreement.

“Termination Payment Date” means the date on which the RECIPIENT is required to repay to ECOLOGY any outstanding balance of the loan and all accrued interest.

“Total Eligible Project Cost” means the sum of all costs associated with a water quality project that have been determined to be eligible for ECOLOGY grant or loan funding, including any required recipient match.

“Total Project Cost” means the sum of all costs associated with a water quality project, including costs that are not eligible for ECOLOGY grant or loan funding.

“Unique Entity Identity Identifier (UEI)” means a 12-character alphanumeric ID assigned by SAM.gov. to an entity doing business with or receiving funds from the federal government. This number replaces the DUNS number.

“ULID” means any utility local improvement district of the RECIPIENT created for the acquisition or construction of additions to and extensions and betterments of the Utility.

“ULID Assessments” means all assessments levied and collected in any ULID. Such assessments are pledged to be paid into the Loan Fund (less any prepaid assessments permitted by law to be paid into a construction fund or account). ULID Assessments will include principal installments and any interest or penalties which may be due.

“Utility” means the sewer system, stormwater system, or the combined water and sewer system of the RECIPIENT, the Net Revenue of which is pledged to pay and secure the loan.

SECTION 2: CONDITIONS APPLY TO ALL RECIPIENTS OF WATER QUALITY COMBINED FINANCIAL ASSISTANCE FUNDING

The Water Quality Financial Assistance Funding Guidelines are included in this agreement by

reference and are available on ECOLOGY's Water Quality Program website.

A. Accounting Standards: The RECIPIENT shall maintain accurate records and accounts for the project (PROJECT Records) in accordance with Generally Accepted Accounting Principles (GAAP) as issued by the Governmental Accounting Standards Board (GASB), including standards related to the reporting of infrastructure assets or in accordance with the standards in Chapter 43.09.200 RCW "Local Government Accounting – Uniform System of Accounting."

B. Architectural and Engineering Services: The RECIPIENT certifies by signing this agreement that the requirements of Chapter 39.80 RCW, "Contracts for Architectural and Engineering Services," have been, or shall be, met in procuring qualified architectural/engineering services. The RECIPIENT shall identify and separate eligible and ineligible costs in the final architectural/engineering services contract and submit a copy of the contract to ECOLOGY.

C. Acquisition: The following provisions shall be in force only if the project described in this agreement is an acquisition project:

a. Evidence of Land Value and Title. The RECIPIENT shall submit documentation of the cost of the property rights and the type of ownership interest that has been acquired.

b. Legal Description of Real Property Rights Acquired. The legal description of the real property rights purchased with funding assistance provided through this agreement (and protected by a recorded conveyance of rights to the State of Washington) shall be incorporated into the agreement before final payment.

c. Conveyance of Rights to the State of Washington. Upon purchase of real property rights (both fee simple and lesser interests), the RECIPIENT shall execute the document necessary to convey certain rights and responsibilities to ECOLOGY, on behalf of the State of Washington. The documents required will depend on the project type, the real property rights being acquired, and whether or not those rights are being acquired in perpetuity (see options below). The RECIPIENT shall use language provided by ECOLOGY, to record the executed document in the County where the real property lies, and to provide a copy of the recorded document to ECOLOGY.

Documentation Options:

1. Deed of Right. The Deed of Right conveys to the people of the state of Washington the right to preserve, protect, and/or use the property for public purposes consistent with the fund source. RECIPIENTS shall use this document when acquiring real property rights that include the underlying land. This document may also be applicable for those easements where the RECIPIENT has acquired a perpetual easement for public purposes. The RECIPIENT must obtain ECOLOGY approval on the draft language prior to executing the deed of right.

2. Assignment of Rights. The Assignment of Rights document transfers certain rights such as access and enforcement to ECOLOGY. The RECIPIENT shall use this document

when an easement or lease is being acquired for water quality and habitat conservation. The Assignment of Rights requires the signature of the underlying landowner and must be incorporated by reference in the easement document.

3. Easements and Leases. The RECIPIENT may incorporate required language from the Deed of Right or Assignment of Rights directly into the easement or lease document, thereby eliminating the requirement for a separate document. Language will depend on the situation; therefore, the RECIPIENT must obtain ECOLOGY approval on the draft language prior to executing the easement or lease.

d. Real Property Acquisition and Relocation Assistance.

1. Federal Acquisition Policies. See Section 4 of this agreement for requirements specific to Section 319 and SRF funded projects.

2. State Acquisition Policies. When state funds are part of this agreement, the RECIPIENT agrees to comply with the terms and conditions of the Uniform Relocation Assistance and Real Property Acquisition Policy of the State of Washington, Chapter 8.26 RCW, and Chapter 468-100 WAC.

3. Housing and Relocation. In the event that housing and relocation costs, as required by federal law set out in subsection (1) above and/or state law set out in subsection (2) above, are involved in the execution of this project, the RECIPIENT agrees to provide any housing and relocation assistance required.

e. Hazardous Substances.

1. Certification. The RECIPIENT shall inspect, investigate, and conduct an environmental audit of the proposed acquisition site for the presence of hazardous substances, as defined in RCW 70.105D.020(10), and certify:

i. No hazardous substances were found on the site, or

ii. Any hazardous substances found have been treated and/or disposed of in compliance with applicable state and federal laws, and the site is deemed “clean.”

2. Responsibility. Nothing in this provision alters the RECIPIENT's duties and liabilities regarding hazardous substances as set forth in RCW 70.105D.

3. Hold Harmless. The RECIPIENT will defend, protect and hold harmless ECOLOGY and any and all of its employees and/or agents, from and against any and all liability, cost (including but not limited to all costs of defense and attorneys' fees) and any and all loss of any nature from any and all claims or suits resulting from the presence of, or the release or threatened release of, hazardous substances on the property the RECIPIENT is acquiring.

f. Restriction On Conversion Of Real Property And/Or Facilities To Other Uses

The RECIPIENT shall not at any time convert any real property (including any interest therein) or facility acquired, developed, maintained, renovated, and/or restored pursuant to this agreement to uses other than those purposes for which funds were approved without prior approval of ECOLOGY. For acquisition projects that are term limited, such as one involving a lease or a term-limited restoration, renovation or development project or easement, this restriction on conversion shall apply only for the length of the term, unless otherwise provided in written documents or required by applicable state or federal law. In such case, the restriction applies to such projects for the length of the term specified by the lease, easement, deed, or landowner agreement.

D. Best Management Practices (BMP) Implementation: If the RECIPIENT installs BMPs that are not approved by ECOLOGY prior to installation, the RECIPIENT assumes the risk that part or all of the reimbursement for that activity may be delayed or ineligible. For more details regarding BMP Implementation, please reference the Water Quality Financial Assistance Funding Guidelines available on ECOLOGY's Water Quality Program funding website.

E. Electronic Fund Transfers: Payment will be issued through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment you must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>. If you have questions about the vendor registration process or electronic fund transfers, you can contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.

F. Equipment Purchase: Equipment purchases over \$5,000 and not included in the scope of work or the Ecology approved construction plans and specifications, must be pre-approved by ECOLOGY's project manager before purchase. All equipment purchases over \$5,000 and not included in a contract for work being completed on the funded project, must also be reported on the Equipment Purchase Report in EAGL.

G. Funding Recognition: The RECIPIENT must inform the public about any ECOLOGY or EPA funding participation in this project through the use of project signs, acknowledgement in published materials, reports, the news media, websites, or other public announcements. Projects addressing site-specific locations must utilize appropriately sized and weather-resistant signs. Contact your Ecology Project Team to determine the appropriate recognition for your project.

H. Growth Management Planning: The RECIPIENT certifies by signing this agreement that it is in compliance with the requirements of Chapter 36.70A RCW, "Growth Management Planning by Selected Counties and Cities." If the status of compliance changes, either through RECIPIENT or legislative action, the RECIPIENT shall notify ECOLOGY in writing of this change within 30 days.

I. Interlocal: The RECIPIENT certifies by signing this agreement that all negotiated interlocal agreements necessary for the project are, or shall be, consistent with the terms of this agreement and Chapter 39.34 RCW, "Interlocal Cooperation Act." The RECIPIENT shall submit a copy of each interlocal agreement necessary for the project to ECOLOGY upon request.

J. Lobbying and Litigation: Costs incurred for the purposes of lobbying or litigation are not eligible for funding under this agreement.

K. Post Project Assessment Survey: The RECIPIENT agrees to participate in a brief survey regarding the key project results or water quality project outcomes and the status of long-term environmental results or goals from the project approximately three years after project completion. A representative from ECOLOGY's Water Quality Program may contact the RECIPIENT to request this data. ECOLOGY may also conduct site interviews and inspections, and may otherwise evaluate the project, as part of this assessment.

L. Project Status Evaluation: ECOLOGY may evaluate the status at any time. ECOLOGY's Project Manager and Financial Manager will meet with the RECIPIENT to review spending trends, completion of outcome measures, and overall project administration and performance. If the RECIPIENT fails to make satisfactory progress toward achieving project outcomes, ECOLOGY may change the scope of work, reduce grant funds, or increase oversight measures.

M. Technical Assistance: Technical assistance for agriculture activities provided under the terms of this agreement shall be consistent with the current U.S. Natural Resource Conservation Service ("NRCS") Field Office Technical Guide for Washington State and specific requirements outlined in the Water Quality Funding Guidelines. Technical assistance, proposed practices, or project designs that do not meet these standards may be eligible if approved in writing by ECOLOGY.

SECTION 3: CONDITIONS APPLY TO SECTION 319 AND CENTENNIAL CLEAN WATER FUNDED PROJECTS BEING USED TO MATCH SECTION 319 FUNDS

The RECIPIENT must submit the following documents to ECOLOGY before this agreement is signed by ECOLOGY:

1. Federal Funding Accountability and Transparency Act (FFATA) Form is available on the Water Quality Program website and must be completed and submitted to Ecology. (This form is used for Section 319 (federal) funds only)

2. "Section 319 Initial Data Reporting" form must be completed in EAGL.

A. Data Reporting: The RECIPIENT must complete the "Section 319 Initial Data Reporting" form in EAGL before this agreement can be signed by Ecology. This form is used to gather general information about the project for EPA.

B. Funding Recognition and Outreach: In addition to Section 2.F. of these Special Terms and Conditions, the RECIPIENT shall provide signage that informs the public that the project is funded by EPA. The signage shall contain the EPA logo and follow usage requirements available at <http://www2.epa.gov/stylebook/using-epa-seal-and-logo>. To obtain the appropriate EPA logo or seal graphic file, the RECIPIENT may send a request to their Ecology Financial Manager.

To increase public awareness of projects serving communities where English is not the

predominant language, RECIPIENTS are encouraged to provide their outreach strategies communication in non-English languages. Translation costs for this purpose are allowable, provided the costs are reasonable. (Applies to both the Section 319 funded projects and the Centennial match projects)

The RECIPIENT shall use the following paragraph in all reports, documents, and signage developed under this agreement: (Applies to Section 319 funded projects only)

“This project has been funded wholly or in part by the United States Environmental Protection Agency under an assistance agreement to the Washington State Department of Ecology. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does the mention of trade names or commercial products constitute endorsement or recommendation for use.”

C. Load Reduction Reporting: The RECIPIENT shall complete the “Section 319 Annual Load Reduction Reporting” form in EAGL by January 15 of each year and at project close-out. ECOLOGY may hold reimbursements until the RECIPIENT has completed the form. This form is used to gather information on best management practices (BMPs) installed and associated pollutant load reductions that were funded as a part of this project.

D. Time Extension: The RECIPIENT may request a one-time extension for up to 12 months. However, the time extension cannot exceed the time limitation established in EPA’s assistance agreement. In the event a time extension is requested and approved by ECOLOGY, the RECIPIENT must complete all eligible work performed under this agreement by the expiration date. (For Section 319 funded projects only)

SECTION 4: CONDITIONS APPLY TO ALL FEDERAL FUNDING AGREEMENTS, INCLUDING SECTION 319, STATE REVOLVING FUND (SRF) EQUIVALENCY PROJECTS, AND SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANT (OSG)

A. Acquisitions: RECIPIENTS shall comply with the terms and conditions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1970)-- Public Law 91-646, as amended by the Surface Transportation and Uniform Relocation Assistance Act, PL 100-17-1987, and applicable regulations and procedures of the federal agency implementing that Act.

B. Audit Requirements: In accordance with 2 CFR 200.501(a), the RECIPIENT agrees to obtain a single audit from an independent auditor, if their organization expends \$750,000 or more in total Federal funds in their fiscal year. The RECIPIENT must submit the form SF-SAC and a Single Audit Report Package within 9 months of the end of the fiscal year or 30 days after receiving the report from an independent auditor. The SF-SAC and a Single Audit Report Package MUST be submitted using the Federal Audit Clearinghouse’s Internet Data Entry System available at: <https://facweb.census.gov/>.

C. Archaeological Resources and Historic Properties (Section 106): This requires completion of

the Ecology Cultural Resources Review Form, coordination with Ecology Cultural Resources staff, and receipt of the Ecology Final Determination prior to any property acquisition and above and below ground disturbing activities.

D. Architectural and Engineering Services Procurement: The RECIPIENT must procure architectural and engineering services in accordance with the federal requirements in Chapter 11 of Title 40, U.S.C. (see <https://uscode.house.gov/view.xhtml?path=/prelim@title40/subtitle1/chapter11&edition=prelim>).

E Build America, Buy America (BABA – Pub. L. No. 117-58, 70901-52) (Federally funded SRF Equivalency projects only): The RECIPIENT identified by ECOLOGY as receiving federal equivalency funding agrees to comply with all federal requirements applicable to the assistance received (including those imposed by the Infrastructure Investment and Jobs Act (“IIJA”/BIL), Public Law No. 117-58) which the RECIPIENT understands includes, but is not limited to, the following requirements: that all the iron and steel, manufactured products, and construction materials used in the Project are to be produced in the United States (“Build America, Buy America Requirements”) unless (i) the RECIPIENT has requested and obtained a waiver from the cognizant Agency pertaining to the Project or the Project is otherwise covered by a general applicability waiver; or (ii) all of the contributing Agencies have otherwise advised the RECIPIENT in writing that the Build America, Buy America Requirements are not applicable to the project.

RECIPIENT shall comply with all record keeping and reporting requirements under all applicable legal authorities, including any reports required by the funding authority (such as EPA and/or a state), such as performance indicators of program deliverables, information on costs and project progress. The RECIPIENT identified by ECOLOGY as receiving federal equivalency funding, understands that (i) each contract and subcontract related to the project is subject to audit by appropriate federal and state entities and (ii) failure to comply with the applicable legal requirements and this Agreement may result in a default hereunder that results in a repayment of the assistance agreement in advance of termination and/or repayment of assistance, and/or other remedial actions.

EPA has granted an adjustment period waiver of the requirements of Section 70914(a) of the BIL, pursuant to Section 70914(b)(1) (public interest waiver), for eligible projects financed by SRF projects that have initiated project design planning prior to May 14, 2022, the statutory effective date of the BABA requirements. This action permits the use of non-domestic manufactured products and construction materials in such projects funded by a Clean Water or Drinking Water SRF that may otherwise be prohibited under the BABA requirements of Section 70914. This action permits the use of non-domestic manufactured products and construction materials in such projects funded by a Clean Water or Drinking Water SRF that may otherwise be prohibited under the BABA requirements of Section 70914. Sections 70917(a) and (b) of BIL provide a savings provision for existing statutory requirements that meet or exceed BABA requirements. The statutory American Iron and Steel (AIS) requirements of Clean Water Act

(CWA) Section 608 and Safe Drinking Water Act (SDWA) Section 1452(a)(4) has previously applied to SRF projects and will continue to do so as part of BABA requirements.

Where manufactured products used in the project are required to be produced in the United States, manufactured product shall mean manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation. The manufactured products included cover the majority of potential water infrastructure products, including complex products made up of a variety of material types and components. For water infrastructure projects, commonly manufactured products would include, but not be limited to, pumps, motors, blowers, aerators, generators, instrumentation and control systems, gauges, meters, measurement equipment, treatment equipment, dewatering equipment, actuators, and many other mechanical and electrical items.

F. Disadvantaged Business Enterprise (DBE): General Compliance, 40 CFR, Part 33. The RECIPIENT agrees to comply with the requirements of the Environmental Protection Agency's Program for Utilization of Small, Minority, and Women's Business Enterprises (MBE/WBE) 40CFR, Part 33 in procurement under this agreement.

Six Good Faith Efforts, 40 CFR, Part 33, Subpart C. The RECIPIENT agrees to make the following good faith efforts whenever procuring construction, equipment, services, and supplies under this agreement. Records documenting compliance with the following six good faith efforts shall be retained:

- 1) Ensure Disadvantaged Business Enterprises are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government RECIPIENTS, this shall include placing Disadvantaged Business Enterprises on solicitation lists and soliciting them whenever they are potential sources.
- 2) Make information on forthcoming opportunities available to Disadvantaged Business Enterprises and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by Disadvantaged Business Enterprises in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of thirty (30) calendar days before the bid or proposal closing date.
- 3) Consider, in the contracting process, whether firms competing for large contracts could subcontract with Disadvantaged Business Enterprises. For Indian Tribal, State, and Local Government RECIPIENTS, this shall include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by Disadvantaged Business Enterprises in the competitive process.

4) Encourage contracting with a consortium of Disadvantaged Business Enterprises when a contract is too large for one of these firms to handle individually.

5) Use services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

6) If the prime contractor awards subcontracts, require the prime contractor to take the five good faith efforts steps in paragraphs 1 through 5 above.

The RECIPIENT agrees to submit ECOLOGY's Contractor Participation Report Form D with each payment request.

Contract Administration Provisions, 40 CFR, Section 33.302. The RECIPIENT agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

Non-discrimination Provision. The RECIPIENT shall not discriminate on the basis of race, color, national origin, or sex in the performance of this agreement. The RECIPIENT shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the RECIPIENT to carry out these requirements is a material breach of this agreement which may result in the termination of this contract or other legally available remedies.

This does not preclude the RECIPIENT from enacting broader nondiscrimination protections.

The RECIPIENT shall comply with all federal and state nondiscrimination laws, including but not limited to, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Chapter 49.60 RCW, Washington's Law Against Discrimination, and 42 U.S.C. 12101 et seq, the Americans with Disabilities Act (ADA).

In the event of the RECIPIENT's noncompliance or refusal to comply with any applicable nondiscrimination law, regulation, or policy, this agreement may be rescinded, canceled, or terminated in whole or in part and the RECIPIENT may be declared ineligible for further funding from ECOLOGY. The RECIPIENT shall, however, be given a reasonable time in which to cure this noncompliance.

The RECIPIENT shall include the following terms and conditions in contracts with all contractors, subcontractors, engineers, vendors, and any other entity for work or services pertaining to this agreement.

"The Contractor will not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. The Contractor will carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under Environmental Protection Agency financial agreements. Failure by the Contractor to carry out these requirements is a material breach of this Contract which may result in termination of this Contract or other legally available remedies."

Bidder List, 40 CFR, Section 33.501(b) and (c). The RECIPIENT agrees to create and maintain a bidders list. The bidders list shall include the following information for all firms that bid or quote on prime contracts, or bid or quote subcontracts, including both MBE/WBEs and non-MBE/WBEs.

1. Entity's name with point of contact
2. Entity's mailing address, telephone number, and e-mail address
3. The procurement on which the entity bid or quoted, and when
4. Entity's status as an MBE/WBE or non-MBE/WBE

G. Electronic and information Technology (EIT) Accessibility: RECIPIENTS shall ensure that loan funds provided under this agreement for costs in the development or purchase of EIT systems or products provide individuals with disabilities reasonable accommodations and an equal and effective opportunity to benefit from or participate in a program, including those offered through electronic and information technology as per Section 504 of the Rehabilitation Act, codified in 40 CFR Part 7. Systems or products funded under this agreement must be designed to meet the diverse needs of users without barriers or diminished function or quality. Systems shall include usability features or functions that accommodate the needs of persons with disabilities, including those who use assistive technology.

H. Federal Funding Accountability and Transparency Act (FFATA) Form, available on the Water Quality Program website.

I. Hotel-Motel Fire Safety Act: The RECIPIENT shall ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (15 USC 2225a, PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance, or to find other information about the Act. Pursuant to 15 USC 2225a.

J. Prevailing Wage (Davis-Bacon Act): The RECIPIENT agrees, by signing this agreement, to comply with the Davis-Bacon Act prevailing wage requirements. This applies to the construction, alteration, and repair of treatment works carried out, in whole or in part, with assistance made available by the State Revolving Fund as authorized by Section 513, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1372). Laborers and mechanics employed by contractors and subcontractors shall be paid wages not less often than once a week and at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor.

The RECIPIENT shall obtain the wage determination for the area in which the project is located prior to issuing requests for bids, proposals, quotes, or other methods for soliciting contracts (solicitation). These wage determinations shall be incorporated into solicitations and any subsequent contracts. The RECIPIENT shall ensure that the required EPA contract language

regarding Davis-Bacon Wages is in all contracts and subcontracts more than \$2,000. The RECIPIENT shall maintain records sufficient to document compliance with the Davis-Bacon Act and make such records available for review upon request. Wage determinations and instructions for their use can be found at <https://sam.gov/>.

The RECIPIENT also agrees, by signing this agreement, to comply with State Prevailing Wages on Public Works, Chapter 39.12 RCW, as applicable. Compliance may include the determination whether the project involves “public work” and inclusion of the applicable prevailing wage rates in the bid specifications and contracts. The RECIPIENT agrees to maintain records sufficient to evidence compliance with Chapter 39.12 RCW and make such records available for review upon request. Where conflicts arise between the State prevailing wage rates and Davis-Bacon Act prevailing wage requirements the more stringent requirement shall govern. Washington State prevailing wage rates can be found at <https://www.lni.wa.gov/licensing-permits/public-works-projects/prevailing-wage-rates/>

K. Trafficking in Persons: The RECIPIENT and RECIPIENT employees that are private entities shall not engage in forms of trafficking in persons. This includes, but is not limited to, the procurement of a commercial sex act or forced labor. The RECIPIENT shall notify ECOLOGY immediately of any information received from any source alleging a violation under this provision.

L. Unique Entity Identity Identifier (UEI): The RECIPIENT agrees to register with and make their registration public in the System for Award Management (SAM.gov). The RECIPIENT will be assigned a UEI and agree to include their UEI Number under their organization’s information in EAGL. The UEI number must be entered into EAGL before a funding agreement is signed.

SECTION 5: CONDITIONS APPLY TO STATE REVOLVING FUND (SRF) LOAN FUNDED PROJECTS ONLY

The RECIPIENT must submit the following documents/forms to ECOLOGY before this agreement is signed by ECOLOGY:

1. Financial Capability Assessment Documentation (upon request)
2. Opinion of RECIPIENT’s Legal Council – Form available on the Ecology website must be completed and uploaded to the General Uploads form in EAGL.
3. Authorizing Ordinance or Resolution – Must be uploaded to the General Uploads form in EAGL.
4. Federal Funding Accountability and Transparency Act (FFATA) Form (Required for all federally funded SRF Equivalency projects – Form available on the Ecology website must be completed and uploaded to the General Uploads form in EAGL.
5. CWSRF Federal Reporting Information form – Must be completed in EAGL.

6. Fiscal Sustainability Plan (Asset Management) Certification Form (Only required if the project includes construction of a wastewater or stormwater facility construction) – Must be completed in EAGL.

7. Cost and Effectiveness Analysis Certification Form (Required for all projects receiving SRF Loan funding) – Must be completed in EAGL.

8. State Environmental Review Process (SERP) Documentation (Required for treatment works projects only) – Must be uploaded to the Environmental and Cultural Review form in EAGL.

A. Alteration and Eligibility of Project: During the term of this agreement, the RECIPIENT (1) shall not materially alter the design or structural character of the project without the prior written approval of ECOLOGY and (2) shall take no action which would adversely affect the eligibility of the project as defined by applicable funding program rules and state statutes, or which would cause a violation of any covenant, condition, or provision herein.

B. American Iron and Steel (Buy American – P.L 113-76, Consolidated Appropriations Act 2014, Section 436): This loan provision applies to projects for the construction, alteration, maintenance, or repair of a “treatment works” as defined in the Federal Water Pollution Control Act (33 USC 1381 et seq.) The RECIPIENT shall ensure that all iron and steel products used in the project are produced in the United States. Iron and Steel products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials. The RECIPIENT may request waiver from this requirement from the Administrator of the Environmental Protection Agency. The RECIPIENT must coordinate all waiver requests through ECOLOGY. This provision does not apply if the engineering plans and specifications for the project were approved by ECOLOGY prior to January 17, 2014. ECOLOGY reserves the right to request documentation of RECIPIENT’S compliance with this provision.

C. Authority of RECIPIENT: This agreement is authorized by the Constitution and laws of the state of Washington, including the RECIPIENT’S authority, and by the RECIPIENT pursuant to the authorizing ordinance or resolution. The RECIPIENT shall submit a copy of the authorizing ordinance or resolution to the ECOLOGY Financial Manager before this agreement shall be signed by ECOLOGY.

D. Equivalency Projects: ECOLOGY designated equivalency project and alternative designated equivalency project RECIPIENTs agree to accept federal funds and the federal requirements that accompany the funds. This includes all the requirements in Section 4 and this Section.

E. Fiscal Sustainability Plan Certification: The RECIPIENT shall submit a completed Fiscal Sustainability Plan Certification before this agreement is signed by ECOLOGY. The Fiscal Sustainability Plan Certification is available from the ECOLOGY Financial Manager or on the Water Quality Program website.

F. Funding Recognition and Outreach: The RECIPIENT agrees to comply with the EPA SRF Signage Guidance to enhance public awareness of EPA assistance agreements nationwide. Signage guidance can be found at: <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Facility-project-resources>.

G. Insurance: The RECIPIENT shall at all times carry fire and extended insurance coverage, public liability, and property damage, and such other forms of insurance with responsible insurers and policies payable to the RECIPIENT on such of the buildings, equipment, works, plants, facilities, and properties of the Utility as are ordinarily carried by municipal or privately-owned utilities engaged in the operation of like systems, and against such claims for damages as are ordinarily carried by municipal or privately-owned utilities engaged in the operation of like systems, or it shall self-insure or participate in an insurance pool or pools with reserves adequate, in the reasonable judgment of the RECIPIENT, to protect it against loss.

H. Litigation Authority: No litigation is now pending, or to the RECIPIENT's knowledge, threatened, seeking to restrain, or enjoin:

- (i) the execution of this agreement; or
- (ii) the fixing or collection of the revenues, rates, and charges or the formation of the ULID and the levy and collection of ULID Assessments therein pledged to pay the principal of and interest on the loan (for revenue secured lien obligations); or
- (iii) the levy and collection of the taxes pledged to pay the principal of and interest on the loan (for general obligation-secured loans and general obligation payable from special-assessment-secured loans); or
- (iv) in any manner questioning the proceedings and authority under which the agreement, the loan, or the project are authorized. Neither the corporate existence, or boundaries of the RECIPIENT nor the title of its present officers to their respective offices is being contested. No authority or proceeding for the execution of this agreement has been repealed, revoked, or rescinded.

I. Loan Interest Rate and Terms: This loan agreement shall remain in effect until the date of final repayment of the loan, unless terminated earlier according to the provisions herein.

When the Project Completion Date has occurred, ECOLOGY and the RECIPIENT shall execute an amendment to this loan agreement which details the final loan amount (Final Loan Amount), and ECOLOGY shall prepare a final loan repayment schedule. The Final Loan Amount shall be the combined total of actual disbursements made on the loan and all accrued interest to the computation date.

The Estimated Loan Amount and the Final Loan Amount (in either case, as applicable, a "Loan Amount") shall bear interest based on the interest rate identified in this agreement as the "Effective Interest Rate," per annum, calculated on the basis of a 365-day year. Interest on the Estimated Loan Amount shall accrue from and be compounded monthly based on the date that

each payment is mailed to the RECIPIENT. The Final Loan Amount shall be repaid in equal installments, semiannually, over the term of this loan “Loan Term” as outlined in this agreement.

J. Loan Repayment:

Sources of Loan Repayment

1. Nature of RECIPIENT's Obligation. The obligation of the RECIPIENT to repay the loan from the sources identified below and to perform and observe all other agreements and obligations on its part, contained herein, shall be absolute and unconditional, and shall not be subject to diminution by setoff, counterclaim, or abatement of any kind. To secure the repayment of the loan from ECOLOGY, the RECIPIENT agrees to comply with all the covenants, agreements, and attachments contained herein.

2. For General Obligation. This loan is a General Obligation Debt of the RECIPIENT.

3. For General Obligation Payable from Special Assessments. This loan is a General Obligation Debt of the RECIPIENT payable from special assessments to be imposed within the constitutional and statutory tax limitations provided by law without a vote of the electors of the RECIPIENT on all the taxable property within the boundaries of the RECIPIENT.

4. For Revenue-Secured: Lien Position. This loan is a Revenue-Secured Debt of the RECIPIENT's Utility. This loan shall constitute a lien and charge upon the Net Revenue junior and subordinate to the lien and charge upon such Net Revenue of any Senior Lien Obligations.

In addition, if this loan is also secured by Utility Local Improvement Districts (ULID) Assessments, this loan shall constitute a lien upon ULID Assessments in the ULID prior and superior to any other charges whatsoever.

5. Other Sources of Repayment. The RECIPIENT may repay any portion of the loan from any funds legally available to it.

6. Defeasance of the Loan. So long as ECOLOGY shall hold this loan, the RECIPIENT shall not be entitled to, and shall not affect, an economic Defeasance of the loan. The RECIPIENT shall not advance refund the loan.

If the RECIPIENT defeases or advance refunds the loan, it shall be required to use the proceeds thereof immediately upon their receipt, together with other available RECIPIENT funds, to repay both of the following:

(i) The Loan Amount with interest

(ii) Any other obligations of the RECIPIENT to ECOLOGY under this agreement, unless in its sole discretion ECOLOGY finds that repayment from those additional

sources would not be in the public interest.

Failure to repay the Loan Amount plus interest within the time specified in ECOLOGY's notice to make such repayment shall incur Late Charges and shall be treated as a Loan Default.

7. Refinancing or Early Repayment of the Project. So long as ECOLOGY shall hold this loan, the RECIPIENT shall give ECOLOGY thirty days written notice if the RECIPIENT intends to refinance or make early repayment of the loan.

Method and Conditions on Repayments

1. Semiannual Payments. Notwithstanding any other provision of this agreement, the first semiannual payment of principal and interest on this loan shall be due and payable no later than one year after the project completion date or initiation of operation date, whichever comes first.

Thereafter, equal payments shall be due every six months.

If the due date for any semiannual payment falls on a Saturday, Sunday, or designated holiday for Washington State agencies, the payment shall be due on the next business day for Washington State agencies.

Payments shall be mailed to:

Department of Ecology
Cashiering Unit
P.O. Box 47611
Olympia WA 98504-7611

In lieu of mailing payments, electronic fund transfers can be arranged by working with ECOLOGY's Financial Manager.

No change to the amount of the semiannual principal and interest payments shall be made without a mutually signed amendment to this agreement. The RECIPIENT shall continue to make semiannual payments based on this agreement until the amendment is effective, at which time the RECIPIENT's payments shall be made pursuant to the amended agreement.

2. Late Charges. If any amount of the Final Loan Amount or any other amount owed to ECOLOGY pursuant to this agreement remains unpaid after it becomes due and payable, ECOLOGY may assess a late charge. The late charge shall be one percent per month on the past due amount starting on the date the debt becomes past due and until it is paid in full.

3. Repayment Limitations. Repayment of the loan is subject to the following additional limitations, among others: those on defeasance, refinancing and advance

refunding, termination, and default and recovery of payments.

4. Prepayment of Loan. So long as ECOLOGY shall hold this loan, the RECIPIENT may prepay the entire unpaid principal balance of and accrued interest on the loan or any portion of the remaining unpaid principal balance of the Loan Amount. Any prepayments on the loan shall be applied first to any accrued interest due and then to the outstanding principal balance of the Loan Amount. If the RECIPIENT elects to prepay the entire remaining unpaid balance and accrued interest, the RECIPIENT shall first contact ECOLOGY's Revenue/Receivable Manager of the Fiscal Office.

K. Loan Security

Due Regard: For loans secured with a Revenue Obligation: The RECIPIENT shall exercise due regard for Maintenance and Operation Expense and the debt service requirements of the Senior Lien Obligations and any other outstanding obligations pledging the Gross Revenue of the Utility, and it has not obligated itself to set aside and pay into the loan Fund a greater amount of the Gross Revenue of the Utility than, in its judgment, shall be available over and above such Maintenance and Operation Expense and those debt service requirements.

Where collecting adequate gross utility revenue requires connecting additional users, the RECIPIENT shall require the sewer system connections necessary to meet debt obligations and expected operation and maintenance expenses.

Levy and Collection of Taxes (if used to secure the repayment of the loan): For so long as the loan is outstanding, the RECIPIENT irrevocably pledges to include in its budget and levy taxes annually within the constitutional and statutory tax limitations provided by law without a vote of its electors on all of the taxable property within the boundaries of the RECIPIENT in an amount sufficient, together with other money legally available and to be used therefore, to pay when due the principal of and interest on the loan, and the full faith, credit and resources of the RECIPIENT are pledged irrevocably for the annual levy and collection of those taxes and the prompt payment of that principal and interest.

Not an Excess Indebtedness: For loans secured with a general obligation pledge or a general obligation pledge on special assessments: The RECIPIENT agrees that this agreement and the loan to be made do not create an indebtedness of the RECIPIENT in excess of any constitutional or statutory limitations.

Pledge of Net Revenue and ULID Assessments in the ULID (if used to secure the repayment of this loan): For so long as the loan is outstanding, the RECIPIENT irrevocably pledges the Net Revenue of the Utility, including applicable ULID Assessments in the ULID, to pay when due the principal of and interest on the loan.

Utility Local Improvement District (ULID) Assessment Collection (if used to secure the repayment of the loan): All ULID Assessments in the ULID shall be paid into the Loan Fund and used to pay the principal of and interest on the loan.

L. Maintenance and Operation of a Funded Utility: The RECIPIENT shall, at all times, maintain and keep the funded Utility in good repair, working order, and condition.

M. Opinion of RECIPIENT’s Legal Counsel: The RECIPIENT must submit an “Opinion of Legal Counsel to the RECIPIENT” to ECOLOGY before this agreement will be signed. ECOLOGY will provide the form.

N. Prevailing Wage (Davis-Bacon Act): The RECIPIENT agrees, by signing this agreement, to comply with the Davis-Bacon Act prevailing wage requirements. This applies to the construction, alteration, and repair of treatment works carried out, in whole or in part, with assistance made available by the State Revolving Fund as authorized by Section 513, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1372). Laborers and mechanics employed by contractors and subcontractors shall be paid wages not less often than once a week and at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor.

The RECIPIENT shall obtain the wage determination for the area in which the project is located prior to issuing requests for bids, proposals, quotes, or other methods for soliciting contracts (solicitation). These wage determinations shall be incorporated into solicitations and any subsequent contracts. The RECIPIENT shall ensure that the required EPA contract language regarding Davis-Bacon Wages is in all contracts and subcontracts more than \$2,000. The RECIPIENT shall maintain records sufficient to document compliance with the Davis-Bacon Act and make such records available for review upon request.

The RECIPIENT also agrees, by signing this agreement, to comply with State Prevailing Wages on Public Works, Chapter 39.12 RCW, as applicable. Compliance may include the determination whether the project involves “public work” and inclusion of the applicable prevailing wage rates in the bid specifications and contracts. The RECIPIENT agrees to maintain records sufficient to evidence compliance with Chapter 39.12 RCW and make such records available for review upon request.

O. Progress Reports: RECIPIENTS funded with State Revolving Fund Loan or Forgivable Principal shall include the following verification statement in the “General Comments” textbox of each progress report.

“We verified that we are in compliance with all the requirements as outlined in our funding agreement(s) with the Department of Ecology. This includes but is not limited to:

- The Davis-Bacon Act, 29 CFR, prevailing wage requirements, certified weekly payroll, etc.
- The Disadvantaged Business Enterprise (DBE), 40 CFR, Part 33
- The American Iron and Steel Act (Buy American)
- The Build America Buy America Act (BABA) (equivalency projects only)”

P. Representations and Warranties: The RECIPIENT represents and warrants to ECOLOGY as follows:

Application: Material Information. All information and materials submitted by the RECIPIENT to ECOLOGY in connection with its loan application were, when made, and are, as of the date the RECIPIENT signs this agreement, true and correct. There is no material adverse information relating to the RECIPIENT, the project, the loan, or this agreement known to the RECIPIENT, which has not been disclosed in writing to ECOLOGY.

Existence; Authority. It is a duly formed and legally existing municipal corporation or political subdivision of the state of Washington or a federally recognized Indian Tribe. It has full corporate power and authority to execute, deliver, and perform all of its obligations under this agreement and to undertake the project identified herein.

Certification. Each payment request shall constitute a certification by the RECIPIENT to the effect that all representations and warranties made in this loan agreement remain true as of the date of the request and that no adverse developments, affecting the financial condition of the RECIPIENT or its ability to complete the project or to repay the principal of or interest on the loan, have occurred since the date of this loan agreement. Any changes in the RECIPIENT's financial condition shall be disclosed in writing to ECOLOGY by the RECIPIENT in its request for payment.

Q. Sale or Disposition of Funded Utility: The RECIPIENT shall not sell, transfer, or otherwise dispose of any of the works, plant, properties, facilities, or other part of the funded Utility or any real or personal property comprising a part of the funded Utility unless:

1. The facilities or property transferred are not material to the operation of the funded Utility, or have become unserviceable, inadequate, obsolete, or unfit to be used in the operation of the funded Utility or are no longer necessary, material, or useful to the operation of the funded Utility; or
2. The aggregate depreciated cost value of the facilities or property being transferred in any fiscal year comprises no more than three percent of the total assets of the funded Utility; or
3. The RECIPIENT receives from the transferee an amount equal to an amount which will be in the same proportion to the net amount of Senior Lien Obligations and this LOAN then outstanding (defined as the total amount outstanding less the amount of cash and investments in the bond and loan funds securing such debt) as the Gross Revenue of the funded Utility from the portion of the funded Utility sold or disposed of for the preceding year bears to the total Gross Revenue for that period.
4. Expressed written agreement by the ECOLOGY.

The proceeds of any transfer under this paragraph must be used (1) to redeem promptly, or irrevocably set aside for the redemption of, Senior Lien Obligations and to redeem promptly the loan, and (2) to provide for part of the cost of additions to and betterments and extensions of the Utility.

R. Sewer-Use Ordinance or Resolution for Funded Wastewater Facility Projects: If not already

in existence, the RECIPIENT shall adopt and shall enforce a sewer-use ordinance or resolution. Such ordinance or resolution shall be submitted to ECOLOGY upon request.

The sewer use ordinance must include provisions to:

- 1) Prohibit the introduction of toxic or hazardous wastes into the RECIPIENT's sewer system.
- 2) Prohibit inflow of stormwater into separated sewer systems.
- 3) Require that new sewers and connections be properly designed and constructed.

S. Termination and Default:

Termination and Default Events

1. For Insufficient ECOLOGY or RECIPIENT Funds. ECOLOGY may terminate this loan agreement for insufficient ECOLOGY or RECIPIENT funds.
2. For Failure to Commence Work. ECOLOGY may terminate this loan agreement for failure of the RECIPIENT to commence project work.
3. Past Due Payments. The RECIPIENT shall be in default of its obligations under this loan agreement when any loan repayment becomes 60 days past due.
4. Other Cause. The obligation of ECOLOGY to the RECIPIENT is contingent upon satisfactory performance in full by the RECIPIENT of all its obligations under this loan agreement. The RECIPIENT shall be in default of its obligations under this loan agreement if, in the opinion of ECOLOGY, the RECIPIENT has unjustifiably failed to perform any obligation required of it by this loan agreement.

Procedures for Termination. If this loan agreement is terminated prior to project completion, ECOLOGY shall provide to the RECIPIENT a written notice of termination at least five working days prior to the effective date of termination (the "Termination Date"). The written notice of termination by the ECOLOGY shall specify the Termination Date and, when applicable, the date by which the RECIPIENT must repay any outstanding balance of the loan and all accrued interest (the "Termination Payment Date").

Termination and Default Remedies

No Further Payments. On and after the Termination Date, or in the event of a default event, ECOLOGY may, at its sole discretion, withdraw the loan and make no further payments under this agreement.

Repayment Demand. In response to an ECOLOGY initiated termination event, or in response to a loan default event, ECOLOGY may at its sole discretion demand that the RECIPIENT repay the outstanding balance of the Loan Amount and all accrued interest.

Interest after Repayment Demand. From the time that ECOLOGY demands repayment of funds, amounts owed by the RECIPIENT to ECOLOGY shall accrue additional interest at the rate of one percent per month, or fraction thereof.

Accelerate Repayments. In the event of a default, ECOLOGY may, in its sole discretion, declare the principal of and interest on the loan immediately due and payable, subject to the prior lien and charge of any outstanding Senior Lien Obligation upon the Net Revenue. That is, the loan is not subject to acceleration so long as any Senior Lien Obligations are outstanding. Repayments not made immediately upon such acceleration will incur Late Charges.

Late Charges. All amounts due to ECOLOGY and not paid by the RECIPIENT by the Termination Payment Date or after acceleration following a default event, as applicable, shall incur late charges.

Intercept State Funds. In the event of a default event and in accordance with Chapter 90.50A.060 RCW, "Defaults," any state funds otherwise due to the RECIPIENT may, at ECOLOGY's sole discretion, be withheld and applied to the repayment of the loan.

Property to ECOLOGY. In the event of a default event and at the option of ECOLOGY, any personal property (equipment) acquired under this agreement may, in ECOLOGY's sole discretion, become ECOLOGY's property. In that circumstance, ECOLOGY shall reduce the RECIPIENT's liability to repay money by an amount reflecting the fair value of such property.

Documents and Materials. If this agreement is terminated, all finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, and reports or other materials prepared by the RECIPIENT shall, at the option of ECOLOGY, become ECOLOGY property. The RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Collection and Enforcement Actions. In the event of a default event, the state of Washington reserves the right to take any actions it deems necessary to collect the amounts due, or to become due, or to enforce the performance and observance of any obligation by the RECIPIENT, under this agreement.

Fees and Expenses. In any action to enforce the provisions of this agreement, reasonable fees and expenses of attorneys and other reasonable expenses (including, without limitation, the reasonably allocated costs of legal staff) shall be awarded to the prevailing party as that term is defined in Chapter 4.84.330 RCW.

Damages. Notwithstanding ECOLOGY's exercise of any or all the termination or default remedies provided in this agreement, the RECIPIENT shall not be relieved of any liability to ECOLOGY for damages sustained by ECOLOGY and/or the state of Washington because of any breach of this agreement by the RECIPIENT. ECOLOGY may withhold payments for the purpose of setoff until such time as the exact amount of damages due ECOLOGY from the

RECIPIENT is determined.

T. User-Charge System for Funded Utilities: The RECIPIENT certifies that it has the legal authority to establish and implement a user-charge system and shall adopt a system of user-charges to assure that each user of the funded utility shall pay its proportionate share of the cost of operation and maintenance, including replacement during the design life of the project. The user-charge system will include provisions for a connection charge.

In addition, the RECIPIENT shall regularly evaluate the user-charge system, at least annually, to ensure the system provides adequate revenues necessary to operate and maintain the funded utility, to establish reserves to pay for replacement, and to repay the loan.

Ecology General Terms and Conditions (07/01/2023 Version)

1. ADMINISTRATIVE REQUIREMENTS

- a) RECIPIENT shall follow the "Administrative Requirements for Recipients of Ecology Grants and Loans – EAGL Edition." (<https://apps.ecology.wa.gov/publications/SummaryPages/2301002.html>)
- b) RECIPIENT shall complete all activities funded by this Agreement and be fully responsible for the proper management of all funds and resources made available under this Agreement.
- c) RECIPIENT agrees to take complete responsibility for all actions taken under this Agreement, including ensuring all subgrantees and contractors comply with the terms and conditions of this Agreement. ECOLOGY reserves the right to request proof of compliance by subgrantees and contractors.
- d) RECIPIENT's activities under this Agreement shall be subject to the review and approval by ECOLOGY for the extent and character of all work and services.

2. AMENDMENTS AND MODIFICATIONS

This Agreement may be altered, amended, or waived only by a written amendment executed by both parties. No subsequent modification(s) or amendment(s) of this Agreement will be of any force or effect unless in writing and signed by authorized representatives of both parties. ECOLOGY and the RECIPIENT may change their respective staff contacts and administrative information without the concurrence of either party.

3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY

The RECIPIENT must comply with the Washington State Office of the Chief Information Officer, OCIO Policy no. 188, Accessibility (<https://ocio.wa.gov/policy/accessibility>) as it relates to "covered technology." This requirement applies to all products supplied under the Agreement, providing equal access to information technology by individuals with disabilities, including and not limited to web sites/pages, web-based applications, software systems, video and audio

content, and electronic documents intended for publishing on Ecology's public web site.

4. ARCHAEOLOGICAL AND CULTURAL RESOURCES

RECIPIENT shall take all reasonable action to avoid, minimize, or mitigate adverse effects to archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, sacred sites, or other cultural resources, hereby referred to as Cultural Resources.

The RECIPIENT must agree to hold harmless ECOLOGY in relation to any claim related to Cultural Resources discovered, disturbed, or damaged due to the RECIPIENT's project funded under this Agreement.

RECIPIENT shall:

a) Contact the ECOLOGY Program issuing the grant or loan to discuss any Cultural Resources requirements for their project:

- Cultural Resource Consultation and Review should be initiated early in the project planning process and must be completed prior to expenditure of Agreement funds as required by applicable State and Federal requirements.

* For state funded construction, demolition, or land acquisitions, comply with Governor Executive Order 21-02, Archaeological and Cultural Resources.

- For projects with any federal involvement, comply with the National Historic Preservation Act of 1966 (Section 106).

b) If required by the ECOLOGY Program, submit an Inadvertent Discovery Plan (IDP) to ECOLOGY prior to implementing any project that involves field activities. ECOLOGY will provide the IDP form.

RECIPIENT shall:

- Keep the IDP at the project site.
- Make the IDP readily available to anyone working at the project site.
- Discuss the IDP with staff, volunteers, and contractors working at the project site.
- Implement the IDP when Cultural Resources or human remains are found at the project site.

c) If any Cultural Resources are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.

- Immediately stop work and notify the ECOLOGY Program, who will notify the Department of Archaeology and Historic Preservation at (360) 586-3065, any affected Tribe, and the local government.

d) If any human remains are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.

- Immediately stop work and notify the local Law Enforcement Agency or Medical Examiner/Coroner's Office, the Department of Archaeology and Historic Preservation at (360) 790-1633, and then the ECOLOGY Program.

e) Comply with RCW 27.53, RCW 27.44, and RCW 68.50.645, and all other applicable local, state, and federal laws protecting Cultural Resources and human remains.

5. ASSIGNMENT

No right or claim of the RECIPIENT arising under this Agreement shall be transferred or assigned by the RECIPIENT.

6. COMMUNICATION

RECIPIENT shall make every effort to maintain effective communications with the RECIPIENT's designees, ECOLOGY, all affected local, state, or federal jurisdictions, and any interested individuals or groups.

7. COMPENSATION

a) Any work performed prior to effective date of this Agreement will be at the sole expense and risk of the RECIPIENT. ECOLOGY must sign the Agreement before any payment requests can be submitted.

b) Payments will be made on a reimbursable basis for approved and completed work as specified in this Agreement.

c) RECIPIENT is responsible to determine if costs are eligible. Any questions regarding eligibility should be clarified with ECOLOGY prior to incurring costs. Costs that are conditionally eligible require approval by ECOLOGY prior to expenditure.

d) RECIPIENT shall not invoice more than once per month unless agreed on by ECOLOGY.

e) ECOLOGY will not process payment requests without the proper reimbursement forms, Progress Report and supporting documentation. ECOLOGY will provide instructions for submitting payment requests.

f) ECOLOGY will pay the RECIPIENT thirty (30) days after receipt of a properly completed request for payment.

g) RECIPIENT will receive payment through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment you must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>. If you have questions about

the vendor registration process, you can contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.

- h) ECOLOGY may, at its sole discretion, withhold payments claimed by the RECIPIENT if the RECIPIENT fails to satisfactorily comply with any term or condition of this Agreement.
- i) Monies withheld by ECOLOGY may be paid to the RECIPIENT when the work described herein, or a portion thereof, has been completed if, at ECOLOGY's sole discretion, such payment is reasonable and approved according to this Agreement, as appropriate, or upon completion of an audit as specified herein.
- j) RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial, performance, and other reports required by this Agreement. Failure to comply may result in delayed reimbursement.

8. COMPLIANCE WITH ALL LAWS

RECIPIENT agrees to comply fully with all applicable federal, state and local laws, orders, regulations, and permits related to this Agreement, including but not limited to:

- a) RECIPIENT agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington which affect wages and job safety.
- b) RECIPIENT agrees to be bound by all applicable federal and state laws, regulations, and policies against discrimination.
- c) RECIPIENT certifies full compliance with all applicable state industrial insurance requirements.
- d) RECIPIENT agrees to secure and provide assurance to ECOLOGY that all the necessary approvals and permits required by authorities having jurisdiction over the project are obtained. RECIPIENT must include time in their project timeline for the permit and approval processes.

ECOLOGY shall have the right to immediately terminate for cause this Agreement as provided herein if the RECIPIENT fails to comply with above requirements.

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

9. CONFLICT OF INTEREST

RECIPIENT and ECOLOGY agree that any officer, member, agent, or employee, who exercises any function or responsibility in the review, approval, or carrying out of this Agreement, shall not have any personal or financial interest, direct or indirect, nor affect the interest of any corporation, partnership, or association in which he/she is a part, in this Agreement or the proceeds thereof.

10. CONTRACTING FOR GOODS AND SERVICES

RECIPIENT may contract to buy goods or services related to its performance under this Agreement. RECIPIENT shall award all contracts for construction, purchase of goods, equipment, services, and professional architectural and engineering services through a competitive process, if required by State law. RECIPIENT is required to follow procurement procedures that ensure legal, fair, and open competition.

RECIPIENT must have a standard procurement process or follow current state procurement procedures. RECIPIENT may be required to provide written certification that they have followed their standard procurement procedures and applicable state law in awarding contracts under this Agreement.

ECOLOGY reserves the right to inspect and request copies of all procurement documentation, and review procurement practices related to this Agreement. Any costs incurred as a result of procurement practices not in compliance with state procurement law or the RECIPIENT's normal procedures may be disallowed at ECOLOGY's sole discretion.

11. DISPUTES

When there is a dispute with regard to the extent and character of the work, or any other matter related to this Agreement the determination of ECOLOGY will govern, although the RECIPIENT shall have the right to appeal decisions as provided for below:

- a) RECIPIENT notifies the funding program of an appeal request.
- b) Appeal request must be in writing and state the disputed issue(s).
- c) RECIPIENT has the opportunity to be heard and offer evidence in support of its appeal.
- d) ECOLOGY reviews the RECIPIENT's appeal.
- e) ECOLOGY sends a written answer within ten (10) business days, unless more time is needed, after concluding the review.

The decision of ECOLOGY from an appeal will be final and conclusive, unless within thirty (30) days from the date of such decision, the RECIPIENT furnishes to the Director of ECOLOGY a written appeal. The decision of the Director or duly authorized representative will be final and conclusive.

The parties agree that this dispute process will precede any action in a judicial or quasi-judicial tribunal.

Appeals of the Director's decision will be brought in the Superior Court of Thurston County. Review of the Director's decision will not be taken to Environmental and Land Use Hearings Office.

Pending final decision of a dispute, the RECIPIENT agrees to proceed diligently with the performance of this Agreement and in accordance with the decision rendered.

Nothing in this Agreement will be construed to limit the parties' choice of another mutually acceptable method, in addition to the dispute resolution procedure outlined above.

12. ENVIRONMENTAL DATA STANDARDS

a) RECIPIENT shall prepare a Quality Assurance Project Plan (QAPP) for a project that collects or uses environmental measurement data. RECIPIENTS unsure about whether a QAPP is required for their project shall contact the ECOLOGY Program issuing the grant or loan. If a QAPP is required, the RECIPIENT shall:

- Use ECOLOGY's QAPP Template/Checklist provided by the ECOLOGY, unless ECOLOGY Quality Assurance (QA) officer or the Program QA coordinator instructs otherwise.
- Follow ECOLOGY's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004 (Ecology Publication No. 04-03-030).
- Submit the QAPP to ECOLOGY for review and approval before the start of the work.

b) RECIPIENT shall submit environmental data that was collected on a project to ECOLOGY using the Environmental Information Management system (EIM) unless the ECOLOGY Program instructs otherwise. The RECIPIENT must confirm with ECOLOGY that complete and correct data was successfully loaded into EIM, find instructions at: <http://www.ecy.wa.gov/eim>.

c) RECIPIENT shall follow ECOLOGY's data standards when Geographic Information System (GIS) data is collected and processed. Guidelines for Creating and Accessing GIS Data are available at: <https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Standards>. RECIPIENT, when requested by ECOLOGY, shall provide copies to ECOLOGY of all final GIS data layers, imagery, related tables, raw data collection files, map products, and all metadata and project documentation.

13. GOVERNING LAW

This Agreement will be governed by the laws of the State of Washington, and the venue of any action brought hereunder will be in the Superior Court of Thurston County.

14. INDEMNIFICATION

ECOLOGY will in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the Scope of Work.

To the extent that the Constitution and laws of the State of Washington permit, each party will indemnify and hold the other harmless from and against any liability for any or all injuries to persons or property arising from the negligent act or omission of that party or that party's agents or employees arising out of this Agreement.

15. INDEPENDENT STATUS

The employees, volunteers, or agents of each party who are engaged in the performance of this Agreement will continue to be employees, volunteers, or agents of that party and will not for any purpose be employees, volunteers, or agents of the other party.

16. KICKBACKS

RECIPIENT is prohibited from inducing by any means any person employed or otherwise involved in this Agreement to give up any part of the compensation to which he/she is otherwise entitled to or receive any fee, commission, or gift in return for award of a subcontract hereunder.

17. MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MWBE)

RECIPIENT is encouraged to solicit and recruit, to the extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated under this Agreement.

Contract awards or rejections cannot be made based on MWBE participation; however, the RECIPIENT is encouraged to take the following actions, when possible, in any procurement under this Agreement:

- a) Include qualified minority and women's businesses on solicitation lists whenever they are potential sources of goods or services.
- b) Divide the total requirements, when economically feasible, into smaller tasks or quantities, to permit maximum participation by qualified minority and women's businesses.
- c) Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
- d) Use the services and assistance of the Washington State Office of Minority and Women's Business Enterprises (OMWBE) (866-208-1064) and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

18. ORDER OF PRECEDENCE

In the event of inconsistency in this Agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable federal and state statutes and regulations; (b) The Agreement; (c) Scope of Work; (d) Special Terms and Conditions; (e) Any provisions or terms incorporated herein by reference, including the "Administrative Requirements for Recipients of Ecology Grants and Loans"; (f) Ecology Funding Program Guidelines; and (g) General Terms and Conditions.

19. PRESENTATION AND PROMOTIONAL MATERIALS

ECOLOGY reserves the right to approve RECIPIENT's communication documents and materials related to the fulfillment of this Agreement:

- a) If requested, RECIPIENT shall provide a draft copy to ECOLOGY for review and approval ten (10) business days prior to production and distribution.
- b) RECIPIENT shall include time for ECOLOGY's review and approval process in their project timeline.
- c) If requested, RECIPIENT shall provide ECOLOGY two (2) final copies and an electronic copy of any tangible products developed.

Copies include any printed materials, and all tangible products developed such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements, or gadgets with a message, such as a refrigerator magnet, and any online communications, such as web pages, blogs, and twitter campaigns. If it is not practical to provide a copy, then the RECIPIENT shall provide a description (photographs, drawings, printouts, etc.) that best represents the item.

Any communications intended for public distribution that uses ECOLOGY's logo shall comply with ECOLOGY's graphic requirements and any additional requirements specified in this Agreement. Before the use of ECOLOGY's logo contact ECOLOGY for guidelines.

RECIPIENT shall acknowledge in the communications that funding was provided by ECOLOGY.

20. PROGRESS REPORTING

- a) RECIPIENT must satisfactorily demonstrate the timely use of funds by submitting payment requests and progress reports to ECOLOGY. ECOLOGY reserves the right to amend or terminate this Agreement if the RECIPIENT does not document timely use of funds.
- b) RECIPIENT must submit a progress report with each payment request. Payment requests will not be processed without a progress report. ECOLOGY will define the elements and frequency of progress reports.
- c) RECIPIENT shall use ECOLOGY's provided progress report format.
- d) Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be submitted within thirty (30) days after the end of the quarter being reported.
- e) RECIPIENT must submit within thirty (30) days of the expiration date of the project, unless an extension has been approved by ECOLOGY, all financial, performance, and other reports required by the Agreement and funding program guidelines. RECIPIENT shall use the ECOLOGY provided closeout report format.

21. PROPERTY RIGHTS

a) Copyrights and Patents. When the RECIPIENT creates any copyrightable materials or invents any patentable property under this Agreement, the RECIPIENT may copyright or patent the same but ECOLOGY retains a royalty free, nonexclusive, and irrevocable license to reproduce, publish, recover, or otherwise use the material(s) or property, and to authorize others to use the same for federal, state, or local government purposes.

b) Publications. When the RECIPIENT or persons employed by the RECIPIENT use or publish ECOLOGY information; present papers, lectures, or seminars involving information supplied by ECOLOGY; or use logos, reports, maps, or other data in printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to ECOLOGY.

c) Presentation and Promotional Materials. ECOLOGY shall have the right to use or reproduce any printed or graphic materials produced in fulfillment of this Agreement, in any manner ECOLOGY deems appropriate. ECOLOGY shall acknowledge the RECIPIENT as the sole copyright owner in every use or reproduction of the materials.

d) Tangible Property Rights. ECOLOGY's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans," shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by ECOLOGY in the absence of state and federal statutes, regulations, or policies to the contrary, or upon specific instructions with respect thereto in this Agreement.

e) Personal Property Furnished by ECOLOGY. When ECOLOGY provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to ECOLOGY prior to final payment by ECOLOGY. If said property is lost, stolen, or damaged while in the RECIPIENT's possession, then ECOLOGY shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.

f) Acquisition Projects. The following provisions shall apply if the project covered by this Agreement includes funds for the acquisition of land or facilities:

1. RECIPIENT shall establish that the cost is fair value and reasonable prior to disbursement of funds provided for in this Agreement.

2. RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this Agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses intended by this Agreement.

g) Conversions. Regardless of the Agreement expiration date, the RECIPIENT shall not at any time convert any equipment, property, or facility acquired or developed under this Agreement to uses other than those for which assistance was originally approved without prior written approval of ECOLOGY. Such approval may be conditioned upon payment to ECOLOGY of that portion of the proceeds of the sale, lease, or other conversion or encumbrance which monies

granted pursuant to this Agreement bear to the total acquisition, purchase, or construction costs of such property.

22. RECORDS, AUDITS, AND INSPECTIONS

RECIPIENT shall maintain complete program and financial records relating to this Agreement, including any engineering documentation and field inspection reports of all construction work accomplished.

All records shall:

- a) Be kept in a manner which provides an audit trail for all expenditures.
- b) Be kept in a common file to facilitate audits and inspections.
- c) Clearly indicate total receipts and expenditures related to this Agreement.
- d) Be open for audit or inspection by ECOLOGY, or by any duly authorized audit representative of the State of Washington, for a period of at least three (3) years after the final grant payment or loan repayment, or any dispute resolution hereunder.

RECIPIENT shall provide clarification and make necessary adjustments if any audits or inspections identify discrepancies in the records.

ECOLOGY reserves the right to audit, or have a designated third party audit, applicable records to ensure that the state has been properly invoiced. Any remedies and penalties allowed by law to recover monies determined owed will be enforced. Repetitive instances of incorrect invoicing or inadequate records may be considered cause for termination.

All work performed under this Agreement and any property and equipment purchased shall be made available to ECOLOGY and to any authorized state, federal or local representative for inspection at any time during the course of this Agreement and for at least three (3) years following grant or loan termination or dispute resolution hereunder.

RECIPIENT shall provide right of access to ECOLOGY, or any other authorized representative, at all reasonable times, in order to monitor and evaluate performance, compliance, and any other conditions under this Agreement.

23. RECOVERY OF FUNDS

The right of the RECIPIENT to retain monies received as reimbursement payments is contingent upon satisfactory performance of this Agreement and completion of the work described in the Scope of Work.

All payments to the RECIPIENT are subject to approval and audit by ECOLOGY, and any unauthorized expenditure(s) or unallowable cost charged to this Agreement shall be refunded to ECOLOGY by the RECIPIENT.

RECIPIENT shall refund to ECOLOGY the full amount of any erroneous payment or overpayment under this Agreement.

RECIPIENT shall refund by check payable to ECOLOGY the amount of any such reduction of payments or repayments within thirty (30) days of a written notice. Interest will accrue at the rate of twelve percent (12%) per year from the time ECOLOGY demands repayment of funds.

Any property acquired under this Agreement, at the option of ECOLOGY, may become ECOLOGY's property and the RECIPIENT's liability to repay monies will be reduced by an amount reflecting the fair value of such property.

24. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, and to this end the provisions of this Agreement are declared to be severable.

25. STATE ENVIRONMENTAL POLICY ACT (SEPA)

RECIPIENT must demonstrate to ECOLOGY's satisfaction that compliance with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC) have been or will be met. Any reimbursements are subject to this provision.

26. SUSPENSION

When in the best interest of ECOLOGY, ECOLOGY may at any time, and without cause, suspend this Agreement or any portion thereof for a temporary period by written notice from ECOLOGY to the RECIPIENT. RECIPIENT shall resume performance on the next business day following the suspension period unless another day is specified by ECOLOGY.

27. SUSTAINABLE PRACTICES

In order to sustain Washington's natural resources and ecosystems, the RECIPIENT is fully encouraged to implement sustainable practices and to purchase environmentally preferable products under this Agreement.

a) Sustainable practices may include such activities as: use of clean energy, use of double-sided printing, hosting low impact meetings, and setting up recycling and composting programs.

b) Purchasing may include such items as: sustainably produced products and services, EPEAT registered computers and imaging equipment, independently certified green cleaning products, remanufactured toner cartridges, products with reduced packaging, office products that are refillable, rechargeable, and recyclable, 100% post-consumer recycled paper, and toxic free products.

For more suggestions visit ECOLOGY's web page, Green Purchasing,

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Sustainable-purchasing>.

28. TERMINATION

a) For Cause

ECOLOGY may terminate for cause this Agreement with a seven (7) calendar days prior written notification to the RECIPIENT, at the sole discretion of ECOLOGY, for failing to perform an Agreement requirement or for a material breach of any term or condition. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Failure to Commence Work. ECOLOGY reserves the right to terminate this Agreement if RECIPIENT fails to commence work on the project funded within four (4) months after the effective date of this Agreement, or by any date mutually agreed upon in writing for commencement of work, or the time period defined within the Scope of Work.

Non-Performance. The obligation of ECOLOGY to the RECIPIENT is contingent upon satisfactory performance by the RECIPIENT of all of its obligations under this Agreement. In the event the RECIPIENT unjustifiably fails, in the opinion of ECOLOGY, to perform any obligation required of it by this Agreement, ECOLOGY may refuse to pay any further funds, terminate in whole or in part this Agreement, and exercise any other rights under this Agreement.

Despite the above, the RECIPIENT shall not be relieved of any liability to ECOLOGY for damages sustained by ECOLOGY and the State of Washington because of any breach of this Agreement by the RECIPIENT. ECOLOGY may withhold payments for the purpose of setoff until such time as the exact amount of damages due ECOLOGY from the RECIPIENT is determined.

b) For Convenience

ECOLOGY may terminate for convenience this Agreement, in whole or in part, for any reason when it is the best interest of ECOLOGY, with a thirty (30) calendar days prior written notification to the RECIPIENT, except as noted below. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Non-Allocation of Funds. ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to the completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the Agreement, in whole or part, or renegotiate the Agreement, subject to new funding limitations or conditions. ECOLOGY may also elect to suspend performance of the Agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification or restrictions, although ECOLOGY will make a reasonable attempt to provide notice.

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the RECIPIENT through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the RECIPIENT. In no event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the Agreement and any amendments.

If payments have been discontinued by ECOLOGY due to unavailable funds, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination.

RECIPIENT's obligation to continue or complete the work described in this Agreement shall be contingent upon availability of funds by the RECIPIENT's governing body.

c) By Mutual Agreement

ECOLOGY and the RECIPIENT may terminate this Agreement, in whole or in part, at any time, by mutual written agreement.

d) In Event of Termination

All finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, reports or other materials prepared by the RECIPIENT under this Agreement, at the option of ECOLOGY, will become property of ECOLOGY and the RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Nothing contained herein shall preclude ECOLOGY from demanding repayment of all funds paid to the RECIPIENT in accordance with Recovery of Funds, identified herein.

29. THIRD PARTY BENEFICIARY

RECIPIENT shall ensure that in all subcontracts entered into by the RECIPIENT pursuant to this Agreement, the state of Washington is named as an express third party beneficiary of such subcontracts with full rights as such.

30. WAIVER

Waiver of a default or breach of any provision of this Agreement is not a waiver of any subsequent default or breach, and will not be construed as a modification of the terms of this Agreement unless stated as such in writing by the authorized representative of ECOLOGY.

General Federal Conditions (As Of 04/01/2022)

If a portion or all of the funds for this agreement are provided through federal funding sources or this agreement is used to match a federal grant award, the following terms and conditions apply to you.

A. CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY

EXCLUSION:

1. The RECIPIENT/CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the RECIPIENT/CONTRACTOR is unable to certify to the statements contained in the certification, they must provide an explanation as to why they cannot.
2. The RECIPIENT/CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the RECIPIENT/CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.
4. The RECIPIENT/CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
5. The RECIPIENT/CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
6. Pursuant to 2CFR180.330, the RECIPIENT/CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.
7. RECIPIENT/CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.
8. RECIPIENT/CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier recipients or contractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. RECIPIENT/CONTRACTOR must run a search in <<http://www.sam.gov>> and print a copy of completed searches to document proof of compliance.

B. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) REPORTING REQUIREMENTS:

CONTRACTOR/RECIPIENT must complete the FFATA Data Collection Form (ECY 070-395) and

return it with the signed agreement to ECOLOGY.

Any CONTRACTOR/RECIPIENT that meets each of the criteria below must report compensation for its five top executives using the FFATA Data Collection Form.

- Receives more than \$30,000 in federal funds under this award.
- Receives more than 80 percent of its annual gross revenues from federal funds.
- Receives more than \$25,000,000 in annual federal funds.

Ecology will not pay any invoices until it has received a completed and signed FFATA Data Collection Form. Ecology is required to report the FFATA information for federally funded agreements, including the required Unique Entity Identifier in www.SAM.gov within 30 days of agreement signature. The FFATA information will be available to the public at www.usaspending.gov <<http://www.usaspending.gov/>>.

For more details on FFATA requirements, see www.fsr.gov <<http://www.fsr.gov/>>.

C. FEDERAL FUNDING PROHIBITION ON CERTAIN TELECOMMUNICATIONS OR VIDEO SURVEILLANCE SERVICES OR EQUIPMENT:

As required by 2 CFR 200.216, federal grant or loan recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

Procure or obtain;

Extend or renew a contract to procure or obtain; or

Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment, video surveillance services or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](#), section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

Recipients, subrecipients, and borrowers also may not use federal funds to purchase certain prohibited equipment, systems, or services, including equipment, systems, or services produced or provided by entities identified in section 889, are recorded in the [System for Award Management \(SAM\)](#) exclusion list.

Template Version 04/01/2022

Appendix G: Conservation-Based Tillage Systems

Conservation-based tillage systems that are consistent with Ecology's Voluntary Clean Water Guidance for Agriculture guidance are eligible for Water Quality Program financial assistance. Conservation-based tillage systems eliminate full width tillage for seedbed preparation.

Implements used in conservation-based tillage systems minimize surface soil disturbance to the maximum extent while maintaining protective surface and subsurface crop residue from the previous crop. Conservation-based tillage systems significantly reduce erosion, improve soil quality, reduce fuel consumption, and are a viable alternative to traditional full tillage systems.

Eligibility Conditions for All Activities

- Rental and custom application cost reimbursement will be provided only to those producers or landowners that have not previously implemented a single pass, direct seeding system.
- A landowner or producer that owns a single pass, low disturbance direct seed drill is not eligible for rental or custom application cost reimbursement.
- The landowner and producer must use a conservation based tillage system or plan for three full years.
- A conservation based tillage system must be used for all planting.
- Crop residue cannot be burned.
- Grant recipients must offer educational opportunities in conjunction with conservation based tillage system programs. This must include information on the importance of riparian buffers and can also include information on other supporting practices like cover crops and crop rotation. Examples of such opportunities include a mentoring program, workshops, or referrals to direct seed organizations. Grant recipients may coordinate with other conservation districts, organizations, or associations to fill this need.
- Cropland acres with any post-harvest or pre-planting tillage are not eligible. This includes the use of inversion tillage equipment such as moldboard plows, chisel plows, rod weeders and disks. Conventional summer fallow is not eligible.
- To be eligible for reimbursement, the public entity or nonprofit recipient and the landowner and producer must sign a landowner agreement prior to renting conservation-based tillage system equipment or contracting with a custom applicator to plant with a conservation-based tillage system.
- The funding recipient must report on the following information (additional requirements may be added as part of any grant contract):
 - Number of acres enrolled in program.

- Number of landowners/producers enrolled.
- Location of acres enrolled including information such as county, farm number, tract number, and field number. GIS layers and other relevant spatial reference information may also be required.

Eligible Conservation-Based Tillage Activities

Equipment Rental and Custom Application Fee Cost Reimbursement

- Producers may be reimbursed for a portion of the cost of hiring a custom applicator to plant or renting equipment necessary to implement a conservation-based tillage system up to three plantings.
 - Cropland acres currently planted with a single pass, low disturbance direct seed are not eligible.
 - A three-year commitment to conservation-based tillage is required on the enrolled acreage (no conventional tillage allowed). This commitment may include any number of rotations of production crop, pasture seeding, or cover crop as appropriate for the site, however, the reimbursement criteria apply.
 - Cost share is available for only a first-time, full three-year conservation-tillage rotation (see above). Reimbursement payments will be made for eligible expenses during the initial three-year rotation only.
 - If conventional tillage occurs during the three-year trial, the producer must reimburse all previous cost share payments back to the Recipient, who will reimburse Ecology. The producer is not eligible for any future conservation tillage reimbursements
 - Cost share must not exceed \$30 dollar per acre, up to 250 acres, per producer. Total eligible cost shall not exceed \$7,500 per producer, per rotation for up to three rotations.
 - The funding recipient must verify the number of acres planted before reimbursement is provided.

Conservation-Based Tillage System Equipment Purchase

- Public entities are eligible to receive a one-time grant to purchase equipment necessary to implement conservation-based tillage system for the purpose of providing regional access to conservation-based tillage equipment and facilitating education, outreach, and technical assistance to promote the benefits of conservation-based tillage systems.
 - Funding recipients must sign a 10-year maintenance agreement to keep the equipment in its best condition.
 - The cost share for equipment shall not exceed \$187,000 per grantee.

- Producers may not receive rental reimbursement or custom application reimbursement payments from an Ecology-funded program when using the equipment purchased with an Ecology grant.
- Funding recipients may charge a fee for the use of the Ecology-funded equipment to cover the cost of maintenance and storage. However, the fees should be set to encourage broad participation and must not be set to gain a profit.
- Recipients must provide staff with knowledge of direct seed systems or equivalent experience.
- Public entities may be eligible for CWSRF loans to provide low-interest loans to individual producers for purchasing equipment necessary to implement a conservation-based tillage system.
 - Public entities are eligible for a one-time grant to establish an equipment-purchase loan program. Grant funds may not be provided as loans to producers/landowners.

Additional Sediment and Pollution Control Practices

- Cover crops, filter strips, and riparian buffers are also eligible as part of conservation-based tillage system implementation project. Ecology recommends combining conservation tillage with riparian buffers consistent with the requirements described in Appendix J.
- If riparian buffers, as described in Appendix J, are implemented or in place, Ecology can extend cost-share to 500 acres.

Appendix H: Livestock Exclusion Fencing and Off-stream Watering Facilities

Off-stream watering provides an alternative source of watering where fencing excludes livestock from streams to protect water quality. If a recipient installs livestock exclusion fencing as part of a riparian protection/restoration project and meets the minimum standards for that BMP, grant dollars may be used to install an off-stream watering facility. Off-stream watering facilities (including well construction) are conditionally eligible for WQC financial assistance for projects that include privately-owned livestock operations.

Eligibility Conditions for Off-Stream Watering Facilities

- Land use must currently be dedicated to livestock or milk production. That use must occur within or adjacent to riparian areas, surface water, or groundwater where an assumed threat to the integrity of the riparian area and water quality exists.
- The recipient must obtain a signed ten-year landowner agreement with the property owner before they install the livestock exclusion projects.
- When the recipient installs off-stream watering systems, they must locate the new feeding/watering areas or relocate the existing areas so that the presence of livestock will no longer threaten surface water quality. At a minimum, off-stream watering locations must be placed outside the core zone and include heavy use area protection to stabilize the adjacent area. Placing off-stream watering stations outside Riparian Management Zones is preferred. Grant recipients must provide justification to the Ecology Project Manager that the location or relocation of the new or existing feeding area optimizes water quality protection. Ecology will not fund projects that are located too close to waters of the state. Additional guidance for the placement of off-stream water can be found in [Chapter 10 of the Clean Water Guidance for Agriculture](#).⁸⁴
- Off-stream watering systems may include water gaps in fencing for emergency watering purposes only. If the recipient wishes to design water gaps, they must submit a plan to Ecology's Project Manager which details the design and describes how they will minimize potential impacts to water quality resulting from water gaps.
- Recipients must install livestock exclusion fencing and provide a minimum setback from the ordinary high water mark in the riparian area consistent with the riparian restoration guidance found in Appendix J. If a recipient previously installed a livestock exclusion fence that met the National Marine Fisheries Service (NMFS) buffer recommendations, Ecology may consider the livestock watering facility eligible without meeting the width requirements in Appendix J.
- Ecology requires the recipient to plant native trees and shrubs within the buffer created

⁸⁴ <https://apps.ecology.wa.gov/publications/parts/2010008part4.pdf>

by the exclusion fencing to provide controlled overland flow filtering of pollutants (in accordance with Appendix J).

- The practice chosen must be in accordance with the conservation plan (or more focused plan involving livestock exclusion and off-stream water provisions).
- The recipient must complete plan(s), and at least the respective conservation district must approve them before off-stream watering is installed.
- Financial Assistance Limits and Other Provisions.
 - Off-stream livestock water provisions are eligible only where the recipient provides permanent and continuous exclusion from waters of the state.
 - Off-stream livestock water provisions are eligible with limits on financial assistance based on the continuous linear length of riparian exclusion fence per landowner (maximum of \$52,000 per landowner/cooperator). See Table 18 for limits.
 - Recipients must locate off-stream water developments in locations and at distances from surface waters that will prevent water quality impacts. See Chapter 10 of the Clean Water Guidance for additional information about locating off-stream watering stations.
 - Projects funded by a loan can cover up to 100 percent of eligible project cost.
 - Pumps, pipes, water troughs, and wells, as needed, are eligible.
 - All components of solar powered pumps are eligible. Electrical or mechanical power provisions are only eligible if existing infrastructure is available that can be utilized at a minimal cost.
 - Heavy use area protection (HUAP) at watering facilities is eligible as needed. Both the final cost of the off-stream watering facility and the funding limitations (see Table 18) include the cost of heavy use area protection. See Appendix I for additional details on HUAP eligibility.
 - Cross fencing is eligible if recommended in a Grazing Management Plan and a riparian forest buffer consistent with the riparian restoration guidance found in Appendix J is implemented.
 - Length of cross fencing eligible for reimbursement will be equal to the length of exclusion fencing along the buffer, up to a maximum cost of \$20,000 per landowner.
 - Exclusion fencing may be installed with Ecology funding, other funding sources, or be pre-existing.
 - All fencing must be designed and constructed according to NRCS standards.

Table 18: Miles of Livestock Riparian Exclusion and Financial Assistance Limits

Miles of Livestock Riparian Exclusion	Financial Assistance Limit on Watering Facilities (per landowner/cooperator)
< 1 mile	Up to \$15,600
> 1 mile and < 2 miles	Up to \$31,200
> 2 miles and < 2.5 miles	Up to \$41,600
> 2.5 miles	Up to \$52,000

Exceeding these limits may be eligible on a case-by-case basis. Exemptions to the funding caps require approval from the Ecology project manager prior to construction.

Appendix I: Livestock Feeding and Waste Management BMPs

The following BMPs support the relocation of livestock feeding areas that threaten water quality or enhance existing feeding areas distanced from surface waters. The recipient may install a combination of these BMPs when appropriate. Funding for the following BMPs only applies to projects that will improve existing water quality problems and must be implemented consistent with the Clean Water Guidance. The funding may not be used to rebuild feeding facilities where the primary purpose is to repair existing structures. Ecology's Project Management Team must approve all livestock feeding and waste management projects before installation.

Eligibility Conditions for All Livestock Feeding and Waste Management BMPs

- Operations defined as a Concentrated Animal Feeding Operation (CAFO) are not eligible for funding.
- BMPs are eligible only when livestock presence currently occurs within or adjacent to riparian areas and can be an assumed threat to the integrity of the riparian area and water quality.
- When the recipient installs BMPs, they must locate new feeding/watering areas or relocate existing areas so that the presence of livestock will no longer threaten water quality. At a minimum, feeding/sacrifice areas must be located outside Riparian Management Zones (215 feet westside, 150 feet eastside) whenever possible. Grant recipients must provide documentation to the Ecology Project Manager showing how the location or relocation of the new or existing feeding area will optimize water quality protection. Ecology may allow a conditional exemption from the minimum buffer width requirements where the presence of a structure, property line, parcel size, or topography impedes the ability to meet the conditions. The recipient must submit an adequate justification as to why these cannot be met and provide an alternate written plan to Ecology's Project Manager for review and written approval.
- The recipient must build and locate all BMPs according to NRCS specifications.
- When present, the producer must exclude livestock from all waters of the state, with a minimum setback from the ordinary high water mark consistent with the riparian restoration guidance found in Appendix J. If the producer previously installed a livestock exclusion fence that met the National Marine Fisheries Service (NMFS) buffer recommendations, the livestock feeding facility may be eligible without meeting the width requirements in Appendix J.
- The recipient must plant appropriate native riparian vegetation within the buffer created by the exclusion fencing to provide controlled overland flow filtering of

pollutants, in accordance with Appendix J.

- The owner or operator must have a plan in place to manage manure and protect water quality. The plan must detail how the owner or operator will store and use the manure on-site to prevent discharges to surface or groundwater, or store and transfer off-site. The recipient must submit the plan to Ecology for review prior to the construction of waste storage facilities. The manure management plan is an eligible expense when construction is completed under the grant.
- The landowner must sign a minimum ten-year landowner agreement.
- Roof runoff structures on existing livestock structures are conditionally eligible for reimbursement where the recipient can demonstrate direct water quality protection or improvements. Ecology's Project Management Team must approve the structures prior to installation.

Eligible Livestock Feeding BMPs

Heavy Use Area Protection

- Heavy use area protection is eligible only to protect critical areas directly surrounding feeding and watering locations.
- Building permanent feed lots that will confine livestock continuously throughout the year is not eligible for Heavy Use Area Protection funding.
- Concrete and other cement based materials, rock aggregate, and other appropriate materials are eligible for funding.
- Heavy use area protection must prevent erosion and polluted runoff at feeding and watering facilities.
- Heavy use area protection is eligible up to a maximum of \$25,000 per landowner (except for HUAPs associated with watering facilities, which are subject to the caps identified in Appendix H).
- Fencing that creates temporary animal confinement to support relocation of livestock feeding areas that threaten water quality or to prevent the use of pasture/rangeland in winter months is eligible. Fencing to create permanent confinement areas is not eligible. Fencing must be limited to areas directly surrounding feeding stations and may include a connected pasture area. This type of fencing is eligible up to a maximum of \$25,000 per landowner, in addition to the heavy use protection area.
- Heavy use area protection areas must be designed and constructed according to NRCS standards.
- The producer must use a **waste storage facility** meeting the following criteria to be eligible for heavy use area protection.
 - Waste storage facilities, waste storage covers, and roof runoff structures are

eligible if constructed to NRCS or equivalent engineering standards.

- The total package of waste storage BMPs is eligible up to a maximum of \$42,000 per landowner.
- Waste storage facilities must include a permanent roof, curbed concrete floor, and gutters or other appropriate structures to manage roof runoff. Metal framed, tension fabric designs may be conditionally approved.
- A professional engineer must design and stamp waste storage facilities.
- The recipient must obtain building permits if required.
- The owner or operator must have a plan in place to manage manure to protect water quality. The plan must detail how the owner or operator will store and use the manure on-site to prevent discharges to surface or groundwater, or store and transfer off-site. The recipient must submit the plan to Ecology for review prior to the construction of waste storage facilities.

Livestock Crossing

- Structures built for the purposes of livestock access across a stream are conditionally eligible for grant reimbursement on private property only. To be eligible, livestock must be excluded from stream access to prevent water pollution and riparian degradation.
- Hardened stream crossings may be suitable for shallow, low velocity watercourses with a gentle sloped streambank and a firm streambed, and are eligible when access is controlled by gates.
- Culverts in design or construction are eligible if designs will meet WDFW's requirements for fish passage. Culverts up to 6 feet wide are reimbursable. If a landowner wants to construct a wider crossing for motorized vehicle access in addition to livestock, the eligible cost of the culvert can be pro-rated based on the 6-foot width. For example, the total cost of a 10-foot-wide culvert would be 60 percent eligible for grant reimbursement.
- Bridges may be reimbursed up to 6 feet wide. If a landowner wants to construct a wider crossing for motorized vehicle access in addition to livestock, the eligible cost of the bridge can be pro-rated based on the 6-foot width. For example, the total cost of a 10-foot wide bridge would be 60 percent eligible for grant reimbursement.

Silvopasture

- Silvopasture practices as described in the Clean Water Guidance. Light intensity rotational grazing within the inner (middle) zone must be recommended in an approved grazing management plan.
- Native and non-native trees and shrubs may be planted in the inner (middle) zone if a silvopasture practice is implemented. Only native plant material is eligible for

reimbursement from Ecology.

Windbreaks

- Windbreaks are planted tree rows used to shelter livestock from summer sun and winter wind, and, therefore, encourage the congregation of livestock and use of pasture or rangeland away from the riparian area.
- Windbreaks are eligible to support the relocation of winter feeding operations upland, away from riparian areas, and to prevent water quality impacts.
- Windbreaks are eligible up to a maximum of \$2,000 per landowner.

Appendix J: Restoration and Planting

Riparian Buffers – Clean Water Guidance for Agriculture

Ecology has established minimum requirements for three riparian buffers options that can be implemented to protect and restore Washington State waters and facilitate the achievement of water quality standards. These requirements apply to funding for projects that address nonpoint pollution problems, including Section 319 grants, Centennial grants or loans, and CWSRF loans.

Option 1: Fully Forested Riparian Management Zone

For streams with riparian forest potential, Ecology recommends restoring the riparian management zone to a fully forested environment that is one site potential tree height at 200 years in width. This option is intended for sites where the goal is to maintain or establish fully forested riparian zones. The width recommendations apply to all stream types.

- In western Washington, the default total width of the RMZ in locations having riparian forest potential is 215ft.
- In eastern Washington, the default total width of the RMZ in locations having riparian forest potential is 150ft.
- Streams without riparian forest potential due to adjacent wetlands should follow Ecology’s wetland buffer guidance ([Granger et al, 2005⁸⁵](#)). When wetlands are present in the RMZ, reestablishment of forested conditions is encouraged whenever feasible. Streams without riparian forest potential should have RMZs similar in design to those with forested potential but with modifications to account for the lack of trees to contribute shade, large wood, etc.
- RMZs that are fully forested should be composed of a “minimally managed, site potential plant community.” Details about minimally managed site potential plant communities are provided below.
 - A site potential (SP) plant community is composed of native vegetation species and has a plant density that would occur in a minimally managed condition on a site, e.g., a Douglas fir forest community, Black cottonwood forest community, Sandbar willow community, etc.
 - “Minimally managed” riparian vegetation should be established and maintained with the intent of achieving a native species mixture and plant densities that are within the range of natural variability for the site’s native vegetation community potential. “Minimally managed” includes activities such as:
 - Establishment or supplemental planting of native vegetation

⁸⁵ <https://apps.ecology.wa.gov/publications/documents/0506008.pdf>

- Minimal thinning that is only intended to increase growth of remaining plants (e.g., where growth of the desired dominant native tree species is suppressed in a densely crowded stand). Thin from below and remove only the smaller trees.
- Minimal harvest of mature trees for personal use. Do not harvest the largest/tallest trees.
- Control of invasive/noxious plant species, preferably through non-chemical means. Chemical weed/pest management should be limited to prescriptions identified within a RMZ management plan as being necessary to support ecological functions; use of pesticides included in the National List of substances allowed under the National Organic Program (7 CFR 205) is highly encouraged.
- It does not include harvesting of trees, removal of fallen trees, growing crops, or livestock grazing.
- In Eastern Washington, sites without riparian forest potential should refer to the Clean Water Guidance for buffer width recommendations.

Three-Zone Riparian Management Zone Design

Where it is not feasible⁸⁶ to fully restore riparian management zones (i.e., not practicable to have a fully forested RMZ due to natural or anthropogenic factors), recipients may implement a three-zone RMZ alternative configuration that allows for either: 1) light intensity agricultural use of the inner (middle) zone, or 2) agricultural use of the outer zone that implements a suite of additional BMPs that will effectively control the generation and transport of pollutants.

For the three-zone alternative options, the total RMZ width will include a core, inner and outer zone. The default RMZ width is 215ft and 150ft for western and eastern Washington, respectively.

The following is a description of the three zones. These descriptions apply to Options 2 and 3 outlined below. See the following sections to determine the minimum core, inner (Middle) and outer zone widths.

⁸⁶ Farmers and implementers are expected to follow a stepwise process when determining feasibility. Fully consider whether the preferred option can be implemented at the site. Consider our grant programs and other incentives that could help cover implementation costs and offset losses in potential income. If the entire RMZ cannot be fully restored, determine the maximum extent of the RMZ that can feasibly be restored. It is not acceptable to default straight to the minimum core widths found in the other options. We expect to see documentation of how the maximum feasible option was selected if it is not the preferred option. Examples of situations where it may not be feasible to implement Ecology's preferred recommendation to restore the RMZ to a fully forested state include but are not limited to the presence of structures and infrastructure (e.g., roads, railways, pipelines, powerlines, and other utilities), property lines, topography constraints, economic hardship, and small parcels. This is a non-exhaustive list.

- RMZ Core Zone: the portion of the RMZ which is closest to the streambank, and in which agricultural uses may not occur.
 - The width of the core zone will vary based on stream hydrology, stream bankfull and location (east or west side of the state).
 - No portion of the core zone or inner (middle) zone widths should be less than what is indicated in the applicable tables and descriptions, except where property boundaries or infrastructure (e.g., roads, railways, bridges, pipelines, power lines, buildings, etc.) prohibit the applicable widths.
 - The core zone should be composed of native species, with species mixtures and plant densities that are consistent with native riparian forest communities in the region.
 - Streams without riparian forest potential should have core zones similar in design to those with forested potential but with modifications to account for the lack of trees to contribute shade, large wood, etc.
 - When wetlands are present, reestablishment of forested conditions is encouraged whenever feasible.
- RMZ Inner (Middle) Zone: the portion of the RMZ located between the core zone and the outer zone. The general purpose of this zone is to maximize infiltration of surface runoff into soils. This zone is intended to capture, retain, and/or transform most pollutants before surface and subsurface flow enters the core zone. Vegetative treatment options such as filter strips are commonly used in the inner (middle) zone. See the Clean Water Guidance for Agriculture for filter strip guidelines.
- RMZ Outer Zone: this portion of the RMZ is located between the inner (middle) zone and agricultural lands outside of the RMZ. The purpose of the outer zone is to control the generation and transport of pollutants within close proximity of streams. Vegetative treatment options such as filter strips may be needed in the outer zone. See the Clean Water Guidance for Agriculture for filter strip guidelines.

Ecology recommends that the following more intensive agricultural infrastructure and activities should not be in the RMZ. If permanent infrastructure is already located in the RMZ, we recommend moving it outside the RMZ if feasible. If it cannot be moved, additional BMPs may need to be implemented to prevent pollution from being discharged.

- Roads
- Animal waste storage
- Animal confinement areas
- Winter feeding areas for livestock
- Off-stream water facilities

- Barns and other buildings

Option 2: Three-Zone Riparian Management Zone with Agroforestry

Agroforestry is a land use management system in which crops, or pastureland are integrated among stands of trees or shrubs. As an option, parts of the riparian management zone (inner/outer zones) can be managed to produce harvestable crops along with conservation benefits.

For this option, no agricultural activities may occur in the core zone and the inner (middle) zone must be carefully managed through low intensity agroforestry and silvopasture approaches. The core zone must be comprised of native species, with species mixtures and plant densities that are consistent with native riparian forest communities in the region. For core zones without forest potential, riparian vegetation must consist of self-sustaining, native, perennial vegetation communities.

For agroforestry/silvopasture within an inner (middle) zone, compatible activities include:

- Organic agroforestry/silvopasture that establishes and retains native tree species.
- Establishment of perennial forage, i.e., sod-forming grasses and/or perennial legumes.
- Soil disturbance that is restricted to that required to establish perennial plants.
- Periodic mowing of herbaceous vegetation to remove nutrients and promote vigor.
- Light intensity rotational grazing (e.g., rest-rotation) by livestock, excluding horses. Grazing should follow a management plan that meets the minimum elements outlined in the [Pasture and Rangeland Grazing⁸⁷](#) chapter of the Clean Water Guidance. Trees must be protected from damage by grazing livestock.
- Fruit/nut/fungus/ornamental/medicinal plant production.
- Precision applications of low-solubility organic fertilizers.
- Spot application of pesticides following all applicable BMPs; use of pesticides included in the National List of substances allowed under the National Organic Program (7 CFR 205) is highly encouraged.

Western Washington Agroforestry Option – Perennial & Intermittent Streams

The minimum riparian management zone widths (on each side of the stream).

- Core zone: ≥80ft minimally managed site potential (SP) forest
- Inner (middle) zone: 110-135ft agroforestry/silvopasture within native forest
- Outer zone: 0-25ft filter strip, depending on topography, soils, and upland land use

⁸⁷ <https://apps.ecology.wa.gov/publications/parts/2010008part4.pdf>

- Total RMZ width: ≥ 215 ft

Western Washington Agroforestry Option – Ephemeral Streams

The minimum riparian management zone widths (on each side of the stream).

- Core zone: ≥ 35 ft minimally managed SP forest
- Inner (middle) zone: 155-180ft agroforestry/silvopasture within native forest
- Outer zone: 0-25ft filter strip, depending on topography, soils, land use
- Total RMZ width: ≥ 215 ft

Eastern Washington Agroforestry Option – Perennial & Intermittent Streams

The minimum riparian management zone widths (on each side of the stream).

- Core zone: ≥ 60 ft minimally managed SP forest
- Inner (middle) zone: 70-90ft agroforestry/silvopasture within native forest
- Outer zone: 0-20ft filter strip, depending on topography, soils, land use
- Total RMZ width: ≥ 150 ft

Eastern Washington Agroforestry Option – Ephemeral Streams

The minimum riparian management zone widths (on each side of the stream).

- Core zone: ≥ 35 ft minimally managed SP forest
- Inner (middle) zone: 95-115ft agroforestry/silvopasture within native forest
- Outer zone: 0-20ft filter strip, depending on topography, soils, land use
- Total RMZ width: ≥ 150 ft

Option 3: Three-Zone Riparian Management Zone

Where more intensive agricultural activities will occur in the outer zone of the RMZ, a three-zone option may be implemented if the core and inner (middle) zone width requirements are met. All applicable agricultural BMPs in accordance with Ecology's Voluntary Clean Water Guidance for Agriculture should be implemented as well.

For this option, the minimum core zone widths (on each side of the stream) must be consistent with Tables 19 and 20 and the following additional guidance provided below. Ecology developed Tables 19 and 20 from information provided by VCWGA. See the Clean Water Guidance for Agriculture for inner (middle) zone filter strip guidelines.

Core zone widths are based on stream hydrology, bankfull width and location in the state (east/west sides). Buffer widths must be measured starting from the ordinary high water mark.

Table 19: Three-Zone Widths for Western Washington

Stream Category	Ephemeral	Intermittent & Perennial			
Bankfull Width	All widths	<5 ft	5-30 ft	30-150 ft	>150 ft
Core Zone Width	35 ft	65 ft	80 ft	100 ft	125 ft
Inner (Middle) Zone Width	0-25 ft	0-25 ft	0-25 ft	0-25 ft	0-25 ft
Outer Zone Width	155-180ft	125-150 ft	110-135 ft	90-115 ft	65 – 90 ft
Total RMZ Width	215 ft	215 ft	215 ft	215 ft	215 ft

Table 20: Three Zone Widths for Eastern Washington

Stream Category	Ephemeral	Intermittent & Perennial			
Bankfull Width	All widths	<5 ft	5-30 ft	30-150 ft	>150 ft
Core Zone Width	35 ft	50 ft	60 ft	75 ft	100 ft
Inner (Middle) Zone Width	0-20 ft	0-20 ft	0-20 ft	0-20 ft	0-20 ft
Outer Zone Width	95-115 ft	80-100 ft	70-90 ft	55-75 ft	30-50 ft
Total RMZ Width	150 ft	150 ft	150 ft	150 ft	150 ft

Eastern Washington: Riparian Management Zones for Streams without Riparian Forest Potential

In some situations, climatic and hydrologic conditions may limit the establishment and persistence of trees representative of a forested riparian ecosystem. For locations that may lack the potential for a forested riparian ecosystem, a site-specific evaluation must be made to determine the appropriate vegetative community. If the absence of riparian forest potential is due to stream adjacent wetlands, it is recommended that landowners follow Ecology’s guidance for protecting and managing wetlands. For more wetland information please see: Granger, T., T. Hruby, A. McMillan, D. Peters, J. Rubey, D. Sheldon, S. Stanley, E. Stockdale. April 2005.

Wetlands in Washington State - Volume 2: Guidance for Protecting and Managing Wetlands. Washington State Department of Ecology. Publication #05-06-008. Olympia, WA.

When determining the potential for a forested riparian ecosystem, it is important to note that the presence or abundance of riparian plants communities may fluctuate greatly because of differences in microenvironment, weather conditions, or human actions. Using existing plant communities to determine riparian forest potential can be misleading. Site level determinations must be based on plant communities native to the area along with a consideration of additional factoring such as soils, aspect, topography, hydrology, and climate. The Riparian Areas Chapter (Chapter 12) of Ecology’s Clean Water Guidance should be considered as part of determining the potential for a forested riparian ecosystem.

The following table outlines the riparian zone widths for streams without riparian forest

potential in eastern Washington (on each side of the stream). These apply to all channel widths.

Table 21: Three Zone Widths for Eastern Washington without Riparian Forest Potential

Stream Category	Ephemeral	Intermittent	Perennial
Core Zone Width	25 ft	35 ft	50 ft
Inner Zone Width	0-20 ft	0-20 ft	0-20 ft
Outer Zone Width	55-75 ft	45-65 ft	30-50 ft
Total RMZ Width	100 ft	100 ft	100 ft

For additional information regarding all three Riparian Management Zone buffer options, please refer to Chapter 12 of the [Voluntary Clean Water Guidance for Agriculture](#)⁸⁸.

The following documents provide guidance in developing a project proposal for all buffer options.

- [Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications](#)⁸⁹.
- [Riparian Ecosystems, Volume 2: Management Recommendations](#)⁹⁰.
- [Ecology’s Restoring Wetlands in Washington: A Guidebook for Wetland Restoration, Planning & Implementation](#)⁹¹.

Conditions of the Funding Agreement

All restoration activities must also be consistent with the [Stream Habitat Restoration Guidelines](#)⁹² and the requirements below.

Additional Guidance

- To determine which buffer category applies to a water body, EPA and Ecology developed a [mapping tool](#)⁹³.
 - If surface water is present on a property but not shown on the map, grant recipients should determine the bankfull width and whether the waterbody is ephemeral, intermittent, or perennial to determine the appropriate buffer width.
 - The minimum buffer width for constructed ditches is 35 feet.

⁸⁸ <https://apps.ecology.wa.gov/publications/parts/2010008part6.pdf>

⁸⁹ <https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf>

⁹⁰ <https://wdfw.wa.gov/sites/default/files/publications/01988/wdfw01988.pdf>

⁹¹ <https://apps.ecology.wa.gov/publications/SummaryPages/93017.html>

⁹² <https://wdfw.wa.gov/publications/01374>

⁹³ <http://www.arcgis.com/home/webmap/viewer.html?webmap=d5478a4aaf704d81bac63ffc934e1549&extent=-123.0388,47.109,-122.5317,47.2963>

- Tables 19 & 20 establish minimum buffer requirements for funding eligibility purposes. Projects that include buffers that are larger than the minimums are preferred, especially when stated in a TMDL or other watershed improvement plan. To maintain fully functional riparian ecosystems and provide sufficient habitat to meet the needs of fish and wildlife, it is recommended that recipients implement riparian buffers that are 1 site potential tree height in width as recommended by Washington Department of Fish and Wildlife.
- As stated in the *Stream Habitat Restoration Guidelines*, if the 100-year floodplain exceeds these widths, the riparian buffer width should extend to the outer edge of the 100-year floodplain.
- Ecology requires recipients to plant the buffer established by the fencing setback with native trees and shrubs to provide a higher level of water quality improvement. Grass filters strips are not sufficient to satisfy this requirement.
- When the project establishes buffers in forested areas, the buffer width must also be consistent with Forest Practices Rules.
- Buffers established as part of a WQC grant may not violate county Critical Area Ordinances, county Shoreline Rules, or other state and local regulations.
- Ecology may allow a conditional exemption from the minimum buffer width requirements where the presence of a structure, property line, or topography impedes the ability to meet the conditions. The recipient must submit an adequate justification as to why these cannot be met and provide an alternate written plan to Ecology's Project Manager for review and written approval.

Agroforestry Plantings

- When designing a 3-zone restoration site plan including an agroforestry planting, the recipient must develop site-specific plans for all agroforestry plantings within the inner (middle) zone. The plans must meet the specifications described in Chapter 12 of the Clean Water Guidance.
- Native and non-native trees and shrubs may be planted in the inner (middle) zone if an agroforestry practice is implemented. Only native plant material is eligible for reimbursement from Ecology.

Riparian Plantings

- The recipient must develop site-specific plans for all riparian buffers prior to implementation which include plant locations and species. The plan must be based on an assessment of native plant associations and community types.
- The recipient must only plant species that are riparian in nature and indigenous to the primary watershed where the buffer is being established.
- The recipient must use, to the greatest extent possible, genetically appropriate plant

materials collected from the primary or secondary watershed where the buffer is to be established.

- The recipient must use, to the greatest extent possible, plant species that are early successional within the primary watershed. Early successional species are those whose characteristics are such that they are first to colonize after a disturbance.

Streambank Protection

- Streambank protection projects must not stand alone, but be part of a larger riparian buffer or stream restoration project. The project must meet the buffer and planting requirements listed above whether fully or partially funded by the grant. Streambank protection projects primarily intended for structure or property protection are not eligible.
- Rock or concrete may not be used to fully armor a bank against the erosive forces of a stream, river, or marine waters. In any situation where rock is to be used, the recipient must submit the design to Ecology's Project Manager for an evaluation.
- Streambank protection designs must be consistent with the Aquatic Habitat Guidelines Program's, [Integrated Streambank Protection Guidelines](#)⁹⁴.

⁹⁴ <http://wdfw.wa.gov/publications/00046/>

Appendix K: Developing Public Communication and Education Project Proposals

Following is a checklist that applicants can refer to in developing public communication and education project proposals. The goal of the checklist is to help in the design of projects that are effective at changing behaviors and achieving environmental results.

Accessibility

All education and outreach materials created with public funds must meet accessibility requirements to ensure all people can access the information.

- [Designing for Accessibility](#)⁹⁵
- [Create accessible PowerPoint presentations](#)⁹⁶
- [Create accessible Word documents](#)⁹⁷
- [PDF Accessibility Overview](#)⁹⁸

Project Background

- Consider the water quality problem that is the focus of the project; target population; geographic area; socio-economic status of targeted population; predominant land uses; and the behavioral change you seek to achieve for each target identified (source of the water quality problem or issue - one target could be responsible for several problems).
- What knowledge, attitude, and skills do you desire in the targeted population?
- Be careful to use one or two primary objectives and be realistic about what you can accomplish during the grant period.
- If this is a continuing attitude or behavior change that you wish to affect, how do you propose to sustain it?

Project Design

- Agree on the optimal way to identify and reach your audiences. Include local audiences that speak languages other than English.

⁹⁵ <https://ukhomeoffice.github.io/accessibility-posters/posters/accessibility-posters.pdf>

⁹⁶ <https://support.microsoft.com/en-us/office/video-create-slides-with-an-accessible-reading-order-794fc5da-f686-464d-8c29-1c6ab8515465?ui=en-us&rs=en-us&ad=us>

⁹⁷ <https://support.microsoft.com/en-us/office/video-check-the-accessibility-of-your-document-9d660cba-1fcd-45ad-a9d1-c4f4b5eb5b7d>

⁹⁸ <https://www.adobe.com/accessibility/pdf/pdf-accessibility-overview.html>

- Identify common needs in participants and how the project can fulfill these needs.
- Identify conflicting needs (associated with barriers analysis).
- Identify the specific barriers, both internal to the person or organization as well as external, such as lack of knowledge or conditions, and practical barriers to desired change. Tell us how your project will remove these barriers.
- Identify the project team and their qualifications.
- Will you use volunteers and if so, how? How will you recruit and retain them?
- Identify community leaders, decision makers, area Tribes, trusted peers, and leaders within business, not-for-profits, and community groups that have similar interests in environmental change/sustainability. These are the people and organizations that will help you advance your project and its objectives. Please explain how you will leverage their influence to amplify your results.
- Determine resources you will use, including training materials, facilities, media, and a corresponding distribution strategy. Conduct a regional search for existing materials before producing any new educational flyers or pamphlets.
- Also consider: (a) regular reminders of the desired behavior; (b) trusted and credible sources for communication; (c) communication that is direct, simple, personal, and vivid; (d) leaders, described previously, to model and promote the behavior you seek (what kind of changes do you want people to make in the way they make decisions?); (e) personal commitments from groups and individuals.
- Plan to pilot and field test your materials or activities with a small segment of your intended audience before “going big” and final.
- Make sure that your plan can be adjusted during the project to accommodate lessons learned. (Can it be changed in mid-course?)
- Design your project with evaluation tools and methodologies in mind and don’t make it an afterthought.

Education Plan

- State measurable objectives and goals of the project.
- List the performance measures you will use to assess how effective your project was. Success is defined as progress towards meeting your goals and objectives.
- List your specific actions, implementing entities, and both timetable and cost per action.
- List media and promotions to be utilized (including the use of music and art).
- For Public Participation, record the number of participants at events, number of one-on-one contacts, and number of groups interested.

Monitoring and Post-project Evaluation

- What kind of assessment and evaluation tools will you use to evaluate the effectiveness of your program? Examples include customer feedback surveys (telephone tends to work better), interviews, focus groups, observations, and, before and at least after six months, “records” that can infer change.
- How will you measure the participant’s knowledge, skill, attitudes, and actions?
- How is the evaluation strategy linked to the stated goals and objectives?
- How will you evaluate presenter activities and materials?
- How will you monitor or evaluate the relationship between the educational activities and changes in behavior and water quality changes?

Suggested Resources

- [Visual Tools for Watershed Education](#)⁹⁹.
- “Fostering Sustainable Behavior” by Doug McKenzie-Mohr and William Smith.
- “Targeting Outcomes of Programs” by Claude Bennett and Kay Rockwell.

⁹⁹ <https://p2infohouse.org/ref/17/16590.pdf>

Appendix L: Stormwater Design Deliverables Guidance

This document provides additional details about typical deliverables for Ecology-funded stormwater projects.

1.0 All Stormwater Projects

1.1 Project Deliverables Schedule

Ecology requires all applicants to submit a detailed project schedule with their application. Funding recipients are responsible for ensuring that Ecology has an up-to-date project schedule throughout the grant period. At a minimum, updates should be included with each quarterly report. If the schedule remains unchanged, state that in the quarterly report.

The project schedule should include the deliverables associated with each task. The table below lists provides some general guidance about standard Ecology review times for common project deliverables. All information in this table may be subject to change based on project complexity, recipient response, funding type, and staff availability.

Table 22: Stormwater Grant Project Deliverables Summary

Deliverable	Ecology Initial Review Period (calendar days)	Step 2 Design	Step 3 Construction	All Other Grant Types	Location in Guidelines	Section
Cultural Resources Review (CRR) – CRR Form and IDP	45-65	x	x	x	Appx N	Appx N
SEPA	TBD ¹⁰⁰	x	x		Appx N	2.0
SERP (for CWSRF loan-funded projects)	TBD ¹				Publication ¹⁰¹	Website ¹⁰²
Design Report	45	x	x		Appx L	2.0
90 Percent Design Package	45	x	x		Appx L	3.0
Final Bid Package	15	x	x		Appx L	4.0
Change Orders	10		x		Appx L	5.0
CQAP	15		x		Appx L	5.0

¹⁰⁰ Consult with Ecology Project Manager (PM).

¹⁰¹ <https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html>

¹⁰² <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/Environmental-review>

Deliverable	Ecology Initial Review Period (calendar days)	Step 2 Design	Step 3 Construction	All Other Grant Types	Location in Guidelines	Section
Facility O&M Plan	15		x		Appx L	6.0
QAPP (monitoring)	TBD ¹				Chapter 2	2.3, 2.5.10
GIS Data – Preliminary	15	x			Appx L	8.0
GIS Data – Complete	TBD ^{1, 103}		x		Appx L	8.0
Enhanced Maintenance Plan (EMP)	45			x	Chapter 2; Appx L	2.4.1. 10.0
Stormwater Management Action Plan (SMAP) / Step 1 Stormwater Facility Planning ¹⁰⁴	45			x	Chapter 2	2.3.1
Close Out Deliverables	TBD ^{2, 3}	x	x	x	Chapter 6	6.3.3

Additional resources, including a [Design Deliverables Checklist](#) ¹⁰⁵ are available on the [Water Quality Combined Funding Program General Resources](#) ¹⁰⁶ webpage.

1.2 Quarterly Progress Reports and Payment Requests (PRPRs)

All funded projects are required to submit progress reports each quarter, even if no reimbursements are requested. Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31.

PRPRs are due within 30 days after the end of the quarter being reported. Ecology reserves the right to amend or terminate a funding agreement if the recipient does not document timely use of funds by submitting PRPRs.

Additional guidance and templates are available under “Forms” on the [Water Quality Combined Funding Program General Resources](#) webpage.

1.3 Environmental and Cultural Resources Review

All Ecology-funded projects, including planning projects and activities must consider potential environmental and cultural impacts. Appendix N of these Guidelines outlines the steps needed to meet these requirements.

¹⁰³ May depend on an Ecology site visit.

¹⁰⁴ Step 1 Facility Planning may consist of multiple parts, each needing a discrete review. Consult with Ecology PM.

¹⁰⁵ <https://ecology.wa.gov/DOE/files/bf/bf99f44e-e1c2-4b19-b513-1f527c89db41.pdf>

¹⁰⁶ <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/General-resources>

1.4 Project Close Out

The project closeout process must occur prior to the expiration of the funding agreement. Recipient project managers should begin preparing for agreement close out at least 90 days before the agreement expiration date.

Recipients may submit final deliverables and invoices up to 30 days after the expiration of the funding agreement; however, any work done after the expiration date will not be eligible for reimbursement.

Closing a stormwater project typically includes:

- Providing any missing deliverables.
- Completing a Recipient Close Out Report (RCOR) form in EAGL.
- Completing a draft and final Outcomes Summary.
- Preparing and submitting the final PRPR.

Templates and additional guidance for the RCOR and Outcomes Summary are available under “Forms” on the [Water Quality Combined Funding Program General Resources](#) webpage.

2.0 Stormwater Facility Projects

2.1 Stormwater Planning, Stormwater Management Action Planning (SMAP)

In 2019 Ecology published [Stormwater Management Action Planning \(SMAP\) Guidance for Phase I and Phase II Western Washington MS4 permits¹⁰⁷](#). SMAP planning is not required for all communities, however, many important stormwater management planning principles called out in the guidance are applicable to all stormwater planning efforts. If your jurisdiction has completed a SMAP, then this plan’s assessment, prioritizations, and proposed actions should be referenced in any new planning, activity, or facility projects. Discuss how any proposed project complements or follow the SMAP.

Stormwater facility planning projects may encompass a wide range of program goals. Deliverables for stormwater planning projects will be negotiated for each individual project, however all should contain the following elements:

- A statement that describes the scope, purpose, and goal of the plan.
- A description of existing conditions within the planning area.
- Project GIS data, including the planning area, relevant stormwater features (see section 2.3 of Design Report Guidance), and illustration of action plans¹⁰⁸. The preferred format is a web map application with public-facing feature services.
- The metrics that will define the success of the implemented plan.
- A description of stakeholder engagement efforts throughout the planning process.
- Development of robust alternatives, including cost and water quality benefit estimates. (See Section 5.0 Quantifying the Water Quality Benefit).
- The criteria used to rate and rank alternatives.

¹⁰⁷ <https://apps.ecology.wa.gov/publications/documents/1910010.pdf>

¹⁰⁸ Action plan illustration might include, in addition to installation of stormwater features, features such as maintenance routes.

- Project implementation and maintenance cost estimates.
- Documentation showing that the preferred alternatives represent a cost effective approach to achieving the water quality benefit.
- A process to adaptively manage the plan over time.

2.2 Design Report

This section intends to help stormwater grant and/or loan recipients identify the necessary information to include in Design Report. Ecology does not require that reports follow this outline, but including the information listed below expedites the review process. The information required varies by project. Some projects may require additional information, and others may not need as much. All figures provided in this submittal must be capable of legible viewing at 11x17 inches in size. Allow for 45 calendar days for Ecology’s initial review. Ecology expects only digital copies of this submittal. Upload the submittal to EAGL and email the Ecology Project Manager that you have completed this task.

Before any above or below ground activities such as geotechnical drilling, infiltration testing, or land clearing take place on the project site, the recipient must submit a Cultural Resources Review Form for Ecology and Department of Archaeology and Historic Preservation (DAHP) review and approval. Ecology will not review any submittals prior to finalization of the Cultural Resources Review (CRR) and the Inadvertent Discovery Plan (IDP).

The intent of the Design Report is to demonstrate that the project:

- Has not changed from the project described in the original application.
- Includes retrofit runoff treatment and/or flow control BMP(s).
- Uses the applicable design guidance for the proposed BMP(s).
- Provides a quantifiable Flow Control and/or Runoff Treatment benefit.

Design Reports for Ecology review should include the following:

2.2.1 Introduction

Provide a brief description of the project, including elements such as project location and goals. Include figures as appropriate to show the location and layout of the project. Include any issues identified during the CRR process.

2.2.2 Basin Description

Describe the basin that the project lies within under historic, existing, and proposed conditions. Provide figures that show topography and flow direction. Provide information such as current and future land use (i.e., residential, commercial, industrial), soils, area, water bodies, etc.

2.2.3 Site Description

Provide detailed information in text, tables, and figures about the project site including, but not limited to:

- Project Limits.
- Threshold Discharge Area (TDA) boundaries if there is more than one TDA in the project.
- Current land use, including any structures on the project site such as buildings, wells, drain fields, culverts, user trails, adjoining uses, land ownership/easements etc.
- Proposed land use and easements/land acquisitions needed.
- Existing stormwater features.
- Proposed stormwater features.
- Total area broken down by existing, replaced, and new impervious surfaces and pervious surfaces (pollution-generating or non-pollution-generating).
- Vegetation, including trees.
- Wetlands.
- Existing soils:
 - Infiltration rate.
 - Cation exchange capacity.
 - Percent organics.
 - Other properties listed in under Soil Suitability Criteria (SSC).
- Access locations for construction and post-construction activities.
- Other information relevant to the project design, construction, or maintenance.
- Area of CRR concerns (protection), if appropriate.
- Environmental Justice (EJ) populations/concerns identified.

2.2.4 Minimum Requirement/Core Element Analysis

Ecology expects the following project level analysis for all projects, even if the proposed project is a retrofit. Ecology will use the Minimum Requirement/Core Element Analysis (MRCE) to verify:

- Project eligibility, per the applicable funding guidelines.
- Project compliance with the [NPDES Municipal Stormwater Permit](#)¹⁰⁹, if the project is within a permitted jurisdiction.

The following are the main steps in this analysis:

- 1) Identify the stormwater manual currently adopted by the grant and/or loan recipient and, if using an equivalent manual, to which Ecology manual it is equivalent.
- 2) Identify and tally the pollution generating and non-pollution generating surfaces pertinent to the MRCE thresholds. Keep each area separate. Examples of areas you may need to identify are:
 - New hard (impervious) surfaces.
 - Replaced hard (impervious) surfaces.

¹⁰⁹ <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Municipal-stormwater-general-permits>

- Existing hard (impervious) surfaces.
 - Effective impervious surfaces.
 - Effective hard (impervious) surfaces.
 - Lawn/landscaped areas.
 - Pasture areas.
 - Total land disturbed.
- 3) For the purposes of grant funding only, use the following modifications to the definition of replaced impervious surfaces:
- Impervious surfaces removed and replaced during the installation of the stormwater BMPs paid for by the grant or loan are not included in the project level threshold calculation for the new and replaced impervious surface threshold.
 - Include new or replaced impervious surfaces outside the area that Ecology could reasonably identify as part of the new stormwater BMP in the project level threshold calculation as either new or replaced impervious surface.
 - Do not include permeable pavement installed to replace existing impervious surfaces in the project level threshold calculation.
- 4) Include an analysis to determine the MRCEs applicable to the grant or loan at the project level (Figures I-3.1 and I-3.2 in Ecology’s 2019 [Stormwater Management Manual for Western Washington](#)¹¹⁰ (SWMMWW), Figures 2.1 and 2.2 in Ecology’s 2019 [Stormwater Management Manual for Eastern Washington](#)¹¹¹ (SWMMEW)). State which MRCEs apply at the project level threshold determination. Identify which surfaces within the project limits that the MRCEs apply.
- 5) For projects in Western Washington that require Minimum Requirements (MR) 6 and 7 after the project level analysis, you must also provide a threshold analysis for MRs 6 and 7 for each Threshold Discharge Area (TDA) within the project site.

If the analysis above shows that the project does not exceed new/redevelopment thresholds, the project is a retrofit project.

If the project exceeds the new/redevelopment thresholds and must comply with MRCEs for Runoff Treatment and/or Flow Control, provide an analysis of the proposed BMP(s) that provide Runoff Treatment and/or Flow Control for new, replaced, or existing surfaces. Identify those BMPs that provide Runoff Treatment and/or Flow Control for existing surfaces above and beyond those required by the MRCEs. Ecology considers the BMPs outside of those used to satisfy the MRCEs to be retrofit.

¹¹⁰ <https://apps.ecology.wa.gov/ezshare/wq/Permits/Flare/2019SWMMWW/2019SWMMWW.htm>

¹¹¹ <https://apps.ecology.wa.gov/ezshare/wq/Permits/Flare/2019SWMMEW/2019SWMMEW.htm>

Ecology makes an exception for permeable pavement when determining what portions of a project are retrofit when the funding is only for retrofit elements. If the project is for the replacement of existing conventional impervious pavement with permeable pavement, Ecology may consider the permeable pavement to be eligible even if the project exceeds the new and redevelopment thresholds and installation of permeable pavement is required under MR 5. Ecology will make this consideration when the permeable pavement is the only trigger for the Minimum Requirements.

2.2.5 Alternatives Considered

Discuss alternatives considered and why you did or did not select them. Include a brief description of any environmental or cultural resource impacts necessary for the alternatives. This includes large tree removal, sensitive vegetation, wetlands, public recreation areas, etc. Large trees are those considered eligible for flow control credit as described by BMP T5.16 in the 2019 SWMMWW and BMP F6.62 in the 2019 SWMMEW.

2.2.6 Design Analysis

Describe the chosen alternative in detail. Name the specific BMP whose design criteria you are using (e.g., BMP T5.15: Permeable Pavements or BMP T7.30: Bioretention Cells, Swales, and Planter Boxes).

- Provide tree species, sizes, and locations of the necessary tree removal, if appropriate.
- Provide drawings of the proposed site improvements.
- Provide a schematic of flow through the facilities if needed to assist in describing the proposed work.
- Provide hydraulic profiles, if appropriate.
- Describe and/or show the basin contributing to each proposed BMP. Consider and include offsite areas that contribute runoff to the BMP. Provide a table that includes each of the individual basins in the design as well as a summary table that includes all of information in the basin.
- If the project proposes a BMP with an infiltration component, including Bioretention and Permeable Pavement, describe the results from the site specific characterization, soil analysis, and infiltration testing. Typically, this will include the long term hydraulic conductivity rate from the geotechnical report and the suitability of soil for treatment.
- Provide detailed design calculations.
 - Provide sizing calculations for the selected Runoff Treatment BMP(s). Identify the water quality design flow (on-line or off-line) or volume used for sizing each Runoff Treatment BMP. This flow or volume may be less than that required for a new/redevelopment BMP if there are site conditions that limit the size of the BMP, and the project does not exceed the new/redevelopment thresholds.
 - Provide sizing calculations for any selected Flow Control BMP(s). Include an

analysis of the flows out of the BMP (use WWHM in western WA and local approved method in eastern WA).

- Summarize the calculation inputs and results for the Runoff Treatment and/or Flow Control improvements. If there is more than one basin in the analysis, provide a table that summarizes the information for all the basins in a single table.
- Summarize the model results and include the computer model printouts, if used. This may involve using “print screens” to include all the relevant information.

2.2.7 Quantify the Water Quality Benefit

Discuss the amount of water quality benefit expected based on the current level of design. This information enables Ecology to provide useful reports to the state legislature to show that Ecology is using the funding provided for the intended purposes.

Provide a discussion that compares the amount of Runoff Treatment and/or Flow Control provided in the proposed project to the amount of Runoff Treatment and/or Flow Control required under full new/redevelopment standards for the area contributing to the BMP. Provide the calculations necessary to verify the discussion. Both treatment and flow control calculations are required unless there is a Flow Control Exemption (Receiving Waters).

Ecology has established Runoff Treatment and Flow Control design criteria for projects that exceed new and redevelopment thresholds as defined in Chapter 3 of Volume I of the 2019 SWMMWW and Chapter 2 of the 2019 SWMMEW. The design criteria are well defined and it is clear how to calculate the size of Runoff Treatment and Flow Control BMPs for any given new/redevelopment project. By calculating the size of BMPs that must be installed if needed to meet new/redevelopment standards, a designer can calculate a baseline for comparison purposes.

For retrofit projects that are not required to meet the new/redevelopment standards, the size and environmental constraints within the project site could control the size and capacity of the proposed Runoff Treatment or Flow Control BMP. By comparing the size of the proposed retrofit BMP to the size of a BMP designed to meet new/redevelopment criteria, the designer can demonstrate the level of water quality benefit obtained. Ecology requires that the recipients of Ecology funds calculate two ratios that Ecology can use to calculate an “Equivalent New/Redevelopment Area” to demonstrate the retrofit water quality benefit:

- a) Flow Control Ratio.
- b) Runoff Treatment Ratio.

Once these ratios are calculated, the applicant can develop an Equivalent New/Redevelopment Area for the retrofit project. Projects in Flow Control Exempt basins do not have to calculate the Flow Control Ratio. Projects that provide both Runoff Treatment and Flow Control would provide two separate equivalency values: one for Flow Control, and one for Runoff Treatment.

This information, while not difficult to obtain, does require more detailed information than is typically available at the funding application stage. The designer should include this information with the Design Report submitted to Ecology as part of the funding requirements. Ecology will require that the designer revise the comparison, as necessary, with submittal of the 90 Percent Design Package and again following construction of the BMP. Ecology will use this information to quantify the water quality benefits realized by retrofit projects funded by Ecology.

Ecology maintains a database of the equivalent areas for each grant project. We use this data to inform the state legislature on how funds are being spent.

There are likely to be a number of different methods available to perform this calculation. The important thing is to compare the BMP sizing (treatment and flow control) required in a new/redevelopment project to the size of the BMP(s) installed within this grant or loan.

The designer could do the comparison using the following methods:

Western Washington

The designer calculates the volume of the Flow Control BMP and the water quality design flow rate or volume needed to meet new/redevelopment criteria. The designer compares these two values to the actual volume of the Flow Control BMP and actual water quality design flow rate for the selected retrofit project. Using these ratios, the designer will calculate the percentage of water quality benefit that the retrofit BMP provides compared to the full new/redevelopment BMP for both Flow Control and Runoff Treatment. You then multiply the resulting ratio by the basin area to obtain the Equivalent New/Redevelopment Area.

The procedures below outline methods to estimate the areas improved by proposed Flow Control and Runoff Treatment retrofit projects within western Washington.

Procedure for Comparison – Flow Control BMPs

Procedure WFC-1: Analysis for Size of Detention/Retention Flow Control BMP

- 1) Run the pre-developed condition for WWHM using the basin area contributing to the BMP use forested land cover, except where historic information indicates the area was prairie prior to settlement (then use the pastureland cover).
- 2) Size the Flow Control BMP to meet new/redevelopment criteria for the proposed land use of the basin contributing to the BMP immediately after the construction of the project. Using the Auto Pond function is an acceptable method to obtain this information for detention/retention BMPs. The exact depiction of the outflow control device is not required. Determine the volume of the pond needed to meet new/redevelopment criteria at the overflow elevation.
- 3) Calculate the volume of the proposed retrofit Flow Control BMP at the overflow elevation.
- 4) Calculate the ratio of the proposed retrofit Flow Control BMP volume to the volume of the Flow Control BMP required to meet new/redevelopment.

- 5) Multiply the ratio developed above by the area of the basin contributing to the BMP to obtain the Equivalent New/Redevelopment Area.

Procedure WFC-2: Analysis for Size of Bioretention/Permeable Pavement Flow Control BMP

- 1) Run the pre-developed condition for WWHM using the basin area contributing to the BMP using forested land cover, except where historic information indicates the area was prairie prior to settlement (then use the pastureland cover).
- 2) Size the Flow Control BMP to meet new/redevelopment criteria for the proposed land use of the basin contributing to the BMP.
- 3) Identify the surface area of the proposed retrofit bioretention or permeable pavement BMP.
- 4) Calculate the ratio of the proposed retrofit BMP surface area to the surface area of the BMP required to meet new/redevelopment.

Note: Bioretention by itself is not an efficient flow control BMP and needs to be quite large to meet the new/redevelopment criteria.

- 5) Multiply the ratio developed above by the area of the basin contributing to the BMP to obtain the Equivalent New/Redevelopment Area.

Procedure for Comparison – Runoff Treatment BMPs

Procedure WRT-1: Analysis of Size of Traditional Flow Rate or Volume Based Runoff Treatment BMP

- 1) Run the pre-developed condition for WWHM using the basin area contributing to the BMP using forested land cover, except where historic information indicates the area was prairie prior to settlement (then use the pastureland cover).
- 2) Run the water quality analysis module within WWHM to determine the design flow rate and/or volume for the basin contributing to the Runoff Treatment BMP. Use the on-line or off-line flow rate depending on the configuration of the selected retrofit BMP.
- 3) Using the design flow rate or volume for the Runoff Treatment BMP you are proposing; calculate the ratio between the design flow rate or volume for the retrofit BMP and the design flow rate or volume for the basin contributing to the BMP.

- 4) Multiply the ratio developed above by the area of the basin contributing to the BMP to obtain the Equivalent New/Redevelopment Area.

Procedure WRT-2: Analysis of Size of Bioretention Runoff Treatment BMP

- 1) Run the pre-developed condition for WWHM using the basin area contributing to the BMP using forested land cover, except where historic information indicates the area was prairie prior to settlement (then use the pastureland cover).
 - 2) Run iterations of the bioretention module within WWHM to determine the size of the bioretention BMP that results in a minimum of 91-percent flow through the bioretention media. Use the Underdrain Used button and do not include native infiltration. In addition, assume vertical walls on the bioretention BMP.
 - 3) Using the surface area of the proposed BMP, calculate the ratio between the surface area for the proposed BMP and the bioretention surface area for the full basin analysis.
-
- 4) Multiply the ratio developed above times the area of the full basin to obtain the Equivalent New/Redevelopment Area.

Example Calculations

We use the following sample values in these example calculations:

- Existing Basin Contributing to BMP: 7.0 acres landscaping, flat, 3.0 acres hard surface roads and buildings, Type C soil, 0.3 in/hr. native infiltration rate.
- Pre-Developed Scenario: 10.0 acres Type C soil, forested, flat, 0.3 in/hr. native infiltration rate.
- Proposed Retrofits:
 - Detention BMP: 1.569 ac-ft. at overflow.
 - Traditional treatment BMP: 0.035 cfs design treatment flow rate (on-line).
 - Wet Pond/Vault: 0.115 ac-ft. (5,000 cu ft.) design treatment volume.
 - Bioretention BMP 2,500 sq. ft. surface area, 18-inch media (3 in/hr.), 6-inch sand, 18-inch gravel.
 - Permeable Pavement 2-acres (out of 3 acres of hard surface), 0.3 in/hr. native

infiltration rate. The 3 acres of hard surface is the full contributing area to the proposed permeable pavement.

Procedure WFC-1: Detention/Retention BMP

- Existing Conditions WWHM pond volume at top of outlet (using Auto Pond function, and vertical side slopes) = 2.302 ac-ft.
- Proposed Retrofit Pond Volume at top of outlet = 1.569 ac-ft.
- Flow Control Ratio of Proposed Pond Volume to Required Pond Volume:

- Equivalent New/Redevelopment Area:

Procedure WFC-2: Permeable Pavement

- Existing Conditions Surface Area required to meet redevelopment criteria (Flow Control duration curve) = < area provided in retrofit project sq. ft.
- Proposed Retrofit design Permeable Pavement surface area = 87,120 sq. ft. (2 acres).
- Treatment Ratio of Proposed Surface Area to required Surface Area is greater than 1.

- Equivalent New/Redevelopment Area (only 3 acres contributing to Permeable Pavement).

Procedure WRT-1: Swale/Manufactured Treatment Device (Uses Water Quality Flow rate)

- Existing Conditions WWHM design flow rate for water quality BMP (on-line) = 0.0800 cfs.
- Proposed Retrofit design flow rate for water quality BMP (on-line flow) = 0.035 cfs.
- Treatment Ratio of Proposed design flow rate to required design flow rate:

- Equivalent New/Redevelopment Area:

Procedure WRT-1: Wet Pond/Vault

- Existing Conditions Pond Volume required for new/redevelopment criteria (6-month Storm) 0.1614 ac- ft.

- Proposed Retrofit design Wet Pond/Vault Volume = 0.115 ac-ft.
- Treatment Ratio of Proposed design flow rate to required design flow rate
- Equivalent New/Redevelopment Area

Procedure WRT-2: Bioretention BMP (underdrain)

- Existing Conditions Surface Area required to meet redevelopment criteria (91-percent treated) = 3,500 sq. ft.
- Proposed Retrofit design Bioretention surface area = 2,500 sq. ft.
- Treatment Ratio of Proposed design flow rate to required design flow rate:
- Equivalent New/Redevelopment Area:

Eastern Washington

The designer calculates the volume of the Flow Control BMP and the water quality design flow rate or volume needed to meet new/redevelopment criteria. The designer compares these two values to the actual volume of the Flow Control BMP and actual water quality design flow rate for the selected retrofit project. Using these ratios, the designer will calculate the percentage of water quality benefit that the retrofit BMP provides compared to the full new/redevelopment BMP for both Flow Control and Runoff Treatment. You then multiply the resulting ratio by the basin area to obtain the Equivalent New/ Redevelopment Area.

Procedure for Comparison – Flow Control BMPs

Procedure EFC-1: Analysis for Size of Detention/Retention Flow Control BMP

- 1) Develop the Flow Control BMP sized to meet new development criteria for the full contributing area and the proposed land use. You can use the method that you tell developers to use to determine detention/retention sizing. This will give you the volume of the Flow Control BMP required to meet new/redevelopment.
- 2) Calculate the volume of the proposed retrofit Flow Control BMP at the overflow elevation.
- 3) Calculate the ratio of the proposed retrofit BMP volume to the volume of the BMP required to meet the new development criteria.

- 4) Multiply the ratio developed above times the area of the full basin to obtain the Equivalent New/Redevelopment Area.

Procedure for Comparison – Runoff Treatment BMPs

Procedure ERT-1: Analysis of Size of traditional Flow Rate or volume based Runoff Treatment BMP

- 1) Determine water quality design flowrate and/or volume for full basin (6-month, 24-hr volume or Standard flow rate). Use the method that you tell developers to use to determine water quality treatment flowrate and/or volume. Alternatively, you can use one of the five methods to calculate water quality volume or the three methods to calculate water quality treatment flow in Chapter 2.7.6 of the SWMMEW. Either use the in-line or off-line flow rate depending on the configuration of the selected retrofit BMP. This treatment BMP should treat 90% of the annual runoff.
- 2) Using the design flow rate or volume for the water quality BMP you are proposing; calculate the ratio between the design flow rate or volume for the retrofit BMP and the design flow rate or volume for the full basin.
- 3) Multiply the ratio developed times the area of the full basin to obtain the Equivalent New/Redevelopment Area.

Example Calculations

We use the following sample case in these example calculations:

- 1) Existing Basin: 7.0 acres Type C soil, landscaping, flat, 3.0 acres hard surface roads and buildings, 0.3 in/hr. native infiltration rate.
- 2) Pre-Developed: 10.0 acres Type C soil, forested, flat, 0.3 in/hr. native infiltration rate.
- 3) Proposed Retrofits:
 - Detention BMP: 1.569 ac-ft. at overflow.
 - Traditional treatment BMP: 0.035 cfs design treatment flow rate (on-line).
 - Wet Pond/Vault: 0.115 ac-ft. (5,000 cu ft.) design treatment volume.

Procedure EFC-1: Detention/Retention BMP

- 1) Existing Conditions calculated pond volume at top of outlet = 2.302 ac-ft.
- 2) Proposed Retrofit Pond Volume at top of outlet = 1.569 ac-ft.

- 3) Flow Control Ratio of Proposed Pond Volume to Required Pond Volume:

- 4) Equivalent New/Redevelopment Area:

Procedure ERT-1: Swale/Manufactured Treatment Device (Uses Water Quality Flow Rate)

- 1) Existing Conditions water quality design flow rate for water quality BMP (on-line) = 0.0800 cfs.
- 2) Proposed Retrofit design flow rate for water quality BMP (on-line flow) = 0.035 cfs.
- 3) Treatment Ratio of Proposed design flow rate to required design flow rate:

- 4) Equivalent New/Redevelopment Area:

Procedure ERT-1: Wet Pond/Vault (Uses Water Quality Volume)

- 1) Existing Conditions Pond Volume required for redevelopment criteria (6-month Storm) 0.1614 ac- ft.
- 2) Proposed Retrofit design Wet Pond/Vault Volume = 0.115 ac-ft.
- 3) Treatment Ratio of Proposed design flow rate to required design flow rate:

- 4) Equivalent New /Redevelopment Area:

2.2.8 Engineer's Opinion of Probable Cost

Provide a breakdown showing the total project cost. Clearly identify what items you consider eligible for Ecology funding and which items are ineligible. Ecology typically funds the footprint of eligible BMP(s) and immediate connections to existing facilities/discharge points. Ecology will review the proposed cost breakdown to confirm funding eligibility.

2.2.9 Proposed Schedule

Provide the proposed project schedule. This includes all design and construction milestones. For Design grants, only include the schedule for the design of the project. Include Ecology deliverable review times and the grant and/or loan agreement deadline in the schedule.

2.2.10 Attachments

Attachments commonly included in Design Reports include, but are not limited to:

- Basin Maps.
- Project Limits/TDA Maps.
- Preliminary Plans.
- Cost Estimate Details.
- Storm Simulation outputs and screenshots (e.g., WWHM2012 output).
- Geotechnical Reports, including:
 - Infiltration test results.
 - Soil Suitability Lab test results.
 - Physical soils test results.

2.3 90 Percent Design Package

Ecology expects the 90 Percent Design Package to detail the completed final design. Ecology has labeled the package as 90 Percent instead of 100 Percent to allow the recipient to incorporate any comments received from Ecology or any other reviewing parties between the 90 Percent design and the Final Bid Package. Ecology expects only digital copies of this submittal. Upload the submittal to EAGL and email the Ecology Project Manager that you have completed this task. Allow for 45 calendar days for Ecology's initial review.

This is the final engineering deliverable for Design grants.

The 90 Percent Design Package includes all documents used for bidding including, but not limited to:

- Final Plans (capable of legible viewing at 11x17 inches in size).
- Final Specifications, including, but not limited to:
 - Invitation to Bid, Instructions to bidders, Bid Proposal, and other administrative documents.
 - General Conditions.
 - Special Provisions.
 - Technical Specifications.
 - Construction SWPPP.
 - Inadvertent Discovery Plan.
- Final Engineer's Opinion of Probable Cost.

- Anticipated Project Schedule.

The recipient will also need to include a project sign or equivalent in the plans and specifications noting Ecology’s involvement in funding this project.

Depending on whether your financial support is a grant or loan, you need to include the information from Ecology specification inserts in your plans and specifications. The specifications must include some of the inserts in the Invitation to Bid, the Instruction to bidders, the Special Provisions, the contract, and on the construction drawings. Some inserts are included in their entirety in an Appendix. Examples of the bid inserts for grant projects are listed below.

- [Stormwater Grant/Loan Program Bid Specification Clause](#)¹¹².
- [Stormwater Grant/Loan Program Bid Insert](#)¹¹³.

Please note that federally-funded projects have different bid specifications and inserts. Please contact your Ecology Project Manager for the current information.

To expedite the review process, provide a memo that lists each required insert item and where you have inserted the information within the plans and/or specifications (i.e., page numbers and/or sheet numbers).

2.4 Final Bid Package

Ecology expects the Final Bid Package to detail the completed final design, with all comments from the 90 Percent Design Package incorporated. Ecology expects digital copies only of this submittal. Upload the submittal to EAGL and email the Ecology Project Manager. Allow for 15 calendar days for Ecology’s initial review.

Recipients do not produce a Final Bid Package for Design grants.

The Final Bid Package includes all documents used for bidding including, but not limited to:

- Final Plans (capable of legible viewing at 11x17 inches in size).
- Final Specifications, including, but not limited to:
 - Invitation to Bid, Instructions to bidders, Bid Proposal, and other administrative documents
 - General Conditions
 - Special Provisions
 - Technical Specifications
 - Construction SWPPP

¹¹² <https://ecology.wa.gov/DOE/files/fc/fc45c49a-9a58-4eb5-9386-693abb7367ad.pdf>

¹¹³ <https://ecology.wa.gov/DOE/files/51/5150260c-0962-4202-8053-c4922e5ed05c.pdf>

- Inadvertent Discovery Plan
- Geotechnical Report (if needed).
- Final Engineer’s Opinion of Probable Cost.
- Anticipated Project Schedule.
 - If there are any Addenda developed during the bidding process that has a material or financial impact on the grant or loan, Ecology expects to review and accept them.

2.5 Construction Quality Assurance Plan (CQAP)

A Construction Quality Assurance Plan (CQAP) is the documentation of the recipient and contractor’s process for delivering the level of construction quality required by the contract. Ecology intends this document to provide guidance to the recipient as to what is expected from CQAPs and to identify the criteria for these plans. Per the agreement, the recipient will submit a CQAP to Ecology for review and acceptance prior to beginning construction on any stormwater project. This plan must describe how the recipient will provide adequate and competent construction oversight. Washington Administrative Code regulation, [WAC Chapter 173-240-075](#)¹¹⁴ lists the requirements for preparing a CQAP.

The CQAP submittal should include a cover page containing the grant and/or loan recipient name, project name, agreement number, project engineer’s name, job title, jurisdiction/company, and date CQAP was prepared/revised. The recipient must upload the submittal to EAGL and notify the Ecology Project Manager. Allow for 15 calendar days for Ecology review.

If the recipient is using the Washington State Department of Transportation (WSDOT) standard specs, [Division 1 of the WSDOT standard specs](#)¹¹⁵ covers the general administrative requirements of a CQAP. The CQAP must also contain project and recipient specific information.

2.5.1 Introduction and Site Description

Provide an overview of the project to include a site description and project construction. Include a description of any construction activities that are not grant and/or loan eligible, but installed under the construction contract in place.

2.5.2 Features of Work

Provide a brief description of the tasks performed under the grant and/or loan agreement in sequential order. This description should include a discussion of the overall project, summary of the schedule timeline, any special activities, and the number of subcontractors, etc. to get the reader up-to-date on the project.

¹¹⁴ <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-240-075>

¹¹⁵ <https://www.wsdot.wa.gov/publications/manuals/fulltext/M41-10/SS.pdf>

Include a statement that states that there must be a copy of the Cultural Resources Inadvertent Discovery Plan (IDP) and the Construction Stormwater Pollution Prevention Plan (SWPPP) on-site at all times during the project construction.

2.5.3 Project Organization

Submit an organizational chart with names, email addresses, and phone numbers of key personnel; include sub-consultants and major sub-contractors (if known at the time of submittal, if not known provide an update once you select the contractor). Include a brief summary of the construction management organization, management procedures, lines of communication, and responsibility. Include recipient and Ecology Project Manager in the organization chart.

2.5.4 General Administrative Work

Identify how the recipient will interface between the contractor and the engineer and where the contractor may find guidance for administrative work. This includes information on submittals for review, pay requests, change orders, inspections, etc. Identify the occurrence of meetings between the contractor, engineer, and recipient.

If you use Division 1 of the *Standard Specifications for Road, Bridge, and Municipal Construction* (WSDOT Specs), reference this and the requirements of this section will be satisfied.

2.5.5 Construction Stormwater Pollution Prevention Plan (SWPPP)

Identify if the Ecology Construction Permit applies to the project and who is responsible for compliance with the permit. Confirm that the SWPPP is on-site and updated, as necessary. Submit a copy of the SWPPP to Ecology if the contractor is responsible for preparation of the document and Ecology has not yet reviewed it.

2.5.6 Quality Control Methods

Submit a description/summary table of the quality control testing such as soil and material tests, leakage/pressure tests, equipment performance tests, etc. Include the type of tests, frequency, parameters, specifications, and who will perform the tests. Add brief explanations as appropriate.

2.5.7 Inspections

Summarize the construction inspection program for the project. Include:

- Inspector's responsibility.
- Inspection frequency.
- Deficiency resolution process.
- Inspector qualifications (brief summary may be included or attached).
- Municipality or authorized agent performing the inspection.

- Daily Inspection Report Template.

2.5.8 Technical Records Handling

Briefly discuss who is responsible for keeping technical records and where the records are stored. Technical Records include, but are not limited to, project correspondence, plans and specifications, inspection reports and daily logs, meeting minutes, shop drawings, field orders, and change orders.

2.5.9 Field Testing Procedures

Describe field testing procedures to verify that control measures are adequate to provide a product that conforms to the contract. This may include referencing applicable testing parameters (ASTM, etc.), listing approved and validated facilities and equipment, and verification and review that all tests are documented and submitted as part of quality control system reporting.

2.5.10 Permits, Licenses, Easements, and Agreements

List and track all required permits, easements, agreements, and licenses. Include any associated notices. The recipient will complete all design, environmental review, and permitting tasks and respond to Ecology comments in a timely manner.

2.5.11 Construction Documentation

Describe the maintenance of project document records and submittals, to include the Inadvertent Discovery Plan (IDP), project correspondence, reimbursements, plans and specifications, addenda, progress reports, inspection reports, and daily logs.

2.5.12 Change Order Documents

Describe how modifications or revisions to the specifications will be tracked and relayed to grant and/or loan recipient key personnel and Ecology. Submissions can include drawings, plans, diagrams, or any other supplementary data or calculations.

When applicable, the submittal should include a description of tasks and items for which costs have changed.

Submit a description of the change order process. Include who will initiate, review, negotiate, approve, and send change orders to Ecology. Ecology must review and accept change orders before implementation. Promptly convey issues during construction that may result in a change order to Ecology either at construction meetings or via phone and/or email as they arise. Include a change order template in the submittal.

Prior to execution, the recipient will submit in writing any eligible change orders that are a significant deviation from Ecology-accepted plans and specifications for Ecology review and acceptance for payment. Allow for 10 calendar days for Ecology review. Ecology must review and accept all change orders that impact grant and/or loan eligible activities prior to

implementation. Ecology must review all other change orders for technical merit and should be submitted within 30 days after execution. Change orders are to be signed by the contractor, the engineer (if appropriate), and the recipient prior to submittal to Ecology for acceptance.

2.5.13 Project Completion Documentation

Upon project completion, the recipient will submit the Declaration of Construction Completion form to Ecology in accordance with [WAC 173-240-090](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-240-090)¹¹⁶. The form, when signed by a professional engineer, indicates that the contractor completed the project in accordance with the plans and specifications and major change orders approved by Ecology, and accurately shown on the record drawings. Include preparation and delivery of record drawings to the Recipient at this time.

Submit a revised calculation of water quality benefits if there were changes during construction that affected the basin or BMP sizing that might have an impact on the calculations.

2.6 Operations and Maintenance Plan (O&M) for Facilities

For TAPE GULD devices, the manufacturer's Operation and Maintenance plan is required. For non-TAPE GULD devices, provide a specific BMP O&M plan. See more details below.

- For Low Impact Development (LID) BMPs maintenance guidance, you may refer to Appendix G of the [Eastern Washington Low impact Development Guidance Manual](#)¹¹⁷ or Appendix 4 of the [Low Impact Development Technical Guidance Manual for Puget Sound](#).
- Identify the person or party who is responsible for the operation and maintenance, such as the Public Works Department or third-party contractor.
- Describe how the maintenance operations fit into the recipient's overall operations and maintenance plan.
- Post-construction plant maintenance for BMPs that rely on vegetation to maintain functionality.

2.7 GIS

This section intends to help stormwater grant and/or loan recipients identify the necessary information to include in geographic information system (GIS) deliverables. Ecology does not require that GIS deliverables follow this outline, but following this guidance will expedite the review process.

Stormwater facility agreements include deliverables for preliminary and final GIS data. The preliminary project file is completed at the design phase, and the final project file is based on the completed construction of the stormwater facility. Ecology review of GIS data may include the following:

¹¹⁶ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-240-090>

¹¹⁷ <https://apps.ecology.wa.gov/publications/documents/1310036.pdf>

- Comparison between GIS data and design plans.
- Comparison between GIS data and field observations using GIS/GPS mapping application tools during site visits.
- Georeferenced photos.
- Comparison between GIS data and water quality benefit equivalent area calculations, as reported in Outcome Summary during close out.

2.7.1 GIS for Planning Projects

The preferred format for GIS submittals for planning projects is a Uniform Resource Locator (URL) pointing to published feature services or a URL to a GIS map that utilizes published feature services. Ecology must be able to view and export the data.

The EAGL submittal will be a memo providing the appropriate URL and a short summary of the map (or a memo as dictated by the agreement).

2.7.2 EAGL Mapping

Although the recipient has authorization to upload the project contributing area into the Mapping Information form in EAGL, Ecology prefers to have the Ecology regional Project Manager upload the file after Ecology has reviewed the data, as it is easy to accidentally repopulate EAGL with a default placeholder GIS file.

2.7.3 Data and Schema

All GIS data must be polygon(s), not lines or points. The standard Ecology Projection is Washington State Plane, South Zone, NAD 83 HARN, US Feet. Ecology may accept other projections if the files are readily accommodated by ArcGIS Pro. ArcGIS Pro is the Agency standard, but ArcMap can still be accepted.

All files must be zipped (.zip) to upload to the EAGL Uploads form of the agreement. An empty file geodatabase template with acceptable schema is available on the [General Resources for Water Quality Grants & Loans webpage under Forms - Stormwater Agreement Materials](#).

Funding recipients may choose to submit a memo with a URL for a published feature service as an alternative to zipped files. Ecology must be able to view and export the data from the published feature service.

Stormwater facility GIS files should provide the following information:

- Contributing area. One polygon feature class with a single feature. The feature can be multipart, and must be a single record in the attribute table. Fields should include:
 - Project ID (i.e., agreement number).
 - Contributing area in acres.
 - Pollution Generating Impervious Surface (PGIS) in acres.

- Runoff Treatment benefit in acres from the equivalent new/redevelopment area determination.
- Flow Control benefit in acres from the equivalent new/redevelopment area determination.
- Text comments for additional clarification if necessary.
- BMP footprint. One polygon feature class with a separate polygon feature for each BMP. If more than one BMP is constructed, then multiple records should appear in the attribute table. Fields should include:
 - Project ID (i.e., agreement number).
 - BMP name consistent with an Ecology-approved manual, or Ecology-approved TAPE device name.
 - Text comments for additional clarification if necessary.

Stormwater Decant Facilities should provide the following GIS files:

- Decant facility footprint. Fields should include:
 - Project ID (i.e., agreement number).
 - Text comment of a brief description of decant facility constructed.
 - If a water quality treatment or Flow Control facility is constructed as part of the project, provide the BMP footprints for these facilities. Fields should include:
 - Project ID (i.e., agreement number).
 - BMP name consistent with an Ecology-approved manual, or Ecology-approved TAPE device name.
 - Text comments for additional clarification if necessary.

2.8 Example Facility Scope of Work for Application

Step 2 Design applications should include the following Tasks in their application Scope of Work:

- Task 1 – Grant and Loan Administration.
- Task 2 - Cultural and Environmental Review, and Permitting.
- Task 3 - Design Plans and Specifications.
- Only include Task Description A and B, and Deliverables 3.1-3.7.
- Task 6 – Close Out.
 - Only include Task Description B, C, and D, and Deliverables 6.2-6.3.

Step 3 Construction applications should include all Task language listed below in the application

Scope of Work except for:

- Task 2 – Design Plans and Specifications.
 - Only include Task Description C and Deliverables 3.8 - 3.11.

Step 4 Design and Construction applications with a total eligible cost of \$300,000 or less should include all Task language listed below in their application Scope of Work with the addition of:

- Task 2 Design Plans and Specifications.
 - Add Deliverable 3.12 GIS Preliminary project area shapefile.

Task Number: 1

Task Cost:

Task Title: Grant and Loan Administration

Task Description:

- A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include, but are not limited to maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; and an EAGL (Ecology Administration of Grants and Loans) recipient closeout report (including photos, if applicable). In the event that the RECIPIENT elects to use a contractor to complete project elements, the RECIPIENT shall retain responsibility for the oversight and management of this funding agreement.
- B. The RECIPIENT shall keep documentation that demonstrates the project is in compliance with applicable procurement, contracting, and interlocal agreement requirements; permitting requirements, including application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items. This documentation shall be made available to ECOLOGY upon request.
- C. The RECIPIENT shall maintain effective communication with ECOLOGY and maintain up-to-date staff contact information in the EAGL system. The RECIPIENT shall carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed and fully documented project that meets ECOLOGY's grant and loan administrative requirements.

Task Expected Outcome:

* Timely and complete submittal of requests for reimbursement, quarterly progress reports, Recipient Closeout Report.

* Properly maintained project documentation.

Grant and Loan Administration Deliverables

Number	Description	Due Date
1.1	Progress Reports that include descriptions of work accomplished, project challenges, and changes in the project schedule. Submitted at least quarterly.	
1.2	Recipient Closeout Report (EAGL Form).	

Task Number: 2

Task Cost:

Task Title: Cultural and Environmental Reviews, and Permitting

Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

- A. The RECIPIENT will submit the documents listed below to initiate ECOLOGY’s cultural resources review. Property acquisition and above and below ground activities proposed at any project site must be reviewed by ECOLOGY for potential affects to cultural resources. The RECIPIENT must receive written notice from ECOLOGY prior to proceeding with work. Examples of work may include (but are not limited to) geotechnical work, acquisition, site prep work, and BMP installations. Work done prior to written notice to proceed shall not be eligible for reimbursement.
- To initiate cultural resources review:
1. The RECIPIENT will submit the Cultural Resources Review Form to ECOLOGY, using the ECOLOGY template. Any supporting materials must conform to the Department of Archeology and Historic Preservation’s (DAHP) Washington State Standards for Cultural Resource Reporting. The Cultural Resources Review Form template may be found on the ECOLOGY website.
 2. The RECIPIENT will submit an Inadvertent Discovery Plan (IDP) to ECOLOGY, using the ECOLOGY template. The RECIPIENT will ensure that all contractors and subcontractors have a copy of the completed IDP prior to and while working on-site. The IDP template may be found on the ECOLOGY website.
- B. The RECIPIENT will submit the State Environmental Policy Act (SEPA) checklist for ECOLOGY project manager review and notify the ECOLOGY project manager when the official comment period begins. The RECIPIENT will also upload the final SEPA determination.
- C. The RECIPIENT is responsible for application of, receipt of, and compliance with all required local, state, tribal, and federal permits, licenses, easements, or property rights necessary for the project.

Task Goal Statement:

The RECIPIENT will complete all cultural and environmental reviews and permitting tasks in a timely manner.

Task Expected Outcome:

The project will meet the requirements set forth by the cultural resource protection requirements, State

Environmental Policy Act, and all other applicable federal, state, and local laws, and regulations.

Cultural, Environmental Review, and Permitting Deliverables

Number	Description	Due Date
2.1	ECOLOGY Cultural Resources Review Form. Email the form and any supplemental cultural resources documentation directly to the ECOLOGY Project Manager. DO NOT upload the cultural resources form or documentation to EAGL.	
2.2	Inadvertent Discovery Plan (IDP). Email the form directly to the ECOLOGY Project Manager for review. Upload to EAGL once review is complete.	
2.3	SEPA Checklist. Upload the checklist, or other documentation for projects considered exempt from SEPA review, to EAGL and notify ECOLOGY when official comment period begins.	
2.4	Final SEPA Determination. Upload to EAGL and notify ECOLOGY.	

Task Number: 3

Task Cost:

Task Title: Design Plans and Specifications

Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

The RECIPIENT will develop a stormwater project design. The design submittals must conform to the Deliverables for Stormwater Projects with Ecology Funding Document. Projects must be designed in accordance with the Stormwater Management Manual for Eastern Washington, Stormwater Management Manual for Western Washington, or equivalent manual. Refer to the ECOLOGY website for specific guidance. Project must be reviewed and accepted in writing by ECOLOGY to be eligible for reimbursement.

The RECIPIENT will upload the design submittals listed below to EAGL for ECOLOGY review. Reduce design figures to 11x17 inches in size and ensure they are legible.

- A. The RECIPIENT will submit a Design Report to ECOLOGY for review and acceptance. Allow 45 calendar days for ECOLOGY review.
 The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology Design Report Acceptance Letter prior to proceeding to 90 Percent Design.
- B. The RECIPIENT will submit a 90 Percent Design Package to ECOLOGY for review and acceptance.
 At a minimum, this package must include 90 percent plans, specifications, engineer’s opinion of cost including a schedule of eligible costs, and project construction schedule. The current

required bid inserts and specifications may be found on the Ecology website. Allow 45 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology 90 Percent Design Acceptance Letter prior to proceeding to Final Bid Package.

- C. The RECIPIENT will submit a Final Bid Package to ECOLOGY for review and acceptance prior to advertising the project. The Final Bid Package includes: project plans, specifications, engineer’s opinion of cost including a schedule of eligible costs, and project construction schedule. Allow 15 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology Final Bid Package Acceptance Letter prior to advertising the project.

Task Goal Statement:

The RECIPIENT will complete all design tasks and respond to ECOLOGY comments in a timely manner.

Task Expected Outcome:

The project will meet the requirements set forth by ECOLOGY water quality facility design standards and all other applicable federal, state, and local laws, and regulations.

Design Plans and Specifications Deliverables

Number	Description	Due Date
3.1	Contract documents (if contracting out for design). Upload to EAGL and notify ECOLOGY.	
3.2	Design Report. Upload to EAGL and notify ECOLOGY.	
3.3	Responses to ECOLOGY Design Report comments. Upload to EAGL and notify ECOLOGY.	
3.4	ECOLOGY Design Report Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.5	90 Percent Design Package. Upload to EAGL and notify ECOLOGY.	
3.6	Responses to ECOLOGY 90 Percent Design Package comments. Upload to EAGL and notify ECOLOGY.	
3.7	ECOLOGY 90 Percent Design Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.8	Final Bid Package. Upload to EAGL and notify ECOLOGY.	
3.9	Responses to ECOLOGY Final Bid Package comments. Upload to EAGL and notify ECOLOGY.	

Number	Description	Due Date
3.10	Ecology Final Bid Package Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.11	Bid documents (e.g. bid announcement, bid tabulations, and bid award). Upload to EAGL and notify ECOLOGY.	

Task Number: 4

Task Cost:

Task Title: Construction Management

Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

- A. The RECIPIENT will provide construction oversight and management of the project.
- B. The RECIPIENT will submit a detailed Construction Quality Assurance Plan (CQAP) to ECOLOGY for review and acceptance before the start of construction. This plan must describe how the RECIPIENT will perform adequate and competent construction oversight. Guidance for CQAP development is located in the Design Deliverables Document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.
- C. The RECIPIENT will conduct a pre-construction conference meeting and invite ECOLOGY to attend.
- D. The RECIPIENT will submit a project schedule prior to the start of construction and whenever major changes occur.
- E. Prior to execution, the RECIPIENT will submit to ECOLOGY any eligible change orders that deviate from ECOLOGY-accepted plans and specifications. ECOLOGY must review and accept all change orders that affect grant eligible activities prior to implementation. Allow 10 calendar days for ECOLOGY review.

Task Goal Statement:

The RECIPIENT will oversee and manage construction, communicate with ECOLOGY in a timely fashion, and provide ECOLOGY with all requested project documentation.

Task Expected Outcome:

The project will be constructed on schedule and in accordance with accepted plans.

Construction Management Deliverables

Number	Description	Due Date
4.1	Construction Quality Assurance Plan. Upload to EAGL and notify ECOLOGY. Upload ECOLOGY acceptance documentation.	
4.2	Pre-Construction Conference Meeting Minutes. Upload to EAGL and notify ECOLOGY.	
4.3	Project Schedule. Submit prior to construction and when changes occur. Upload to EAGL and notify ECOLOGY.	
4.4	Change Order(s). Upload to EAGL and notify ECOLOGY. Upload ECOLOGY acceptance documentation.	

Task Number: 5

Task Cost:

Task Title: Construction

Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

- A. The RECIPIENT will complete construction of the project in accordance with ECOLOGY-accepted plans and specifications. The construction project will include installation of (NAME OF BMPs FROM PROJECT SHORT DESCRIPTION) to mitigate runoff from approximately (ACRES) of pollution-generating impervious surfaces.
- B. Stormwater Construction Completion Form signed by a professional engineer indicating that the project was completed in accordance with the plans and specifications, and major change orders approved by ECOLOGY's Project Engineer and shown on the Record Drawings. The Stormwater Construction Completion Form can be found on the ECOLOGY website.

Task Goal Statement:

Construction of the project in accordance with ECOLOGY-accepted plans and specifications.

Task Expected Outcome:

Constructed project will provide water quality benefits including reductions in (LIST PARAMETERS FROM SHORT PROJECT DESCRIPTION).

Construction Deliverables

Number	Description	Due Date
5.1	Signed and dated construction contract. Upload to EAGL and notify ECOLOGY.	

Number	Description	Due Date
5.2	Stormwater Construction Completion Form. Upload to EAGL and notify ECOLOGY.	

Task Number: 6

Task Cost:

Task Title: Project Close Out

Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

- A. The RECIPIENT will operate and maintain the constructed facility for the design life of the facility. The RECIPIENT will develop and submit an Operations and Maintenance (O&M) plan for all facilities constructed with ECOLOGY funding to ECOLOGY for review. The O&M plan must address long-term activities to assure ongoing pollutant removal and flow-control capability of the project in accordance with the design manual. O&M plan development guidance is located in the Deliverables Document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.
- B. The RECIPIENT will submit the final GIS compatible project area as a shape file, geodatabase file, or ECOLOGY-approved equivalent. The project area should include polygon features for stormwater facilities and contributing areas.
- C. The RECIPIENT will submit the Recipient Close Out Report (RCOR) in EAGL in accordance with Task 1.
- D. The RECIPIENT will submit an Outcomes Summary using the ECOLOGY template.
- E. The RECIPIENT will calculate and submit a final equivalent new/re-development area for the completed retrofit project(s) using the methods outlined in the Stormwater Deliverables Document. Include a table showing the final equivalent new/re-development area compared to the area provided in the ECOLOGY-accepted Design Report and an explanation of changes.

Task Goal Statement:

The RECIPIENT will complete all close out submittals in a timely manner.

Task Expected Outcome:

* Timely and complete submittal of O&M plan, equivalent area calculation, GIS, Recipient Closeout Report, and Outcomes Summary.

* Proper maintenance of the constructed facility to maintain water quality benefits.

Project Closeout Deliverables

Number	Description	Due Date
6.1	Facility Operation and Maintenance Plan. Upload to EAGL and notify ECOLOGY. Upload ECOLOGY acceptance documentation.	

Number	Description	Due Date
6.2	Project area shapefile, geodatabase file, or ECOLOGY-accepted equivalent. Upload to EAGL and notify ECOLOGY. Upload ECOLOGY acceptance documentation.	
6.3	Final, as constructed, equivalent new/redevelopment area determination. Upload to EAGL and notify ECOLOGY.	

3.0 Stormwater Activity Projects

3.1 Enhanced Maintenance & Source Control Planning

Enhanced maintenance or source control projects are projects that aim to improve water quality by first assessing, and then enhancing, current maintenance or source control practices.

The first step for these projects is to develop and adopt a plan that identifies the water quality goal that the jurisdiction wants to achieve and outlines a clear path to achieving these goals using improved maintenance (or source control) practices. This plan is typically referred to as an Enhanced Maintenance Plan (EMP)

Because grant funding is only available for program enhancement, not baseline maintenance work, **completion of an EMP is a required step** to establish grant funding eligibility for maintenance equipment or maintenance facilities. See Funding Guidelines Section 2.4.1 for additional information about eligibility.

Through review and acceptance of the EMP, Ecology-funding program staff will provide technical assistance on the metrics and method used to establish the link between the proposed maintenance actions and progress toward achieving the specified water quality goal. If the EMP identifies the need for specific facilities or maintenance equipment, Ecology will identify the type of Water Quality Combined Program funding that could pay for the equipment as part of the Ecology review process.

The information provided below will to assist you in developing a scope of work for projects that propose to evaluate and enhance their maintenance. The EMP should include the following information, as well as a cover page containing the title, jurisdiction, and date the plan was prepared/revised.

3.1.1 Introduction

This section should:

- Introduce readers to the water bodies that receive water from the MS4, including water quality concerns and the relative influence of stormwater.
- Provide an overview of the plan and the context within your larger stormwater quality program.

- Describe the increase in benefits you expect to achieve and water quality goals you hope to meet by implementing this plan.

If your community is completing a Stormwater Management Action Plan, the information you provide in this section should align with your water conditions assessment. For more information about assessing your receiving waters, please refer to Ecology’s Stormwater Management Action Planning Guidance.

In larger communities, or communities that have many receiving waters, it may be helpful to divide this section into several subsections and include an executive summary.

3.1.2 Pre-Project (Baseline) Program

Documenting the existing maintenance program and assessing the water quality benefits the existing program provides is the first step in developing and managing an enhanced maintenance program.

3.1.2.1 Current Program Priorities & Implementation

Describe goals of your current program and the method your jurisdiction is currently using to prioritize maintenance (e.g., sweeping, vactoring, line jetting, or other source control activities). In your description, please discuss:

- Geographic areas, urban catchments and outfalls.
- Frequency for each activity.
- Special events (community and/or weather) or spill response capability.
- Methods and tools used for tracking maintenance activities, curb miles, roads/routes, loading complaints, emergency response, etc.
- Describe how and where you currently dispose of solid and liquid materials.
- Information on load testing for hazardous substances, including frequency, sampling methods, and testing protocols. Consult with your local health jurisdiction to determine if your current protocols meet the testing criteria for proper disposal or reuse of solid waste.
- The facilities and equipment that are used to implement the current program.
- Who currently implements each program element including any existing agreements or partnerships.

3.1.2.2 Program Costs

Calculate the short and long-term costs of operating the current program. Include costs such labor, disposal, equipment storage, maintenance, and replacement, etc. Include a brief description of how the program is currently funded.

3.1.2.3 Evaluation and Adaptive Management

State the current program performance standards and goals. Describe how and how often you currently measure program performance.

3.1.2.4 Estimate of the Water Quality Benefits

Describe the methodology used to calculate the water quality benefits in the current program. Include total units of pollutants, sediment, other materials or benefits provided by the current program. If you do not have an existing methodology, develop an estimate using the best available data.

Ecology does not currently have an approved state-wide method for calculating water quality benefits for source control activities. An online database of source contribution tools and methodologies for BMPs including source control BMPs has been compiled by the [California Stormwater Quality Association](#)¹¹⁸. This database is not exhaustive and should not be construed as a specific recommendation for specific cases. For additional assistance in developing a method appropriate for your program contact your Ecology regional project manager.

3.1.3 Proposed or Post Project Program

3.1.3.1 Alternative Development, Evaluation & Selection

This section of the Enhanced Maintenance Plan should describe the maintenance alternatives you considered and a description of the final selected alternative. The development and analysis of feasible alternatives is a critical component of your plan. The proposed alternatives should be designed to address the critical water quality concerns for your community's receiving waters and should include cost and water quality benefits for each alternative.

If you intend on applying for Ecology funding to fund the start-up costs for implementing your enhanced maintenance program, this section will provide the answers to many of the questions on the Ecology Combined Water Quality Funding Program Application (see Appendix C).

The [City of Edina, MN, Street Sweeping Management Plan](#)¹¹⁹ is a good example of how a mid-size community evaluated sweeping alternatives to maximize the value of their sweeping program.

3.1.3.2 Enhanced Program Priorities & Implementation

Describe the specific changes that will be made to the baseline program. If any additional equipment or facilities will be required to implement the program, describe how you determined the size/type and number needed. Ecology will use this information to determine funding program eligibility.

¹¹⁸ <https://www.casqa.org/resources/effectiveness-assessment/source-contribution-tools-methodologies/online-database>

¹¹⁹ <https://www.edinamn.gov/DocumentCenter/View/3887/Edina-Street-Sweeping-Plan-Final-PDF?bidId=>

3.1.3.3 Program Costs

Calculate the short- and long-term costs of operating the proposed program. Include costs such as labor, disposal, equipment storage, maintenance, and replacement, etc. Provide a cost comparison for cost to purchase equipment vs. cost to rent if planning to purchase equipment. Costs can be included in a Use Allowance (Section 11.2.4).

Provide details on how the program will maintain this level of service and fund additional costs associated with the Enhanced Maintenance Plan including long-term costs such as equipment replacement.

3.1.3.4 Evaluation and Adaptive Management

Describe any revised goals or performance measures. If the baseline program did not include standards and goals that relate to improvements in water quality, they must be included in the proposed program.

3.1.3.5 Estimate of the Water Quality Benefits

Calculate the water quality benefits of the proposed project using the method described for the baseline condition and compare the pre- and post-project conditions.

Include any proposed revisions to the methodology.

3.1.3.6 Sample Enhanced Maintenance Task

Task Number: 2

Task Cost:

Task Title: Enhanced Maintenance Plan

Task Description: The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

- A. The RECIPIENT will develop and submit a draft and final Enhanced Maintenance Plan (EMP) including an alternatives analysis for ECOLOGY review and comment. Allow 45 calendar days for ECOLOGY review. At a minimum, this plan shall include the following elements:
 1. Introduction/Overview
 - a. Assessment of waterbodies that receive water from the RECIPIENT's MS4. Include information such as pollutants of concern, TMDLs, beneficial uses, etc. Estimate the amount of pollutants contributed to the system by the RECIPIENT's MS4 and water quality improvement goals for each waterbody.
 - b. Explain why the RECIPIENT is choosing to explore enhanced maintenance as a strategy for pollutant reduction, as opposed to other means of improving water

quality.

- c. Summarize the differences between the current program and the RECIPIENT's enhanced program.

2. Current Program Description

- a. Current program priorities, goals, and how the RECIPIENT determines where to employ existing maintenance resources.
- b. Estimate of the total cost to implement the existing program. Include labor, training, disposal, equipment maintenance and replacement costs. Note if any costs are currently unfunded.
- c. Any formal/informal method used to determine if the program is meeting the goals described above. If the program is routinely assessed by the RECIPIENT, describe how changes are made to the program.
- d. Current program implementation. Include location and frequency of current pollutant removal and source control efforts, staff training, equipment maintenance, material disposal process, data collection and tracking methods. Quantify the equipment needed to implement the current program.
- e. Estimate of the water quality benefits the program provides. Show the method used to arrive at this estimate. If insufficient data exists to provide an estimate, identify and describe these gaps.

3. Future Program Description

- a. Perform alternatives analysis including cost and water quality benefit evaluation. Cost estimates should include labor, training, disposal, equipment acquisition, maintenance and replacement costs, and facility improvements. If the program proposes to purchase equipment, analyze rent or lease versus purchase alternatives to determine the most economic approach.
- b. Identify preferred enhancement alternative(s) and justify selection. Estimate the water quality benefits and show the method used to arrive at this estimate. Identify equipment and facilities needed to implement the program.
- c. Describe the program's implementation. Include location and frequency of enhanced maintenance efforts, data collection and analysis methods.
- d. Explain how frequently the program will be assessed, and the process for adaptive management of the program to ensure the goals are achieved.

- B. The RECIPIENT will respond to ECOLOGY comments on the draft EMP. The RECIPIENT must receive an EMP Acceptance and Eligibility letter prior to proceeding with any purchase of equipment or facility designing.

Task Goal Statement:

The RECIPIENT will complete the Enhanced Maintenance Plan and respond to ECOLOGY comments in a timely manner.

Task Expected Outcome:

Identification of the best alternative for removing total suspended solids and other related pollutants from roadways.

Enhanced Maintenance Plan Deliverables

Number	Description	Due Date
2.1	Draft Enhanced Maintenance Plan. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.2	Responses to ECOLOGY Enhanced Maintenance Plan comments. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.3	ECOLOGY Enhanced Maintenance Plan Acceptance Letter. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.4	Final Enhanced Maintenance Plan. Upload to EAGL and notify Ecology when upload is complete.	
2.5	Waste disposal agreements. If applicable, upload copies of waste disposal contracts or agreements to EAGL.	

3.2 Activities Implementation –Construction of Infrastructure and Large Equipment Purchase

3.2.1 Decant Facilities

3.2.1.1 Minimum Requirements for a Decant Facility

If an Ecology-accepted Enhanced Maintenance Plan shows the recipient needs to construct a decant facility to accomplish water quality goals design and construction of such a facility is eligible for funding. The decant facility design and/or construction scope of work should include the tasks from the facilities scope of work template (Appendix L, Section 9.0) and deliverables guidance for stormwater facility design and construction. In addition, the following requirements will also apply:

- Include at least two bays. Covered bays are recommended, but not required for Eastern Washington.
- Meet new/redevelopment criteria according to the Ecology Stormwater Management Manuals for Eastern or Western Washington, or accepted equivalent manual.
- Be authorized to discharge to either a sanitary sewer or other accepted treatment

facility.

- Treatment methods other than sanitary sewer discharge can be discussed on a case-by-case basis.
- Include an oil/water separator downstream of the decant water collection area.
- Include safety lighting.
- Include shutoff valve to control hot load in the event of emergency spill.
- Provide adequate room for turning vehicles.
- Provide facilities for washing out the interior of vacor tanks and sweeper storage bay.
- Follow local health jurisdiction guidelines for disposal testing criteria to ensure proper disposal or reuse of solid waste.
- Stockpile permit from your local health jurisdiction, if required.
- Include facilities for testing water and soils for hazardous materials.

3.2.1.2 Decant Facility Operations and Maintenance Plan (O&M) Requirements

Before the decant facility becomes operational, Ecology must review and accept an Operations and Maintenance Plan. The plan must:

- Describe how the flow line is clear and properly maintained.
- Describe how all on-site stormwater BMPs are maintained and repaired.
- Ensure to have discharge authorization or other permission to discharge to the sanitary sewer issued by the municipality's sewage treatment agency.

Disposal options are not limited to sanitary, but open to other options, such as on-site treatment and infiltration into ground. It is required to treat street waste liquids, refer to Appendix IV-B of SWMMWW.

If it is necessary to dispose of decant water to a location other than the sanitary sewer, work with the Ecology Municipal Permit Planner to determine feasibility of discharging in another location.

For an O&M manual template example, you can refer to Appendix E of Regional Siting Study for the counties of Snohomish, King, Pierce, and Thurston.

3.2.2 Maintenance Equipment

Equipment with a purchase price greater than \$5,000 will require pre-approval from Ecology. In addition to the program-specific feedback provided through the Enhanced Maintenance Plan approval process, Ecology typically looks for the following elements when approving maintenance equipment.

3.2.2.1 Sweeper Trucks

Regenerative Air Sweeper or vacuum sweeper as manufactured by Elgin, Tennant, Peterbilt, International, or Schwarze, or approved equivalent.

Contains standard equipment for operation, operator comfort, and monitoring of sweeping activities.

3.2.2.2 Vactor Trucks

Vacuum trucks for cleaning catch basins and piping as manufactured by Peterbilt, International, Freightliner, Kenworth, or approved equivalent.

Contains standard equipment for operation, operator comfort, and catch basin and pipe cleaning operations.

3.2.2.3 Maintenance Equipment Operations and Maintenance (O&M)

All The Operations & Maintenance Plan for any large equipment purchase should include the following elements:

- Training:
 - How staff will be trained to operate equipment.
- Operating procedures:
 - Start-up.
 - Load dumping.
 - Wash out.
- Equipment inspection:
 - Inspection schedule.
 - Inspection tasks.
 - Parties responsible for inspection.
- Equipment maintenance:
 - Maintenance schedule.
 - Maintenance tasks.
 - Parties responsible for maintenance.
- Budget:
 - Estimated costs for regular maintenance tasks, materials, and supplies.
 - Funding source for operations and maintenance.

3.2.2.4 Equipment Purchase, Rental, or Use Allowance Reimbursement

If the Ecology-accepted Enhanced Maintenance Plan shows the recipient needs additional

equipment, Ecology will pay for the purchase, rental, or contracted use of a high efficiency street sweeper, vactor truck, or both, when the recipient meets the following criteria:

- Recipient has an Ecology-accepted Enhanced Maintenance Plan.
- Recipient has an Ecology-accepted equipment Operations and Maintenance Plan.
- Recipient has documented a current contract for proper disposal of sweeping/cleaning waste.
- Recipient may purchase equipment according to the agreement and funding program guidelines. When cost effective and feasible, the recipient should consider renting versus purchasing.
- Recipient must submit documentation to verify they possess the equipment before requesting reimbursement.
- If the recipient will rent or contract for services, or seek reimbursement for sweeping costs, they must include a breakdown of the use allowance. The use allowance may include all components related to the total cost of operating the equipment. Costs associated with labor, testing and disposal of solids and effluent are eligible.
- Recipient must report lane miles swept and tons of debris collected quarterly and cumulatively for the remainder of the agreement.

Appendix M: Hardship Eligibility, Median Household Income, Population

Hardship Eligibility Determinations

The [U.S. Census Bureau](https://data.census.gov/cedsci/)¹²⁰ provides population and median household income (MHI) data for states, cities, towns and census designated places (CDP). MHI are obtained through the most recent available American Community Survey (Tables S1903 and DP05, 2021 5-year estimates data profiles).

Ecology uses the MHI data when making hardship determinations. If a community does not have an MHI or a population listed in Table 23, Ecology uses the MHI or population for the county where the community is located or another applicable location such as a census tract.

Communities are eligible for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship if the population is less than 25,000 and has a MHI no greater than 80% of the state MHI (defined as \$84,247). Information about CWSRF wastewater construction hardship can be found in Section 3.1.4 Funding Provisions, and for SFAP in Section 3.2.4 Funding Provisions.

If an applicant disputes the MHI estimate used by Ecology, the applicant may conduct a survey to determine the MHI for the project area. If an applicant chooses to conduct an Income Survey, they must adhere to the [Infrastructure Assistance Coordinating Council \(IACC\)](http://www.infracouncil.org/)¹²¹ *Income Survey Guide*, and the results must be submitted to and approved by Ecology.

Table 23: Median Household Incomes, Population, and Hardship Eligibility for SFAP and CWSRF/Centennial Preconstruction

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
*Washington	\$84,247	7,617,364	n/a	
Aberdeen city	\$43,836	16,571	Eligible	\$73.06
Aberdeen Gardens CDP	-	305	Ineligible	n/a
Acme CDP	-	123	Ineligible	n/a
Adams County	\$54,573	20,353	Eligible	\$90.96
Addy CDP	-	40	Ineligible	n/a
Ahtanum CDP	\$72,264	3,701	Ineligible	\$120.44

¹²⁰ <https://data.census.gov/cedsci/>

¹²¹ <http://www.infracouncil.org/>

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Airway Heights city	\$55,932	8,885	Eligible	\$93.22
Albion town	\$54,750	677	Eligible	\$91.25
Alder CDP	\$109,345	134	Ineligible	\$182.24
Alderton CDP	\$97,941	2,695	Ineligible	\$163.24
Alderwood Manor CDP	\$102,226	9,618	Ineligible	\$170.38
Alger CDP	\$66,637	150	Eligible	\$111.06
Algona city	\$78,040	3,207	Ineligible	\$130.07
Allyn CDP	\$94,952	2,504	Ineligible	\$158.25
Almira town	\$63,750	267	Eligible	\$106.25
Altoona CDP	-	35	Ineligible	n/a
Amanda Park CDP	\$50,625	84	Eligible	\$84.38
Amboy CDP	\$114,432	1,871	Ineligible	\$190.72
Ames Lake CDP	\$146,481	1,317	Ineligible	\$244.14
Anacortes city	\$80,043	17,231	Ineligible	\$133.41
Anderson Island CDP	\$85,625	1,571	Ineligible	\$142.71
Arlington city	\$87,708	19,947	Ineligible	\$146.18
Arlington Heights CDP	\$91,190	2,463	Ineligible	\$151.98
Artondale CDP	\$131,003	14,024	Ineligible	\$218.34
Ashford CDP	\$69,778	489	Ineligible	\$116.30
Asotin city	\$59,663	1,168	Eligible	\$99.44
Asotin County	\$57,263	22,285	Eligible	\$95.44
Auburn city	\$79,415	80,914	Ineligible	\$132.36
Bainbridge Island city	\$145,475	24,859	Ineligible	\$242.46
Bangor Base CDP	\$75,068	6,825	Ineligible	\$125.11
Banks Lake South CDP	\$25,833	113	Eligible	\$43.06
Barberton CDP	\$106,022	7,317	Ineligible	\$176.70
Baring CDP	\$67,778	205	Ineligible	\$112.96
Barney's Junction CDP	-	169	Ineligible	n/a
Barstow CDP	\$60,909	49	Eligible	n/a
Basin City CDP	\$112,694	1,173	Ineligible	n/a
Battle Ground city	\$85,943	20,931	Ineligible	\$143.24

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Bay Center CDP	\$56,458	152	Eligible	n/a
Bay View CDP	\$115,938	666	Ineligible	\$193.23
Beacon Hill CDP	\$89,464	1,903	Ineligible	\$149.11
Beaux Arts Village town	250,000 +	396	Ineligible	n/a
Belfair CDP	\$55,325	4,557	Eligible	\$92.21
Bell Hill CDP	\$68,255	762	Ineligible	\$113.76
Bellevue city	\$140,252	146,145	Ineligible	\$233.75
Bellingham city	\$59,163	90,821	Ineligible	\$98.61
Benton City	\$49,068	3,422	Eligible	\$81.78
Benton County	\$76,612	204,551	Ineligible	\$127.69
Bethel CDP	\$73,015	4,182	Ineligible	\$121.69
Bickleton CDP	\$77,500	100	Ineligible	\$129.17
Big Lake CDP	\$107,059	2,251	Ineligible	\$178.43
Bingen city	\$65,278	577	Eligible	\$108.80
Birch Bay CDP	\$65,729	9,917	Eligible	\$109.55
Black Diamond city	\$118,140	4,703	Ineligible	\$196.90
Blaine city	\$76,272	5,427	Ineligible	\$127.12
Blyn CDP	-	45	Ineligible	n/a
Bonney Lake city	\$108,705	21,247	Ineligible	\$181.18
Bothell city	\$116,578	46,386	Ineligible	\$194.30
Bothell East CDP	\$140,397	13,164	Ineligible	\$234.00
Bothell West CDP	\$129,246	19,899	Ineligible	\$215.41
Boulevard Park CDP	\$65,691	4,197	Eligible	\$109.49
Bow CDP	\$59,381	447	Eligible	\$98.97
Brady CDP	\$85,294	813	Ineligible	n/a
Bremerton city	\$61,741	41,258	Ineligible	\$102.90
Brewster city	\$46,667	2,323	Eligible	\$77.78
Bridgeport city	\$52,212	2,574	Eligible	\$87.02
Brier city	\$132,857	6,899	Ineligible	\$221.43
Brinnon CDP	\$53,403	889	Eligible	\$89.01

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Browns Point CDP	\$91,406	961	Ineligible	\$152.34
Brush Prairie CDP	\$109,118	2,721	Ineligible	\$181.86
Bryant CDP	\$106,985	2,142	Ineligible	\$178.31
Bryn Mawr-Skyway CDP	\$77,188	17,643	Ineligible	\$128.65
Buckley city	\$115,245	4,960	Ineligible	\$192.08
Bucoda town	\$62,778	608	Eligible	\$104.63
Buena CDP	-	845	Ineligible	n/a
Bunk Foss CDP	\$133,357	3,488	Ineligible	\$222.26
Burbank CDP	\$81,700	3,522	Ineligible	\$136.17
Burien city	\$79,797	51,588	Ineligible	\$133.00
Burley CDP	\$82,607	2,515	Ineligible	\$137.68
Burlington city	\$58,345	9,085	Eligible	\$97.24
Camano CDP	\$85,410	17,073	Ineligible	\$142.35
Camas city	\$121,094	24,043	Ineligible	\$201.82
Canterwood CDP	\$106,750	3,070	Ineligible	\$177.92
Canyon Creek CDP	\$75,083	3,218	Ineligible	\$125.14
Carbonado town	\$106,042	683	Ineligible	\$176.74
Carlsborg CDP	\$38,261	881	Eligible	\$63.77
Carnation city	\$123,158	2,165	Ineligible	\$205.26
Carson CDP	\$69,375	2,800	Ineligible	\$115.63
Cascade Valley CDP	\$44,417	3,234	Eligible	\$74.03
Cashmere city	\$56,063	3,148	Eligible	\$93.44
Castle Rock city	\$59,583	2,917	Eligible	\$99.31
Cathcart CDP	\$125,174	2,278	Ineligible	\$208.62
Cathlamet town	\$52,959	605	Eligible	\$88.27
Cavalero CDP	\$121,103	5,395	Ineligible	\$201.84
Centerville CDP	\$86,500	118	Ineligible	\$144.17
Central Park CDP	\$84,726	3,442	Ineligible	\$141.21
Centralia city	\$43,860	17,473	Eligible	\$73.10
Chain Lake CDP	\$133,618	5,237	Ineligible	\$222.70
Chehalis city	\$52,717	7,607	Eligible	\$87.86

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Chelan city	\$62,905	4,174	Eligible	\$104.84
Chelan County	\$64,895	78,508	Ineligible	\$108.16
Chelan Falls CDP	-	50	Ineligible	n/a
Cheney city	\$42,275	12,455	Eligible	\$70.46
Cherry Grove CDP	-	642	Ineligible	n/a
Chewelah city	\$47,609	2,645	Eligible	\$79.35
Chico CDP	\$116,161	3,184	Ineligible	\$193.60
Chinook CDP	\$64,050	168	Eligible	\$106.75
Clallam Bay CDP	\$40,350	737	Eligible	\$67.25
Clallam County	\$60,044	76,727	Ineligible	\$100.07
Clark County	\$82,719	496,494	Ineligible	\$137.87
Clarkston city	\$44,717	7,435	Eligible	\$74.53
Clarkston Heights-Vineland CDP	\$83,514	7,062	Ineligible	\$139.19
Clayton CDP	\$42,784	361	Eligible	\$71.31
Cle Elum city	\$52,586	2,662	Eligible	\$87.64
Clear Lake CDP (Pierce County)	\$85,982	1,065	Ineligible	\$143.30
Clear Lake CDP (Skagit County)	\$68,250	1,101	Ineligible	\$113.75
Clearview CDP	\$163,750	3,847	Ineligible	\$272.92
Cliffdell CDP	\$29,875	136	Eligible	\$49.79
Clinton CDP	\$65,714	1,123	Eligible	\$109.52
Clover Creek CDP	\$86,569	6,893	Ineligible	\$144.28
Clyde Hill city	250,000 +	3,360	Ineligible	n/a
Cohasset Beach CDP	\$72,241	516	Ineligible	\$120.40
Colfax city	\$54,301	2,879	Eligible	\$90.50
College Place city	\$56,442	9,311	Eligible	\$94.07
Colton town	\$73,125	372	Ineligible	\$121.88
Columbia County	\$64,688	3,952	Ineligible	\$107.81
Colville city	\$42,692	4,786	Eligible	\$71.15
Conconully town	\$33,750	225	Eligible	\$56.25

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Concrete town	\$73,750	915	Ineligible	\$122.92
Connell city	\$59,239	5,518	Eligible	\$98.73
Conway CDP	-	40	Ineligible	n/a
Copalis Beach CDP	\$25,233	515	Eligible	n/a
Cosmopolis city	\$71,250	1,968	Ineligible	\$118.75
Cottage Lake CDP	\$172,444	23,239	Ineligible	\$287.41
Coulee City town	\$41,964	579	Eligible	\$69.94
Coulee Dam town	\$66,083	1,355	Eligible	\$110.14
Country Homes CDP	\$65,854	5,877	Eligible	\$109.76
Coupeville town	\$64,821	1,850	Eligible	\$108.04
Covington city	\$114,247	21,131	Ineligible	\$190.41
Cowiche CDP	-	662	Ineligible	n/a
Cowlitz County	\$64,506	109,457	Ineligible	\$107.51
Creston town	\$55,500	240	Eligible	\$92.50
Crocker CDP	\$102,831	1,322	Ineligible	\$171.39
Curlew CDP	-	51	Ineligible	n/a
Curlew Lake CDP	\$65,739	579	Eligible	\$109.57
Cusick town	\$55,455	78	Eligible	\$92.43
Custer CDP	-	298	Ineligible	n/a
Dallesport CDP	\$59,970	1,357	Eligible	\$99.95
Danville CDP	-	70	Ineligible	n/a
Darrington town	\$32,750	1,194	Eligible	\$54.58
Dash Point CDP	\$123,906	1,008	Ineligible	\$206.51
Davenport city	\$65,469	1,852	Eligible	\$109.12
Dayton city	\$61,671	2,620	Eligible	\$102.79
Deep River CDP	\$40,417	169	Eligible	\$67.36
Deer Park city	\$53,910	4,209	Eligible	\$89.85
Deming CDP	\$73,245	174	Ineligible	n/a
Des Moines city	\$73,131	31,983	Ineligible	\$121.89
Desert Aire CDP	\$74,526	2,716	Ineligible	\$124.21
Disautel CDP	-	15	Ineligible	n/a

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Dixie CDP	\$63,125	170	Eligible	\$105.21
Dollars Corner CDP	\$105,547	684	Ineligible	\$175.91
Donald CDP	-	172	Ineligible	n/a
Douglas County	\$68,979	42,622	Ineligible	\$114.97
Duluth CDP	\$63,981	1,249	Eligible	\$106.64
DuPont city	\$98,409	9,514	Ineligible	\$164.02
Duvall city	\$168,208	7,979	Ineligible	\$280.35
East Cathlamet CDP	\$69,028	512	Ineligible	\$115.05
East Port Orchard CDP	\$60,574	5,069	Eligible	\$100.96
East Renton Highlands CDP	\$120,172	12,576	Ineligible	\$200.29
East Wenatchee city	\$67,739	14,012	Ineligible	\$112.90
Eastmont CDP	\$121,976	22,829	Ineligible	\$203.29
Easton CDP	\$93,281	302	Ineligible	\$155.47
Eatonville town	\$80,288	3,007	Ineligible	\$133.81
Edgewood city	\$108,492	12,010	Ineligible	\$180.82
Edison CDP	\$93,958	264	Ineligible	\$156.60
Edmonds city	\$96,775	42,347	Ineligible	\$161.29
Elbe CDP	-	46	Ineligible	n/a
Electric City city	\$68,750	944	Ineligible	\$114.58
Elk Plain CDP	\$91,063	15,192	Ineligible	\$151.77
Ellensburg city	\$47,407	20,679	Eligible	\$79.01
Elma city	\$69,405	3,299	Ineligible	\$115.68
Elmer City town	\$63,750	301	Eligible	\$106.25
Endicott town	\$46,842	337	Eligible	\$78.07
Enetai CDP	\$63,889	1,993	Eligible	\$106.48
Entiat city	\$68,000	975	Ineligible	\$113.33
Enumclaw city	\$91,855	12,062	Ineligible	\$153.09
Ephrata city	\$67,153	8,081	Eligible	\$111.92
Erlands Point-Kitsap Lake CDP	-	-	Ineligible	n/a
Eschbach CDP	\$48,229	307	Eligible	\$80.38

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Esperance CDP	\$109,625	4,410	Ineligible	\$182.71
Everett city	\$71,357	110,840	Ineligible	\$118.93
Everson city	\$63,958	2,773	Eligible	\$106.60
Fairchild AFB CDP	\$64,223	3,464	Eligible	\$107.04
Fairfield town	\$58,281	485	Eligible	\$97.14
Fairwood CDP (King County)	\$104,273	19,400	Ineligible	\$173.79
Fairwood CDP (Spokane County)	\$78,696	9,790	Ineligible	\$131.16
Fall City CDP	\$128,224	2,357	Ineligible	\$213.71
Farmington town	\$51,094	142	Eligible	\$85.16
Federal Way city	\$72,969	96,812	Ineligible	\$121.62
Felida CDP	\$135,426	9,842	Ineligible	\$225.71
Fern Prairie CDP	\$109,013	1,989	Ineligible	\$181.69
Ferndale city	\$77,746	14,591	Ineligible	\$129.58
Ferry County	\$45,907	7,198	Eligible	\$76.51
Fife city	\$75,557	10,345	Ineligible	\$125.93
Fife Heights CDP	\$119,483	1,919	Ineligible	\$199.14
Finley CDP	\$77,117	5,858	Ineligible	\$128.53
Fircrest city	\$90,854	6,844	Ineligible	\$151.42
Five Corners CDP	\$88,441	19,415	Ineligible	\$147.40
Fobes Hill CDP	\$106,364	2,564	Ineligible	\$177.27
Fords Prairie CDP	\$75,913	2,582	Ineligible	\$126.52
Forks city	\$42,772	3,864	Eligible	\$71.29
Fort Lewis CDP	\$47,031	13,045	Eligible	\$78.39
Four Lakes CDP	\$70,408	515	Ineligible	n/a
Fox Island CDP	\$138,175	3,613	Ineligible	\$230.29
Franklin County	\$72,452	95,313	Ineligible	\$120.75
Frederickson CDP	\$93,656	22,290	Ineligible	\$156.09
Freeland CDP	\$78,872	1,883	Ineligible	\$131.45
Friday Harbor town	\$57,885	2,406	Eligible	\$96.48
Garfield County	\$50,625	2,286	Eligible	\$84.38

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Garfield town	\$54,375	586	Eligible	\$90.63
Garrett CDP	\$100,021	1,815	Ineligible	\$166.70
Geneva CDP	\$89,904	2,596	Ineligible	\$149.84
George city	\$39,167	823	Eligible	\$65.28
Gig Harbor city	\$96,192	10,280	Ineligible	\$160.32
Glacier CDP	\$27,778	142	Eligible	n/a
Gleed CDP	\$69,861	3,006	Ineligible	\$116.44
Glenwood CDP	\$60,625	303	Eligible	\$101.04
Gold Bar city	\$77,708	1,995	Ineligible	\$129.51
Goldendale city	\$39,215	3,612	Eligible	\$65.36
Gorst CDP	-	255	Ineligible	n/a
Graham CDP	\$94,876	32,505	Ineligible	\$158.13
Grand Coulee city	\$40,893	1,257	Eligible	\$68.16
Grand Mound CDP	\$72,566	3,957	Ineligible	\$120.94
Grandview city	\$52,500	11,075	Eligible	\$87.50
Granger city	\$55,625	3,806	Eligible	\$92.71
Granite Falls city	\$75,523	3,961	Ineligible	\$125.87
Grant County	\$63,556	97,874	Ineligible	\$105.93
Grapeview CDP	\$99,779	703	Ineligible	\$166.30
Grayland CDP	\$26,444	806	Eligible	\$44.07
Grays Harbor County	\$53,615	74,737	Ineligible	\$89.36
Grays River CDP	\$54,048	309	Eligible	\$90.08
Green Bluff CDP	\$93,646	366	Ineligible	\$156.08
Greenwater CDP	-	77	Ineligible	n/a
Hamilton town	\$54,063	311	Eligible	\$90.11
Hansville CDP	\$76,625	3,858	Ineligible	\$127.71
Harrah town	\$62,500	626	Eligible	\$104.17
Harrington city	\$34,095	381	Eligible	\$56.83
Hartline town	\$78,935	182	Ineligible	\$131.56
Hat Island CDP	-	61	Ineligible	n/a
Hatton town	\$78,000	453	Ineligible	\$130.00

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Hazel Dell CDP	\$64,408	21,830	Eligible	\$107.35
Herron Island CDP	\$73,102	50	Ineligible	\$121.84
High Bridge CDP	\$147,667	3,065	Ineligible	\$246.11
Hobart CDP	\$123,576	7,031	Ineligible	\$205.96
Hockinson CDP	\$122,875	6,159	Ineligible	\$204.79
Hogans Corner CDP	-	86	Ineligible	n/a
Home CDP	\$78,871	1,649	Ineligible	\$131.45
Hoodsport CDP	-	139	Ineligible	n/a
Hoquiam city	\$44,840	8,570	Eligible	\$74.73
Humptulips CDP	-	227	Ineligible	n/a
Hunts Point town	250,000 +	347	Ineligible	n/a
Ilwaco city	\$70,282	1,431	Ineligible	\$117.14
Inchelium CDP	\$58,125	325	Eligible	\$96.88
Index town	-	172	Ineligible	n/a
Indianola CDP	\$80,469	3,564	Ineligible	\$134.12
lone town	\$50,795	432	Eligible	\$84.66
Island County	\$75,628	85,938	Ineligible	\$126.05
Issaquah city	\$132,984	38,707	Ineligible	\$221.64
Jamestown CDP	\$75,357	322	Ineligible	\$125.60
Jefferson County	\$59,968	32,590	Ineligible	\$99.95
Junction City CDP	-	-	Ineligible	n/a
Kahlotus city	\$53,438	144	Eligible	\$89.06
Kalama city	\$87,500	2,708	Ineligible	\$145.83
Kapowsin CDP	-	249	Ineligible	n/a
Kayak Point CDP	\$108,382	1,500	Ineligible	\$180.64
Keller CDP	\$36,667	204	Eligible	\$61.11
Kelso city	\$51,203	12,237	Eligible	\$85.34
Kendall CDP	\$39,500	884	Eligible	\$65.83
Kenmore city	\$121,463	22,969	Ineligible	\$202.44
Kennewick city	\$64,053	82,633	Ineligible	\$106.76

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Kent city	\$79,781	130,038	Ineligible	\$132.97
Ketron Island CDP	-	20	Ineligible	n/a
Kettle Falls city	\$40,726	1,594	Eligible	\$67.88
Key Center CDP	\$94,095	3,631	Ineligible	\$156.83
Keyport CDP	-	339	Ineligible	n/a
King County	\$106,326	2,240,876	Ineligible	\$177.21
Kingston CDP	\$88,568	2,836	Ineligible	\$147.61
Kirkland city	\$121,998	91,146	Ineligible	\$203.33
Kitsap County	\$84,600	273,072	Ineligible	\$141.00
Kittitas city	\$56,908	1,342	Eligible	\$94.85
Kittitas County	\$64,134	44,147	Ineligible	\$106.89
Klickitat CDP	\$45,625	262	Eligible	\$76.04
Klickitat County	\$59,583	22,478	Eligible	\$99.31
Krupp town	\$61,667	49	Eligible	\$102.78
La Center city	\$91,375	3,338	Ineligible	\$152.29
La Conner town	\$53,819	974	Eligible	\$89.70
La Grande CDP	\$218,274	88	Ineligible	n/a
Lacey city	\$75,059	50,827	Ineligible	\$125.10
LaCrosse town	\$29,004	384	Eligible	\$48.34
Lake Bosworth CDP	\$117,083	1,071	Ineligible	\$195.14
Lake Cassidy CDP	\$98,500	2,854	Ineligible	\$164.17
Lake Cavanaugh CDP	-	220	Ineligible	n/a
Lake Forest Park city	\$139,881	13,455	Ineligible	\$233.14
Lake Goodwin CDP	\$100,440	4,613	Ineligible	\$167.40
Lake Holm CDP	\$109,421	3,332	Ineligible	\$182.37
Lake Ketchum CDP	\$76,328	1,278	Ineligible	\$127.21
Lake Marcel-Stillwater CDP	\$153,750	1,346	Ineligible	\$256.25
Lake McMurray CDP	\$79,118	478	Ineligible	\$131.86
Lake Morton-Berrydale CDP	\$107,136	11,118	Ineligible	\$178.56
Lake Roesiger CDP	\$103,230	930	Ineligible	\$172.05
Lake Shore CDP	\$127,292	7,581	Ineligible	\$212.15

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Lake Stevens city	\$99,296	33,470	Ineligible	\$165.49
Lake Stickney CDP	\$77,700	14,306	Ineligible	\$129.50
Lake Tapps CDP	\$119,626	12,129	Ineligible	\$199.38
Lakeland North CDP	\$98,075	14,042	Ineligible	\$163.46
Lakeland South CDP	\$83,269	12,467	Ineligible	\$138.78
Lakeview CDP	\$63,068	1,013	Eligible	\$105.11
Lakewood city	\$60,534	60,564	Ineligible	\$100.89
Lamont town	-	71	Ineligible	n/a
Langley city	\$67,143	1,201	Eligible	\$111.91
Larch Way CDP	\$112,667	3,770	Ineligible	\$187.78
Latah town	\$46,563	195	Eligible	\$77.61
Laurier CDP	-	4	Ineligible	n/a
Leavenworth city	\$60,982	2,489	Eligible	\$101.64
Lebam CDP	-	69	Ineligible	n/a
Lewis County	\$60,581	81,214	Ineligible	\$100.97
Lewisville CDP	\$107,417	2,166	Ineligible	\$179.03
Liberty Lake city	\$96,169	10,381	Ineligible	\$160.28
Lincoln County	\$62,810	10,798	Eligible	\$104.68
Lind town	\$60,938	509	Eligible	\$101.56
Lochsloy CDP	\$93,374	2,991	Ineligible	\$155.62
Lofall CDP	\$103,250	2,119	Ineligible	\$172.08
Long Beach city	\$41,250	1,576	Eligible	\$68.75
Longbranch CDP	\$66,715	4,568	Eligible	\$111.19
Longview city	\$53,044	37,914	Ineligible	\$88.41
Longview Heights CDP	\$85,427	4,388	Ineligible	\$142.38
Loomis CDP	\$70,972	101	Ineligible	\$118.29
Loon Lake CDP	\$61,731	689	Eligible	\$102.89
Lower Elochoman CDP	\$114,063	475	Ineligible	\$190.11
Lyle CDP	\$26,279	267	Eligible	\$43.80
Lyman town	\$98,125	277	Ineligible	\$163.54
Lynden city	\$78,004	14,700	Ineligible	\$130.01

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Lynnwood city	\$67,576	38,538	Ineligible	\$112.63
Mabton city	\$60,365	2,192	Eligible	\$100.61
Machias CDP	\$110,972	1,117	Ineligible	\$184.95
Malden town	\$40,455	219	Eligible	\$67.43
Malo CDP	-	45	Ineligible	n/a
Malone CDP	\$92,125	341	Ineligible	\$153.54
Malott CDP	-	736	Ineligible	n/a
Maltby CDP	\$151,321	11,845	Ineligible	\$252.20
Manchester CDP	\$91,750	6,050	Ineligible	\$152.92
Mansfield town	\$39,688	297	Eligible	\$66.15
Manson CDP	\$51,000	1,433	Eligible	\$85.00
Maple Falls CDP	\$29,759	226	Eligible	\$49.60
Maple Heights-Lake Desire CDP	\$119,400	3,544	Ineligible	\$199.00
Maple Valley city	\$125,092	26,739	Ineligible	\$208.49
Maplewood CDP	\$115,335	5,135	Ineligible	\$192.23
Marblemount CDP	-	121	Ineligible	n/a
Marcus town	\$35,000	181	Eligible	\$58.33
Marietta-Alderwood CDP	\$70,288	3,463	Ineligible	\$117.15
Markham CDP	\$58,813	79	Eligible	n/a
Marrowstone CDP	\$81,125	943	Ineligible	\$135.21
Martha Lake CDP	\$116,927	21,987	Ineligible	\$194.88
Maryhill CDP	-	44	Ineligible	n/a
Marysville city	\$89,008	69,629	Ineligible	\$148.35
Mason County	\$66,325	64,964	Ineligible	\$110.54
Mattawa city	\$45,938	5,040	Eligible	\$76.56
May Creek CDP	\$61,700	759	Eligible	\$102.83
McChord AFB CDP	\$50,086	3,268	Eligible	\$83.48
McCleary city	\$60,221	2,057	Eligible	\$100.37
McKenna CDP	-	623	Ineligible	n/a
McMillin CDP	\$88,438	1,236	Ineligible	\$147.40

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Mead CDP	\$73,385	6,995	Ineligible	\$122.31
Meadow Glade CDP	\$121,130	2,774	Ineligible	\$201.88
Meadowdale CDP	\$125,441	3,162	Ineligible	\$209.07
Medical Lake city	\$76,829	4,950	Ineligible	\$128.05
Medina city	\$208,500	3,283	Ineligible	\$347.50
Mercer Island city	\$170,000	25,820	Ineligible	\$283.33
Mesa city	\$70,781	713	Ineligible	\$117.97
Metaline Falls town	\$26,719	256	Eligible	\$44.53
Metaline town	\$66,250	122	Eligible	\$110.42
Methow CDP	-	126	Ineligible	n/a
Midland CDP	\$54,852	9,518	Eligible	\$91.42
Mill Creek city	\$112,072	20,750	Ineligible	\$186.79
Mill Creek East CDP	\$161,684	24,643	Ineligible	\$269.47
Millwood city	\$61,563	1,742	Eligible	\$102.61
Milton city	\$81,690	8,211	Ineligible	\$136.15
Mineral CDP	\$19,750	135	Eligible	\$32.92
Minnehaha CDP	\$88,696	11,387	Ineligible	\$147.83
Mirrormont CDP	\$149,479	4,102	Ineligible	\$249.13
Moclips CDP	-	49	Ineligible	n/a
Monroe city	\$94,349	19,403	Ineligible	\$157.25
Monroe North CDP	\$169,375	1,740	Ineligible	\$282.29
Montesano city	\$58,083	4,002	Eligible	\$96.81
Morton city	\$43,643	1,111	Eligible	\$72.74
Moses Lake city	\$63,828	23,442	Eligible	\$106.38
Moses Lake North CDP	\$54,323	4,664	Eligible	\$90.54
Mossyrock city	\$35,743	666	Eligible	\$59.57
Mount Vernon city	\$62,706	35,502	Ineligible	\$104.51
Mount Vista CDP	\$92,854	9,762	Ineligible	\$154.76
Mountlake Terrace city	\$87,785	21,328	Ineligible	\$146.31
Moxee city	\$83,596	4,111	Ineligible	\$139.33
Mukilteo city	\$109,738	21,414	Ineligible	\$182.90

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Naches town	\$69,861	650	Ineligible	\$116.44
Napavine city	\$74,191	1,571	Ineligible	\$123.65
Naselle CDP	\$50,873	585	Eligible	\$84.79
Navy Yard City CDP	\$65,559	2,973	Eligible	\$109.27
Neah Bay CDP	\$50,250	1,102	Eligible	\$83.75
Neilton CDP	\$51,477	317	Eligible	\$85.80
Nespelem Community CDP	\$65,278	301	Eligible	\$108.80
Nespelem town	\$46,250	215	Eligible	\$77.08
Newcastle city	\$139,439	12,078	Ineligible	\$232.40
Newport city	\$38,854	2,010	Eligible	\$64.76
Nile CDP	\$29,224	90	Eligible	n/a
Nisqually Indian Community CDP	\$68,125	591	Ineligible	\$113.54
Nooksack city	\$67,109	1,594	Eligible	\$111.85
Normandy Park city	\$113,328	6,643	Ineligible	\$188.88
North Bend city	\$123,287	7,161	Ineligible	\$205.48
North Bonneville city	\$76,250	995	Ineligible	\$127.08
North Fort Lewis CDP	\$60,625	6,402	Eligible	\$101.04
North Lynnwood CDP	\$84,825	24,084	Ineligible	\$141.38
North Marysville CDP	-	-	Ineligible	n/a
North Omak CDP	\$40,250	410	Eligible	\$67.08
North Puyallup CDP	\$65,250	1,970	Eligible	\$108.75
North Sultan CDP	\$101,250	265	Ineligible	\$168.75
North Yelm CDP	\$70,529	3,738	Ineligible	\$117.55
Northport town	\$28,173	306	Eligible	\$46.96
Northwest Stanwood CDP	-	79	Ineligible	n/a
Oak Harbor city	\$61,261	23,358	Eligible	\$102.10
Oakesdale town	\$56,563	412	Eligible	\$94.27
Oakville city	\$52,917	647	Eligible	\$88.20
Ocean City CDP	\$78,533	154	Ineligible	\$130.89
Ocean Park CDP	\$60,583	1,980	Eligible	\$100.97

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Ocean Shores city	\$52,255	6,196	Eligible	\$87.09
Odessa town	\$47,019	946	Eligible	\$78.37
Okanogan city	\$56,667	2,585	Eligible	\$94.45
Okanogan County	\$51,922	41,966	Ineligible	\$86.54
Olympia city	\$67,975	52,290	Ineligible	\$113.29
Omak city	\$49,063	4,801	Eligible	\$81.77
Onalaska CDP	\$35,156	431	Eligible	n/a
Orchards CDP	\$81,035	26,289	Ineligible	\$135.06
Orient CDP	\$27,125	82	Eligible	n/a
Oroville city	\$32,083	1,842	Eligible	\$53.47
Orting city	\$97,614	8,267	Ineligible	\$162.69
Oso CDP	\$142,847	241	Ineligible	n/a
Othello city	\$58,450	8,241	Eligible	\$97.42
Otis Orchards-East Farms CDP	\$79,762	5,968	Ineligible	\$132.94
Outlook CDP	-	158	Ineligible	n/a
Oyehut CDP	-	79	Ineligible	n/a
Pacific Beach CDP	-	214	Ineligible	n/a
Pacific city	\$69,095	7,122	Ineligible	\$115.16
Pacific County	\$54,598	22,974	Eligible	\$91.00
Packwood CDP	\$31,384	294	Eligible	\$52.31
Palouse city	\$83,750	969	Ineligible	\$139.58
Parker CDP	\$43,594	49	Eligible	n/a
Parkland CDP	\$62,223	37,946	Ineligible	\$103.71
Parkwood CDP	\$76,375	6,758	Ineligible	\$127.29
Pasco city	\$70,486	74,266	Ineligible	\$117.48
Pateros city	\$58,846	718	Eligible	\$98.08
Pe Ell town	\$54,333	639	Eligible	\$90.56
Peaceful Valley CDP	\$41,346	3,187	Eligible	\$68.91
Pend Oreille County	\$59,134	13,302	Eligible	\$98.56
Picnic Point CDP	\$117,549	9,607	Ineligible	\$195.92

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Pierce County	\$82,574	910,225	Ineligible	\$137.62
Pine Grove CDP	\$67,721	84	Ineligible	\$112.87
Point Roberts CDP	\$61,447	1,100	Eligible	\$102.41
Pomeroy city	\$42,644	1,276	Eligible	\$71.07
Port Angeles city	\$53,690	20,071	Eligible	\$89.48
Port Angeles East CDP	\$55,250	3,339	Eligible	\$92.08
Port Gamble Tribal Community CDP	\$77,188	783	Ineligible	\$128.65
Port Hadlock-Irondale CDP	\$57,375	3,329	Eligible	\$95.63
Port Ludlow CDP	\$76,885	2,940	Ineligible	\$128.14
Port Orchard city	\$75,766	14,303	Ineligible	\$126.28
Port Townsend city	\$54,907	9,710	Eligible	\$91.51
Porter CDP	\$53,056	129	Eligible	n/a
Poulsbo city	\$79,248	10,869	Ineligible	\$132.08
Prairie Heights CDP	\$113,214	4,810	Ineligible	\$188.69
Prairie Ridge CDP	\$89,928	11,980	Ineligible	\$149.88
Prescott city	\$50,833	326	Eligible	\$84.72
Prosser city	\$60,927	6,288	Eligible	\$101.55
Puget Island CDP	\$56,929	1,227	Eligible	\$94.88
Pullman city	\$31,992	33,974	Ineligible	\$53.32
Purdy CDP	\$79,310	1,531	Ineligible	\$132.18
Puyallup city	\$81,224	41,666	Ineligible	\$135.37
Queets CDP	\$47,188	183	Eligible	\$78.65
Quilcene CDP	\$52,083	664	Eligible	\$86.81
Qui-nai-elt Village CDP	\$87,917	56	Ineligible	n/a
Quincy city	\$63,207	7,815	Eligible	\$105.35
Raft Island CDP	\$188,333	416	Ineligible	\$313.89
Rainier city	\$88,036	2,603	Ineligible	\$146.73
Ravensdale CDP	\$129,966	814	Ineligible	\$216.61
Raymond city	\$54,375	2,970	Eligible	\$90.63
Reardan town	\$39,861	471	Eligible	\$66.44

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Redmond city	\$147,006	67,959	Ineligible	\$245.01
Renton city	\$84,374	101,871	Ineligible	\$140.62
Republic city	\$42,917	1,144	Eligible	\$71.53
Richland city	\$83,066	57,353	Ineligible	\$138.44
Ridgefield city	\$107,861	8,751	Ineligible	\$179.77
Ritzville city	\$49,438	1,823	Eligible	\$82.40
River Road CDP	\$128,962	718	Ineligible	\$214.94
Riverbend CDP	\$105,672	2,521	Ineligible	\$176.12
Riverside town	\$32,132	396	Eligible	\$53.55
Rochester CDP	\$83,399	4,854	Ineligible	\$139.00
Rock Island city	\$50,000	1,240	Eligible	\$83.33
Rockford town	\$57,188	418	Eligible	\$95.31
Rockport CDP	-	27	Ineligible	n/a
Rocky Point CDP	\$85,729	1,418	Ineligible	\$142.88
Ronald CDP	-	202	Ineligible	n/a
Roosevelt CDP	\$29,375	108	Eligible	\$48.96
Rosalia town	\$54,375	648	Eligible	\$90.63
Rosburg CDP	-	320	Ineligible	n/a
Rosedale CDP	\$135,179	4,389	Ineligible	\$225.30
Roslyn city	\$63,947	608	Eligible	\$106.58
Roy city	\$77,667	814	Ineligible	\$129.45
Royal City city	\$42,721	2,384	Eligible	\$71.20
Ruston town	\$108,269	1,329	Ineligible	\$180.45
Ryderwood CDP	\$38,245	401	Eligible	\$63.74
Salmon Creek CDP	\$86,110	19,506	Ineligible	\$143.52
Sammamish city	\$195,648	65,265	Ineligible	\$326.08
San Juan County	\$68,557	17,631	Ineligible	\$114.26
Santiago CDP	\$65,750	71	Eligible	\$109.58
Satsop CDP	\$71,607	638	Ineligible	\$119.35
Seabeck CDP	\$100,781	854	Ineligible	\$167.97
SeaTac city	\$73,540	29,102	Ineligible	\$122.57

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Seattle city	\$105,391	741,251	Ineligible	\$175.65
Sedro-Woolley city	\$66,554	11,919	Eligible	\$110.92
Sekiu CDP	-	44	Ineligible	n/a
Selah city	\$64,468	7,957	Eligible	\$107.45
Sequim city	\$41,571	7,441	Eligible	\$69.29
Shadow Lake CDP	\$113,942	2,385	Ineligible	\$189.90
Shelton city	\$48,000	10,467	Eligible	\$80.00
Shoreline city	\$95,623	56,835	Ineligible	\$159.37
Silvana CDP	-	14	Ineligible	n/a
Silver Firs CDP	\$137,577	22,564	Ineligible	\$229.30
Silverdale CDP	\$87,558	21,858	Ineligible	\$145.93
Sisco Heights CDP	\$123,542	3,041	Ineligible	\$205.90
Skagit County	\$75,308	128,228	Ineligible	\$125.51
Skamania County	\$75,565	11,973	Ineligible	\$125.94
Skamokawa Valley CDP	\$16,934	268	Eligible	n/a
Skokomish CDP	\$51,625	635	Eligible	\$86.04
Skykomish town	\$46,250	127	Eligible	\$77.08
Snohomish city	\$77,308	10,141	Ineligible	\$128.85
Snohomish County	\$95,618	820,024	Ineligible	\$159.36
Snoqualmie city	\$171,241	13,550	Ineligible	\$285.40
Snoqualmie Pass CDP	\$120,820	395	Ineligible	\$201.37
Soap Lake city	\$36,767	1,572	Eligible	\$61.28
South Bend city	\$46,115	1,620	Eligible	\$76.86
South Cle Elum town	\$68,214	799	Ineligible	\$113.69
South Creek CDP	\$70,914	1,958	Ineligible	\$118.19
South Hill CDP	\$95,000	64,104	Ineligible	\$158.33
South Prairie town	\$92,083	297	Ineligible	\$153.47
South Wenatchee CDP	\$52,326	1,351	Eligible	\$87.21
Southworth CDP	\$109,440	2,300	Ineligible	\$182.40
Spanaway CDP	\$81,018	33,776	Ineligible	\$135.03
Spangle city	\$64,643	231	Eligible	\$107.74

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Spokane city	\$56,977	219,185	Ineligible	\$94.96
Spokane County	\$64,079	531,477	Ineligible	\$106.80
Spokane Valley city	\$60,079	99,275	Ineligible	\$100.13
Sprague city	\$63,594	511	Eligible	\$105.99
Springdale town	\$45,774	477	Eligible	\$76.29
St. John town	\$64,464	612	Eligible	\$107.44
Stansberry Lake CDP	\$132,656	2,389	Ineligible	\$221.09
Stanwood city	\$89,231	7,228	Ineligible	\$148.72
Starbuck town	\$48,438	161	Eligible	\$80.73
Startup CDP	-	771	Ineligible	n/a
Steilacoom town	\$95,316	6,366	Ineligible	\$158.86
Step toe CDP	\$34,722	135	Eligible	\$57.87
Stevens County	\$57,206	46,057	Ineligible	\$95.34
Stevenson city	\$66,250	1,414	Eligible	\$110.42
Sudden Valley CDP	\$89,500	7,407	Ineligible	\$149.17
Sultan city	\$73,530	5,330	Ineligible	\$122.55
Sumas city	\$62,063	1,405	Eligible	\$103.44
Summit CDP	\$92,837	8,993	Ineligible	\$154.73
Summit View CDP	\$90,330	9,078	Ineligible	\$150.55
Summitview CDP	\$74,393	1,892	Ineligible	\$123.99
Sumner city	\$77,601	10,246	Ineligible	\$129.34
Sunday Lake CDP	\$99,737	947	Ineligible	\$166.23
Sunnyside city	\$43,750	16,703	Eligible	\$72.92
Sunnyslope CDP	\$107,429	3,761	Ineligible	\$179.05
Suquamish CDP	\$72,019	4,327	Ineligible	\$120.03
Swede Heaven CDP	\$109,583	1,181	Ineligible	\$182.64
Tacoma city	\$69,956	215,766	Ineligible	\$116.59
Taholah CDP	\$34,327	657	Eligible	\$57.21
Tampico CDP	\$79,926	286	Ineligible	\$133.21
Tanglewilde CDP	\$80,828	7,033	Ineligible	\$134.71
Tanner CDP	\$159,773	-	Ineligible	n/a

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Tekoa city	\$48,214	776	Eligible	\$80.36
Tenino city	\$55,202	1,744	Eligible	\$92.00
Terrace Heights CDP	\$74,176	8,917	Ineligible	\$123.63
Thorp CDP	-	109	Ineligible	n/a
Three Lakes CDP	\$132,250	3,411	Ineligible	\$220.42
Thurston County	\$81,501	290,642	Ineligible	\$135.84
Tieton city	\$51,742	2,053	Eligible	\$86.24
Tokeland CDP	\$19,167	184	Eligible	\$31.95
Toledo city	\$58,542	532	Eligible	\$97.57
Tonasket city	\$36,691	1,131	Eligible	\$61.15
Toppenish city	\$57,268	8,872	Eligible	\$95.45
Torboy CDP	-	154	Ineligible	n/a
Touchet CDP	\$87,431	357	Ineligible	\$145.72
Town and Country CDP	\$77,182	5,402	Ineligible	\$128.64
Tracyton CDP	\$75,912	5,494	Ineligible	\$126.52
Trout Lake CDP	\$66,103	771	Eligible	\$110.17
Tukwila city	\$71,688	20,265	Ineligible	\$119.48
Tumwater city	\$77,849	23,390	Ineligible	\$129.75
Twin Lakes CDP	\$31,875	71	Eligible	\$53.13
Twisp town	\$55,227	1,235	Eligible	\$92.05
Union CDP	-	327	Ineligible	n/a
Union Gap city	\$52,552	6,167	Eligible	\$87.59
Union Hill-Novelty Hill CDP	\$167,609	23,114	Ineligible	\$279.35
Uniontown town	\$68,750	273	Ineligible	\$114.58
University Place city	\$84,673	33,661	Ineligible	\$141.12
Upper Elochoman CDP	-	119	Ineligible	n/a
Vader city	\$55,101	696	Eligible	\$91.84
Valley CDP	\$28,788	122	Eligible	\$47.98
Vancouver city	\$67,462	182,792	Ineligible	\$112.44
Vantage CDP	-	54	Ineligible	n/a
Vashon CDP	\$94,123	10,400	Ineligible	\$156.87

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Vaughn CDP	\$147,539	1,052	Ineligible	\$245.90
Venersborg CDP	\$113,384	3,973	Ineligible	\$188.97
Verlot CDP	\$132,743	562	Ineligible	\$221.24
Wahkiakum County	\$54,422	4,422	Eligible	\$90.70
Waitsburg city	\$64,583	1,177	Eligible	\$107.64
Walla Walla city	\$55,648	32,951	Ineligible	\$92.75
Walla Walla County	\$63,686	62,168	Ineligible	\$106.14
Walla Walla East CDP	\$78,387	2,459	Ineligible	\$130.65
Waller CDP	\$103,611	7,672	Ineligible	\$172.69
Wallula CDP	\$53,036	151	Eligible	n/a
Wapato city	\$47,955	5,018	Eligible	\$79.93
Warden city	\$46,189	2,773	Eligible	\$76.98
Warm Beach CDP	\$106,316	2,934	Ineligible	\$177.19
Washougal city	\$95,894	15,927	Ineligible	\$159.82
Washtucna town	\$57,083	176	Eligible	\$95.14
Waterville town	\$66,404	1,435	Eligible	\$110.67
Wauna CDP	\$103,906	4,509	Ineligible	\$173.18
Waverly town	\$57,583	169	Eligible	\$95.97
Wenatchee city	\$60,285	34,249	Ineligible	\$100.48
West Clarkston-Highland CDP	\$42,348	5,791	Eligible	\$70.58
West Pasco CDP	\$99,412	1,592	Ineligible	\$165.69
West Richland city	\$109,209	14,842	Ineligible	\$182.02
West Side Highway CDP	\$69,805	-	Ineligible	n/a
Westport city	\$51,354	2,200	Eligible	\$85.59
Whatcom County	\$70,011	224,533	Ineligible	\$116.69
Whidbey Island Station CDP	\$34,079	2,375	Eligible	\$56.80
White Center CDP	\$71,827	15,995	Ineligible	\$119.71
White Salmon city	\$62,953	2,601	Eligible	\$104.92
White Swan CDP	\$48,750	793	Eligible	\$81.25
Whitman County	\$43,613	48,197	Ineligible	\$72.69

Location	MHI	Population	Eligibility for SFAP Hardship and CWSRF/Centennial Preconstruction Hardship	2% of Monthly MHI for Construction Hardship Eligibility
Wilbur town	\$62,589	767	Eligible	\$104.32
Wilderness Rim CDP	\$123,819	1,898	Ineligible	\$206.37
Wilkeson town	\$91,429	504	Ineligible	\$152.38
Willapa CDP	\$48,875	122	Eligible	\$81.46
Wilson Creek town	\$37,500	193	Eligible	\$62.50
Winlock city	\$61,875	1,740	Eligible	\$103.13
Winthrop town	\$56,382	340	Eligible	\$93.97
Wishram CDP	\$36,979	537	Eligible	\$61.63
Wollochet CDP	\$112,000	7,193	Ineligible	\$186.67
Woodinville city	\$127,689	13,038	Ineligible	\$212.82
Woodland city	\$74,221	6,223	Ineligible	\$123.70
Woods Creek CDP	\$126,674	5,922	Ineligible	\$211.12
Woodway city	\$188,125	1,077	Ineligible	\$313.54
Yacolt town	\$78,333	1,686	Ineligible	\$130.56
Yakima city	\$50,673	93,829	Ineligible	\$84.46
Yakima County	\$58,380	255,151	Ineligible	\$97.30
Yarrow Point town	\$250,000	1,353	Ineligible	\$416.67
Yelm city	\$83,027	9,262	Ineligible	\$138.38
Zillah city	\$64,201	3,137	Eligible	\$107.00

Appendix N: Environmental and Cultural Resources Review Guidance for State Funded Agreements

1.0 Introduction

This section provides guidance on internal and external environmental and cultural requirements for the Stormwater Financial Assistance Program (SFAP), Centennial Clean Water Program, and Clean Water Act Section 319 grants. Guidance for Clean Water State Revolving Loan Fund (CWSRF) loans is provided in a separate document: [State Environmental Review Process Environmental Information Document : Guidance for Clean Water State Revolving Fund Agreements](#)¹²² (EID Guidance).

Grant recipients must complete certain internal and external environmental and cultural resources compliance requirements before disbursement of expenditures. It is important to coordinate with your Project Manager and Cultural Resources Contact (CRC) to ensure you fully understand these requirements.

When selecting a project site, recipients should consider sensitive features that may alter a design or require site-specific mitigation early in the planning or design phases. A pre-con meeting with the CRC will help address potential site issues and restrictions, saving time and money on project implementation.

2.0 State Funded Projects

The Water Quality Combined Funding Program funds projects with state financial resources through the Stormwater Financial Assistance Program (SFAP) and Centennial Clean Water Program grants. SFAP is funded by state capital funds through the Model Toxics Stormwater Account and Centennial is generally funded through state building construction bond resources. This section provides guidance on regulations and requirements that apply to those funds. If a project has combined additional CWSRF or Section 319 grant funding additional requirements will apply. To learn more, check with your Ecology project or financial project management contacts to ensure you know what is required for your specific project.

2.1 Important Regulations that Apply to State Funded Projects

State Environmental Policy Act (SEPA)

The Washington state legislature adopted the SEPA in 1971; the act is modeled on the federal National Environmental Policy Act (NEPA). Chapter 197-11 WAC implements SEPA. SEPA provides information to agencies, applicants, and the public to encourage the development of environmentally sound proposals. The environmental review process involves the identification and evaluation of probable environmental impacts; and the development of mitigation

¹²² <https://apps.ecology.wa.gov/publications/SummaryPages/1610003.html>

measures that will reduce adverse environmental impacts. Agency decision-makers use environmental information, along with other considerations, to decide whether to approve, approve with conditions, or deny a proposal. SEPA applies to actions made at all levels of government within Washington State.

Background – Applicant/Recipient Role and Responsibility

The SEPA applies to decisions made by every state and local agency, including counties, cities, ports, and special districts. Responsibilities of a SEPA lead agency include identifying and evaluating the potential adverse environmental impacts of a proposal, including certain nonpoint source activities. As defined under SEPA, the recipient is generally the Lead Agency - responsible for the preparation, circulation and consideration of the environmental document prior to approving the project. Responsibilities of Ecology and other agencies having jurisdiction over the proposed project include reviewing and considering the information in the environmental document prior to approving any portion of the project.

SEPA is often a stand-alone requirement for many municipalities planning under the Growth Management Act (GMA). For all recipients of state grants, SEPA is required for all agency actions unless specifically exempted by the SEPA Rules (WAC 197-11-800 to 880). See the [EID Guidance](#) for CWSRF guidance on exemptions.

Project and Non-project SEPA Actions

SEPA describes proposals as project or non-project action. A non-project action (WAC 197-11-704 (2)(b)) is a governmental action that involves decisions on policies, plans, or programs that contain standards controlling use or modification of the environment or that will govern a series of connected actions. For example, the development of a City's Stormwater Management Plan for a specific region is a non-project action. Project actions are governmental decisions to license, fund, or undertake a specific project. Construction of a stormwater detention pond is a project action, as described in the City's Stormwater Management Plan.

When moving from non-project to project level SEPA, Phased Review streamlines the process between planning/design and construction (WAC 197-11-060). Coordinate with the Ecology Project Manager when applying Phased Review to multiple agreements. Phased Review assists with project planning, permits and discussions with regulatory agencies.

Environmental Checklist

SEPA requires an environmental checklist. Ecology Project Managers uses the checklist to learn about the proposal and its probable environmental impacts. Ensure your Ecology Project Manager is included in the SEPA distribution list. The environmental checklist form is in the SEPA Rules under WAC 197-11-960. If you need assistance, please go to the [Ecology SEPA Website](#)¹²³.

¹²³ <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>

Mitigation

The consideration of environmental impacts and possible mitigation measures during agency decision-making is a cornerstone of SEPA. SEPA substantive authority gives all levels of local and state government the ability to condition or deny a proposal based on environmental impacts.

Mitigation means the avoidance, minimization, rectification, compensation, reduction, or elimination of adverse impacts to the built and natural elements of the environment. Mitigation may also involve monitoring and a contingency plan for correcting problems if they occur.

In determining mitigation, the lead agency reviews the environmental checklist and other information available on the proposal, including consultations with other agencies, such as Ecology. Mitigation required under existing local, state, and federal rules may be sufficient to eliminate any adverse impacts—or even to deny the proposal.

If additional mitigation is warranted, the lead agency's SEPA procedures identifies ways to address potential adverse impacts. Agencies with jurisdiction or expertise, such as Ecology, tribes, and the public may assist the lead agency in determining appropriate mitigation for a proposal. Mitigation conditions must be reasonable and capable of being accomplished. Mitigation measures and stipulations are outlined prior to the threshold determination. Discuss mitigation with your project manager.

Threshold Determination

After evaluating the proposal and identifying any mitigation measures, the lead agency will determine if the SEPA action will still have any likely significant adverse environmental impacts. The SEPA Rules state that significant “means a reasonable likelihood of more than a moderate adverse impact on environmental quality.”

If the lead agency has enough information and concludes that the proposal is unlikely to have a significant adverse environmental impact, the agency issues a determination of non-significance (DNS). If the applicant mitigates adverse impacts, the agency issues a mitigated determination of non-significance (MDNS). If the information indicates the proposal is likely to have a significant adverse environmental impact, the lead agency issues a determination of significance (DS) and requires an environmental impact statement (EIS). The DNS and MDNS provide a minimum 14-day public comment period (generally) while the EIS provides a formal process involving public hearings, scoping, evaluation of alternatives, and formal input on how the agency selects measures intended to eliminate or reduce the likely environmental impacts of the preferred alternative.

Information on SEPA

- [General Information on Washington's State Environmental Policy Act](#)
 - A [basic overview of SEPA](#)¹²⁴ is available online for your convenience.

¹²⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Basic-overview>

- The [SEPA Guide](#)¹²⁵ for project applicants provides detailed guidance on the process.
- [Electronic versions of SEPA forms](#)¹²⁶.
- [SEPA Register](#)¹²⁷.
- [SEPA rule](#)¹²⁸, 197-11 WAC.
- [SEPA statute](#)¹²⁹, Chapter 43.21C RCW.

Questions on This Topic

- For SEPA-related questions: sepahelp@ecy.wa.gov or 360-407-6922.
- For SERP-related questions: Liz Ellis, Environmental Review Coordinator: (360) 628-4410 (cell), or liz.ellis@ecy.wa.gov.
- [State Environmental Review Process Environmental Information Document: Guidance for Clean Water State Revolving Fund Agreements](#)

3.0 Water Quality Program Grant and Loan Cultural Resources Review Process

This section describes the review process used by Ecology Water Quality Program (WQP) Financial Management Section (FMS) grant and loan staff. It includes information to help you prepare for review and consultation. Ecology provides a CRC as a public service. Ensure you coordinate with your CRC and make sure they receive the information and support necessary to coordinate an effective and efficient review for your project.

The first step is to ensure Ecology is the lead agency. Understanding the lead agency helps direct the pathway for cultural resources review. Once it has been determined Ecology is the lead agency for cultural resources review, the CRC will:

- Work to review the agreement information.
- Review the Ecology Cultural Resources Review Form and any other information.
- Prepare a preliminary determination.
- Initiate consultation with DAHP, affected tribes and any other consulting parties.
- Accept comments after a 35-day comment period.
- Review the determination for any revisions prior to submitting a final determination.

¹²⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Guide-for-project-applicants>

¹²⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-document-templates>

¹²⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-Register>

¹²⁸ <https://apps.leg.wa.gov/WAC/default.aspx?cite=197-11>

¹²⁹ <https://apps.leg.wa.gov/RCW/default.aspx?cite=43.21C>

Conditions may be required on a case-by-case basis, including coordinating virtual meetings with DAHP, tribes, and the recipient, to discuss potential mitigation.

3.1 Executive Order 21-02: (Archaeological and Cultural Resources)

All state funded projects must follow [Executive Order 21-02](#)¹³⁰ and Ecology’s internal Policy and Guidance to account for any potential effect of the action on pre-historic and historic resources and to ensure actions are taken to minimize those impacts. Cultural resources is defined in the Order as “archaeological or historic archaeological site, historic building/structure and cultural or sacred place.”

The goal of consultation is to:

- 1) Identify cultural resources potentially affected by the proposed action,
- 2) Assess the effects.
- 3) Seek ways to avoid, minimize, or mitigate any adverse effects on historic properties and cultural resources. Cultural resources are defined in the Order as “archaeological or historic archaeological site, historic building/structure and cultural or sacred place.”

Governor’s Executive Order 21-02 (GEO 21-02) requires state agencies to review all state funded projects, including land acquisition, to determine potential impacts to cultural resources. This review is completed with Department of Archaeology and Historic Preservation (DAHP) and tribes, as early as possible in the planning process and prior to the expenditure of any funds for construction, demolition or acquisition.

If, during planning, the identification of any adverse effects to a cultural resource (defined above) occurs, state agencies shall take all reasonable action to avoid, mitigate, and minimize such adverse effects. If the identification of indirect or direct effects occurs, the state agency shall work with consulting parties on avoidance strategies to minimize harm. Avoid first, before considering other mitigation options. If you avoid the potential impact, there is nothing to mitigate.

In addition, WQC grant and loan recipients are responsible for following all local, state, and federal laws, Ecology’s terms and conditions, and this guidance. A number of local, state, and federal laws protect pre-contact, historic resources, cemeteries, or human remains. The following laws apply statewide, on public or private land, and apply whether Ecology funds a project or not. DAHP is the lead on the following.

- Libraries, Museums and Historic Activities, Title 27 RCW.
 - RCW 27.44 Indian Graves and Records.
 - RCW 27.53 Archaeological Sites and Resources.
- DAHP, Title 25 WAC.

¹³⁰ https://governor.wa.gov/sites/default/files/exe_order/eo_21-02.pdf

- Chapter 25-48 Archaeological Excavation and Removal permit (references 27.53).
- Cemeteries, Morgues and Human Remains, Title 68 RCW.
 - RCW 68.50.645 - Skeletal human remains – Duty to notify.
 - RCW 68.60.050 – Protection of historic graves – Penalty.
 - RCW 68.60.055 – Skeletal human remains – Duty to notify.
 - RCW 68.60.060 – Violations – Civil liability.

Cultural resources are also addressed and/or protected under the Forest Practices Act, Shorelines Management Act, Growth Management Act, National Historic Preservation Act (as amended), National Environmental Policy Act, and the State Environmental Policy Act, to mention a few.

For federally funded projects, a similar process, outlined under the National Historic Preservation Act and referred to as Section 106 consultation, applies. Either way, cultural resources review is required on your project.

An Ecology Inadvertent Discovery Plan (IDP) is required onsite, at all times (see Section 4.0 for further detail). You must upload a copy to the Ecology Administration of Grants and Loans (EAGL) system and provide a copy to your Ecology Project Manager.

Questions on This Topic

Please reach out to one of the individuals below applicable to your Program:

- Seth Elsen, Cultural Resource Contact, OSS/Centennial Nonpoint: (564) 999-1177 or sels461@ecy.wa.gov
- Melissa Conger, Cultural Resources Contact, Stormwater Financial Assistance Program: (360) 706-4202 or meco461@ecy.wa.gov

3.2 Assess the Location During Planning

- During the planning or early design stage, include a review of the agreement’s project area for possible historical and cultural resources by using DAHP’s [Washington Information System for Architectural & Archaeological Records Data](#)¹³¹ (WISAARD) database and any other documentation. Integrate this information into your planning decisions.

The first step is to determine whether Ecology is the lead agency, or another state or federal agency (Section 106) is the lead as may be the case if the United State Army Corp of Engineers (USACE), for example, requires a Section 404 permit. For projects where Ecology FMS is the lead, the FMS CRC will coordinate cultural resources review with DAHP, consulting parties, and affected tribes

¹³¹ <https://wisaard.dahp.wa.gov/>

If another agency is the lead, it may be possible to (1) Defer to the other agency if they are a federal agency and/or (2) Adopt their review for state agencies or other situations, provided all of Ecology’s consultation requirements are met. For further details, contact your CRC.

3.3 Tribal Consultation Best Practices

If, during a comment period, a tribal representative asks for a meeting, Ecology does our best to accommodate. Virtual or in-person meetings are both options. Ecology always attends these meetings to ensure representation during any decisions that affect agency interest or the project.

3.4 Cultural Review Process

The recipient will complete and submit an Ecology [Cultural Resources Review form](#)¹³² to the Ecology Project Manager. Once received, the Project Manager reviews the form for completeness and forwards to the CRC. The CRC will also review and will return incomplete forms. The basic process of review and consultation follows these steps:

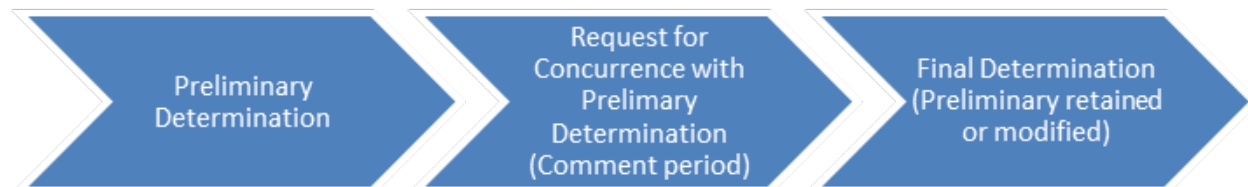


Figure 3: General Sequence for Cultural Resources Review¹³³

- 1) **Preliminary Determination:** An Ecology CRC will use the Ecology Cultural Resources Review form, the [WISAARD](#) database, and any other documentation to identify the potential for any archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, sacred sites, or burial sites within or directly adjacent to the Area of Potential Effect. In some cases, a consultant archaeologist may assist with this preliminary determination. This preliminary determination is open for comment by all consulting parties. The format may be an electronic letter, paper or digital correspondence.
- 2) **Request for Concurrence with Preliminary Determination:** The CRC initiates cultural resource review by requesting comments and concurrence on the preliminary determination. The CRC includes DAHP, consulting parties, tribes and any other identified parties. This correspondence includes a detailed project description, map and Ecology’s Cultural Resources Review form with a cover letter or email. The comment period is typically 35 days, but Ecology may extend it.
- 3) **Final Determination:** The Final Determination is based upon any comments received, and may be the same as the preliminary determination, or different. The CRC will consider

¹³² <https://apps.ecology.wa.gov/publications/documents/ecy070537.pdf>

¹³³ May be subject to change dependent upon the project.

concerns, comments, discussions and new information from the comment period. The CRC will decide on whether to retain or modify the preliminary determination.

Surveys may be required for a number of reasons including, but not limited to, the following:

- A consulting party identifies the potential for cultural resources and requests a survey to identify any cultural resources within the APE.
- Cultural resources exist, and the boundary must be clearly identified.
- Cultural resources exist, the boundary is known, and this project will adversely impact them. A survey/investigation is required to determine the amount of modification to develop a Memorandum of Agreement before mitigation is discussed.

Monitoring: Another tool is monitoring. Having a professional monitor present while ground disturbing work commences helps ensure the professional management of any discoveries. If a survey is not feasible, consider monitor for sensitive locations. Monitoring requires *a plan*, explaining the strategy for monitoring, and *a report*, explaining the results of the monitoring. Both documents can help to inform future work in the area.

This was a simplistic description of the Ecology FMS cultural review process. If you need further detail, please contact your CRC or the Project Manager. Ecology has an internal policy on cultural resource protection for projects funded by capital dollars (Policy 22-07).

Helpful Information

Multi-phased Projects or Acquisitions

Large multi-phased projects with multiple partners and permitting agencies can be complex, particularly if they include acquiring land. The completion of local environmental permits, approvals, and cultural resource review is required prior to expenditures for acquisition, demolition, or construction, for either state or federally funded projects. We encourage you to have a site stewardship plan or similar management plan ready prior to requesting cultural resource review, even if in draft form. If a stewardship plan has not yet been created, a written description of potential next phases and how and when cultural resource review will be included should be submitted. Understand all the phases of your project, who you will partner with, their role, and whether they may be a lead agency or a co-lead agency on a permit, approval or consultation. By grasping the big picture before you approach Ecology, you can save yourself and everyone else a lot of time. Suggested approaches include an agreement between all partners to guide everyone through the project phases or ensuring the tasks and deliverables stipulations of your funding agreements and title documents. Whatever route you take, communication and coordination are key to ensuring a streamlined approach.

Adoption of Another Review

Ecology's Cultural Resources Review form has a section that asks about previous reviews covering the project area. If you know of one, provide the information. If there is evidence of a cultural investigation/review less than 10 years old, Ecology FMS will review the documentation

for applicability to the current agreement. Your CRC must examine the documentation and approve it first.

Continuing a Previous Consultation

Did you complete a cultural resource review during your geo-tech phase and now you are ready for construction? Are you wondering if you must go through the entire process again? Good news – with phased reviews, you can continue your consultation without starting over. Just inform your CRC of any new details, such as changes to your project area.

Did you forget to complete cultural resource review?

If activity proceeded without cultural resource review, internal policy requires that Ecology FMS withhold expenditures. You will be required to work with DAHP and any consulting parties to address the potential for damage to any cultural resources. Once DAHP and consulting parties, including tribes, are satisfied, Ecology will approve expenditures for the agreement.

Note: Ecology FMS will no longer coordinate “After Action” or post project consultation.

Useful References

- Ecology’s [Cultural Resources Review form](#)
- [Executive Order 21-02: Archaeological and Cultural Resources](#)¹³⁴
- [National Historic Preservation Act](#)¹³⁵, 16 USC 470 (see page 47)
- [Protection of Historic Properties](#)¹³⁶, 36 CFR 800
- [Archaeological and Historic Preservation Act](#)¹³⁷, 16 USC 469a-1, as amended in 2014 (U.S. Code Title 54) – see page 40
- [Advisory Council for Historic Preservation](#)¹³⁸
- [National Register of Historic Places](#)¹³⁹
- [WISAARD](#)
- [Tribal cultural resources contact information](#)¹⁴⁰.

Contact the [DAHP](#)¹⁴¹ and the [Governor’s Office of Indian Affairs](#)¹⁴² (GOIA) for further information on areas of tribal interest and for specific questions on Executive Order 21-02.

¹³⁴ <https://dahp.wa.gov/sites/default/files/21-02%20-%20Archaeological%20and%20Cultural%20Resources.pdf>

¹³⁵ <https://www.achp.gov/sites/default/files/2018-06/nhpa.pdf>

¹³⁶ https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title36/36cfr800_main_02.tpl

¹³⁷ <https://www.law.cornell.edu/uscode/text/16/469a-1>

¹³⁸ <https://www.achp.gov/>

¹³⁹ <https://www.nps.gov/subjects/nationalregister/index.htm>

¹⁴⁰ <https://goia.wa.gov/tribal-directory/tribal-chair-contact-information>

¹⁴¹ <https://dahp.wa.gov/project-review/wisaard-washington-information-system-for-architectural-and-archeological-records-data>

¹⁴² <https://goia.wa.gov/>

Questions on This Topic

- The assigned Ecology CRC; call (360) 628-4410 if unsure who.
- Seth Elsen, Cultural Resource Contact, OSS/Centennial Nonpoint: (564) 999-1177 or sels461@ecy.wa.gov
- Melissa Conger, Cultural Resources Contact, Stormwater Financial Assistance Program: (360) 706-4202 or meco461@ecy.wa.gov
- DAHP General office: (360) 586-3065.

4.0 Inadvertent Discovery Plan

Ecology Water Quality Program uses the agency's standard inadvertent discovery protocol for addressing the potential risk associated with any inadvertent, unanticipated discovery of human remains, archaeological sites, artifacts, or historic structures during excavations.

Recipients of any funded agreement that involves ground disturbance must have an approved inadvertent discovery plan (IDP) onsite prior to starting the activity.

In the event of an unanticipated discovery of an archaeological and historic archaeological site, historic buildings/structures, traditional cultural places, sacred sites, or other cultural resources, and/or human remains during construction on public or private lands, the protocol outlined in the IDP must be followed.

The IDP is separate from cultural resource review, and is required whether the project underwent cultural resource review or not. An IDP is associated with activities that have the potential to encounter an unanticipated discovery. The IDP describes:

- Who to call first and who not to call.
- What steps to take and what not to do.
- How to obtain technical assistance and determine whether you have a significant find.
- What special measures to take if we find potential human remains.
- How to define the site and protect the area.

If potential human remains are discovered on private or public lands, RCW 27.44 procedures shall be followed. If a potential archaeological resource is discovered, RCW 27.53 applies.

4.1 What to do in the Event of a Discovery

If you find cultural resources or human remains on non-federal or non-tribal land in the state of Washington, for a project funded by WQP state or federal funding, follow the protocol outlined in this DAHP approved document paying special attention to Section 5:

- [Ecology Inadvertent Discovery Plan](#)¹⁴³.

For federally funded projects, any post construction discoveries must also follow the procedures as outlined under 36 CFR 800.13 and the Archaeological and Historic Preservation Act (AHPA), Pub. L. No. 93-291 (1974).

Every person working on the project site must be familiar with the IDP procedures in case any cultural resources are discovered; training is encouraged.

Ecology created a short, informative video on discovery protocol now posted on [DAHPS website](#)¹⁴⁴. Please review as a training tool on discovery protocol and the importance of using an IDP.

4.2 Questions on This Topic

- Liz Ellis, Environmental Review Coordinator: (360) 628-4410 (cell), or liz.ellis@ecy.wa.gov
- Seth Elsen, Cultural Resource Contact, OSS/Centennial Nonpoint: (564) 999-1177 or sels461@ecy.wa.gov
- Melissa Conger, Cultural Resources Contact, Stormwater Financial Assistance Program: (360) 706-4202 or meco461@ecy.wa.gov

5.0 Environmental Justice & Title VI (Civil Rights) Review

5.1 Background Information

This section is applicable to all sources of funding within the Water Quality Combined Funding Program outside of the CWSRF. Please see the [EID Guidance](#) for comparable requirements if you have a CWSRF agreement.

5.1.1 Key Terms and Definitions

Environmental Justice: The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental justice includes addressing disproportionate environmental health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm.

Overburdened Community: A geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020. The term “overburdened communities”

¹⁴³ <https://apps.ecology.wa.gov/publications/documents/ecy070560.pdf>

¹⁴⁴ <https://dahp.wa.gov/archaeology/human-remains/recommended-inadvertent-human-remains-discovery-language>

also encompasses communities located in census tracts that are fully or partially on "Indian country" as defined in 18 U.S.C. Sec. 1151.

Vulnerable Populations: Population groups that are more likely to be at higher risk for poor health outcomes in response to environmental harms, due to adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that negatively affect health outcomes and increase vulnerability to the effects of environmental harms; and sensitivity factors, such as low birth weight and higher rates of hospitalization.

"Vulnerable populations" includes, but is not limited to:

- Racial or ethnic minorities.
- Low-income populations.
- Populations disproportionately impacted by environmental harms; and
- Populations of workers experiencing environmental harms.

5.1.2 Title VI of the Civil Rights Act

Title VI of the Civil Rights Act is one of several federal laws that can help "to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects." Title VI of the Civil Rights Acts of 1964 requires that no person shall, on the basis of race, color, or national origin, including limited English proficiency, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. See the [Title VI and Environmental Justice website](#)¹⁴⁵.

The WQP FMS has a developed guidance for the CWSRF to assist recipients of loan agreements better understand compliance with Title VI and Environmental Justice requirements. For tips on meaningful engagement and resources, reference the [EID Guidance](#) or see Appendix O.

5.2 Resources for Environmental Justice

- [Washington Tracking Network](#)¹⁴⁶
- Ecology's [Water Quality Atlas](#)¹⁴⁷
- Ecology's [What's in My Neighborhood](#)¹⁴⁸
- [Centers for Disease Control National Environmental Public Health Tracking Network](#)¹⁴⁹

¹⁴⁵ <https://www.epa.gov/environmentaljustice/title-vi-and-environmental-justice>

¹⁴⁶ <https://doh.wa.gov/data-and-statistical-reports/washington-tracking-network-wtn>

¹⁴⁷ <https://apps.ecology.wa.gov/waterqualityatlas/wqa/map>

¹⁴⁸ <https://apps.ecology.wa.gov/neighborhood/>

¹⁴⁹ <https://ephtracking.cdc.gov/>

- [U.S. Census](#)¹⁵⁰
- [Ecology's Environmental Justice Webpage](#)¹⁵¹
- [Ecology's statement on non-discrimination](#)¹⁵²

5.3 Questions on This Topic

- Environmental Justice Contacts for Water Quality State Grants: Stephanie Herbst, FMS HQ EJ contact – State Funding – (360) 628-1911
- Ecology's [Office of Equity and Environmental Justice](#)¹⁵³

¹⁵⁰ <https://censuscounts.org/whats-at-stake/census-factsheet/>

¹⁵¹ <https://ecology.wa.gov/About-us/Accountability-transparency/Environmental-Justice>

¹⁵² <https://ecology.wa.gov/About-us/Accountability-transparency/Non-discrimination>

¹⁵³ <https://ecology.wa.gov/About-us/Who-we-are/Our-Programs/Equity-Environmental-Justice>

Appendix O: Public Outreach and Engagement and Environmental Justice Guidance

Background: Ecology Financial Management Section is providing this guidance to assist recipients of Clean Water State Revolving Funds with any question on public outreach requirements (Part A) and requirements on how to meet Title VI and Environmental Justice Regulation (Part B).

Part B: Meeting Title VI and Environmental Justice Regulations

For federally funded projects or Designated Equivalency Projects, [Executive Order 12898 Environmental Justice in Minority and Low-income Populations](#)¹⁵⁴ is considered a cross cutter that must be complied with. For partially or fully federally funded projects under the Clean Water State Revolving Fund, and for recipients of Ecology state funding, all programs and activities may not discriminate based on race, color, or national origin¹⁵⁵.

For State funded projects, the Healthy Environment for All (HEAL) Act as implemented through [Engrossed Second Substitute Senate Bill 5141 of 2021](#) adds agency requirements. The HEAL Act will require an Implementation Plan from every covered agency, including the Department of Ecology. The Implementation Plan and guidance to meet the HEAL Act's requirements are expected throughout 2023. Although not yet a requirement, we suggest that Steps 1 and 2 (see below) are completed prior to applying for a grant, and any public engagement efforts be mentioned within the grant application. Environmental justice is a consideration in the rating and ranking process for all projects in the Water Quality Combined Funding Program.

Ensure your public involvement process is available to and accessible by all persons regardless of race, color, national origin (including language), disability, age, sex or prior exercise of rights or opposition to actions protected under federal nondiscrimination laws. To help ensure compliance with Title VI and prepare for requirements under HEAL Act, we suggest the following steps:

- 1) Identify any **underserved populations within the community**¹⁵⁶ of the project area. Underserved may include low income, people of color, elderly, children, Limited English Proficiency (LEP), and Persons With Disabilities (PWD). Sources of information are provided at the end of this Appendix.
- 2) If an underserved population is identified, tailor public engagement to reduce barriers to

¹⁵⁴ <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>

¹⁵⁵ Source: EPA Office of General Council website, June 8, 2021, at <https://www.epa.gov/ogc/facts-title-vi-civil-rights-act-1964>.

¹⁵⁶ Members of the public who are considered vulnerable and/or underserved may face barriers that make it difficult to get basic services. During Covid-19, many of the elderly were vulnerable and underserved. Each community may have a different profile.

engagement and ensure access to information. This means focusing on underserved community members, presenting information directly to them, and identifying how the project may benefit or otherwise impact this community.

Tips for meaningful public engagement:

- Public outreach that considers EJ and Title VI must be more proactive than NEPA/SEPA/TEPA to ensure meaningful engagement and equitable access to information.
- Notify the community early and solicit input - do not wait for community members to ask questions.
- In-person door-to-door canvassing in the community can yield high quality data and help shape the project. Online data have limitations, and direct engagement and familiarity with the community will validate and strengthen community profiles.
- Include traditional and non-traditional leadership (e.g., churches, elders, community leaders).
- Virtual options expand the ability to ensure effective public engagement - consider StoryMap, mobile apps, project visualizations, DIY Videos, crowdsourcing tools, virtual town halls, ArcGIS.
- Value and respect the expertise, perspective, and priorities of the communities potentially impacted by the action.
- Ensure you understand the history of community concerns, including any past complaints filed under nondiscrimination laws.
- Provide language support assistance, including translation of documents and interpretation services, as necessary.
- Designate at least one non-discrimination point person who will ensure compliance with any state or federal non-discrimination laws.
- Develop and implement a detailed plan of action for how to address concerns from the community.
- Develop a contingency plan for unexpected events.

3) For facility projects, consider running your Environmental Justice Report using [EPA's Facility Search¹⁵⁷](#) (also called Enforcement and Compliance History Online or ECHO). This public tool allows the community to look at your facility, under a number of criteria. The EPA has integrated EJ reporting into this tool. You can enter your facility and (besides seeing what the public sees) include demographic characteristics and the EJ index in your first facility search, and then include a separate request for the full EJ report when you receive your Facility Search results (lower right hand corner, under Layers, select EJ Screen Maps). If you do not have a

¹⁵⁷ <https://echo.epa.gov/facilities/facility-search>

facility, use EJ Screen and/or the Washington Tracking Network.

3) If the assessment completed for your report on the Community identifies a disproportionately high amount of effects or an adverse effect on human health or the environmental in an area where underserved and minority populations are located, take the following steps:

- Contact the Water Quality FMS Environmental Justice Lead (Liz Ellis) who will review the data for next steps
- Assistance from the Agency's Office of Equity will be available
- Consider the development of alternatives and mitigation options to offset the identified disproportionately high adverse human health and/or environmental impacts.
- Involve members of the community in developing alternatives and mitigation options. Consider organization an advisory board including representatives from community stakeholder groups.
- Develop mitigation in an equitable manner. Ensure the Ecology Environmental Review Coordinator is part of the process.

5) Based upon your review and comments from the public, describe any project modifications made based on these suggestions and demonstrate that these changes effectively address disproportionately high human health and environmental impacts.

6) Ecology will determine if the proposed changes sufficiently address the identified impacts. Ecology will incorporate these changes in the final agreement.

7) Provide Ecology with a copy of your assessment, public engagement plan, community input, and results.

If additional environmental justice issues are identified later in the process, revisit this process to determine the appropriate alternatives or mitigation measures to minimize the impact due to project and facility activities.

Title VI compliance

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP), by recipients of federal financial assistance. Executive Order 13166, "*Improving Access to Services for Persons with Limited English Proficiency*," requires federal agencies to:

- Examine the services they provide.
- Identify any need for services to those with limited English proficiency (LEP).
- Develop and implement a system to provide those services so LEP persons can have meaningful access to them.

The Executive Order also requires federal agencies work to ensure recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

To help achieve compliance with Title VI, and E.O. 13166 guidance, EPA and Ecology will establish regular communication about emerging Title VI guidance, policies, and trainings provided by EPA. Ecology and EPA will continue to develop clear, compliant, and trackable practices to address Title VI obligations, including requirements for recipients of Ecology funding directly received from EPA.

Please refer to the 2021- 23 Performance Partnership Agreement (PPA) Chapter Four, for additional information. These requirements apply to all recipients of federal financial assistance. Additionally, where applicable, similar requirements apply to any recipients of state assistance.

Additionally, the EPA Strategic Plan 2022-26 states that by 2026, all state recipients of EPA financial assistance will have foundational civil rights programs in place.

Environmental Justice Resources

Data Sources

- [Ecology's Environmental Justice Webpage](#)¹⁵⁸
- Ecology's [Water Quality Atlas](#)¹⁵⁹
- [EJSCREEN](#)¹⁶⁰
- [Washington Tracking Network](#)¹⁶¹
- Ecology's [What's in My Neighborhood](#)¹⁶²
- [U.S. Census](#)¹⁶³
- [Washington State MIL Language Mapping Tool](#)¹⁶⁴
- [ECHO](#)

Guidance and Regulations

- [Ecology's statement on non-discrimination](#)¹⁶⁵

¹⁵⁸ <https://ecology.wa.gov/About-us/Accountability-transparency/Environmental-Justice>

¹⁵⁹ <https://apps.ecology.wa.gov/waterqualityatlas/wqa/map>

¹⁶⁰ <https://www.epa.gov/ejscreen>

¹⁶¹ <https://www.doh.wa.gov/DataandStatisticalReports/WashingtonTrackingNetworkWTN/InformationbyLocation>

¹⁶² <https://apps.ecology.wa.gov/neighborhood/>

¹⁶³ <https://censuscounts.org/whats-at-stake/census-factsheet/>

¹⁶⁴ <https://waseocgis.maps.arcgis.com/apps/webappviewer/index.html?id=ffd638d41f7045fe97a27d1e2ccbe0af>

¹⁶⁵ <https://ecology.wa.gov/About-us/Accountability-transparency/Non-discrimination>

- [Promising Practices for EJ Methodologies in NEPA Reviews](#)¹⁶⁶
- [Title VI of the Civil Rights Act of 1964](#)¹⁶⁷
- [Title IX of the Education Amendments of 1972](#)¹⁶⁸
- [Section 504 of the Rehabilitation Act of 1973](#)¹⁶⁹
- [Age Discrimination Act of 1975](#)¹⁷⁰
- [Ecology's Language Services](#)¹⁷¹

¹⁶⁶ [https://www.epa.gov/sites/production/files/2016-](https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf)

[08/documents/nepa_promising_practices_document_2016.pdf](https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf)

¹⁶⁷ <https://www.epa.gov/ogc/facts-title-vi-civil-rights-act-1964>

¹⁶⁸ <https://www.epa.gov/ocr/title-ix-education-amendments-act-1972>

¹⁶⁹ <https://www.hhs.gov/sites/default/files/ocr/civilrights/resources/factsheets/504.pdf>

¹⁷⁰

<https://www.dol.gov/general/topic/discrimination/agedisc#:~:text=The%20Age%20Discrimination%20Act%20of,th at%20meet%20the%20Act's%20requirements.>

¹⁷¹ <https://ecology.wa.gov/About-us/Accountability-transparency/Language-services>

Appendix P: Metrics Guidance

This appendix provides basic guidance on how Ecology assesses proposed metrics when evaluating funding applications and the requirements for reporting metrics for funded projects for each of the project categories (nonpoint, onsite sewage systems, stormwater, and wastewater).

Why are metrics essential in the funding application and agreement?

Metrics information is used in the application evaluation and scoring process and for reporting for fund source accountability. Metrics help:

- Make sure the project will have a meaningful impact towards achieving watershed goals and that it will complement other efforts in the area.
- Determine how much work will be accomplished and that the cost is realistic.
- Measure project progress and success.

Wastewater Projects

Wastewater project applications should include detailed information about what the project will accomplish, including the work and the environmental benefits. Projects that receive funding will be expected to report on metrics at project close-out.

When and How to Propose/Report Wastewater Metrics

- **Funding Application, Scope of Work - FOR APPLICATION Form, Task Descriptions.** Your description of the work that will be billed to each task on this form should include specific information on any of the wastewater metrics listed in Table 22.
- **Funding Application, Water Quality and Public Health Improvements Form.** Your response to questions on this form should make the connections between the proposed project and any of the wastewater metrics listed in Table 22 and describe how success will be measured.
- **Progress Reports.** Recipients of funding must submit progress reports at least quarterly and with every payment request. Progress reports should describe key accomplishments that occurred during the reporting period, including progress on any of the wastewater metrics listed in Table 22.
- **Close Out Reports.** At project close-out recipients must submit an outcome summary report. Outcome summary report templates are found in the Forms Section on the [General Resources for Water Quality Grants and Loans webpage](https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/General-resources)¹⁷². The report must include specific information on all the applicable wastewater metrics listed in Table 22.

¹⁷² <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Water-Quality-grants-and-loans/General-resources>

Ecology will use the metrics information in the report to help assess the effectiveness of our funding programs for wastewater projects.

Table 24: Metrics to Report for Wastewater Projects at Project Close-out

Did the funded project help your utility maintain or achieve permit compliance?
<ul style="list-style-type: none"> Report each permit requirement targeted before and after the funded project. Use the standard reporting unit for each parameter.
Did the funded project maintain or increase the capacity of the treatment plant?
<ul style="list-style-type: none"> Report the million gallons per day capacity before and after the funded project.
Did the funded project involve parts of the sewer collection system?
<ul style="list-style-type: none"> Report the number of linear feet of collection system pipeline repaired, rehabilitated, or replaced by the funded project. Report the number of manholes repaired, rehabilitated, or replaced by the funded project. Report the annual gallons of infiltration/inflow eliminated by the funded project. Report the number of onsite sewage systems eliminated by the funded project. For any sewage lift stations, report the gallons per minute of pumping capacity before and after the funded project.
Did the funded project address combined sewer overflows?
<ul style="list-style-type: none"> Report the average number of combined sewer overflows before and after the funded project. (Use your CSO annual report.) Report the annual gallons of combined sewer overflows discharged before and after the funded project. (Use your CSO annual report.)
Did the funded project create opportunities for the use of reclaimed water?
<ul style="list-style-type: none"> Report the number of linear feet of reclaimed water distribution line installed by the funded project. Report the number of any appurtenances installed by the funded project. Report the annual gallons diverted from discharge to beneficial use by the funded project. Report the annual gallons of drinking water conserved by the funded project.
Did the funded project reduce nutrient discharge to the Puget Sound?
<ul style="list-style-type: none"> Report the annual pounds of nitrogen removed from your discharge by the funded project.

Onsite Sewage System Projects

Onsite sewage system (OSS) project applications should include detailed information about what the project will accomplish, including the work and the environmental benefits. Projects that receive funding will be expected to report on metrics throughout the project.

When and How to Propose/Report OSS Metrics

- Funding Application, Scope of Work - FOR APPLICATION Form, Task Descriptions.** Your description of the work that will be billed to each task on this form should include

specific information on any of the OSS metrics listed in Table 25.

- **Funding Application, Water Quality and Public Health Improvements Form.** Your response to questions on this form should make the connections between the proposed project and any of the OSS metrics listed in Table 25 and describe how success will be measured.
- **Progress Reports.** Recipients of funding must submit progress reports at least quarterly and with every payment request. Progress reports should describe key accomplishments that occurred during the reporting period, including progress on any of the OSS metrics listed in Table 25.
- **Close Out Reports.** At project close-out recipients must submit an outcome summary report. Outcome summary report templates are found in the Forms Section on the [General Resources for Water Quality Grants and Loans webpage](#). The report must include specific information on all the applicable onsite sewage system metrics listed in Table 25. Ecology will use the metrics information in the report to help assess the effectiveness of our funding programs for onsite sewage system projects.

Metrics to Report for OSS Projects at Project Close-out

Table 25: Metrics to Report for Onsite Sewage Systems Projects at Project Close-out

Did the funded project repair or replace onsite sewage systems, or connect homes to sewer?
<ul style="list-style-type: none"> • Report the number of OSS repaired or replaced <ul style="list-style-type: none"> ○ List the address or latitude/longitude of the repair or replacements ○ Indicate whether the homeowner meets hardship criteria ○ List the number of gallons of wastewater properly treated by the repair/replacement
Did the funded project include education or outreach activities?
<ul style="list-style-type: none"> • Report the number of education/outreach events held <ul style="list-style-type: none"> ○ Indicate the number of attendees for each event or meeting • Report the approximate number of outreach publications disseminated as part of the project

Stormwater Projects

See Appendix L for guidance on stormwater project metrics.

Nonpoint Projects

Nonpoint applications should include detailed information about what the project will accomplish, including the work and the environmental benefits. Projects that receive funding will be expected to establish and report on metrics throughout the life of the project, from application through close-out.

When and How to Propose/Report Nonpoint Metrics

- **Funding Application, Scope of Work - FOR APPLICATION Form, Task Descriptions.** The description of each task should explain to the evaluator (1) what the work is, (2) who will be doing the work, and (3) where the work will be done, and use numeric quantities. Evaluators will consider the amount of work and the associated costs when scoring the application. For funded projects, these will be listed in Task Expected Outcomes in the agreement scope of work.
- **Funding Application, Water Quality and Public Health Improvements Form.** This form should clearly identify the waterbody and the environmental parameter needing improvement or protection, make the connections between the proposed project and metrics established in a watershed plan, and describe how success will be measured. Different activities may have different qualitative or quantitative methods that may include:
 - Comparing implementation metrics from application to close-out.
 - Performing best management practice (BMP) effectiveness monitoring and maintenance activities.
 - Water quality monitoring and analysis.
 - Estimating pollutant load reductions.
- **Progress Reports.** Quarterly progress reports should include updates on the work completed during that quarter, based on the metrics identified in the Task Expected Outcomes. Please use supplemental guidance and the Nonpoint Metrics Reporting Template.
- **Close Out Reports.** Funded projects will have follow-up reporting (quarterly progress reports, annual implementation and load reduction reporting, and close out reports) to track project success at achieving the targets identified in the scope of work agreement.

Pollutant Load Reductions and Other Environmental Benefits

- Refer to Total Maximum Daily Loads (TMDLs) and watershed plans, which should provide pollutant load allocations to help determine what is needed to achieve water quality standards. Use these resources to develop projects that will help achieve pollutant load rates that meet those standards. Wherever possible, cite plans that quantify the load reductions needed, and quantify the work that will achieve it.
- Pollutant load reduction estimates for some BMPs can be calculated using models. Ecology does not require one specific model, though some examples include:
 - PLET: Pollution Load Estimation Tool for nitrogen, phosphorus, sediment, biological oxygen demand (BOD). <https://www.epa.gov/nps/plet>. This is a free tool provided by EPA as an option for 319 reporting.
 - STEPL: Spreadsheet Tool for Estimating Pollutant Loads for nitrogen, phosphorus,

sediment, biological oxygen demand (BOD). This is a free tool provided by EPA as an option for 319 reporting.

- RUSLE: Revised Universal Soil Loss Equation (RUSLE1 or RUSLE2) for soil erosion.
- HSFP: Hydrological Simulation Program FORTRAN.
- Pollutant load reductions for some BMPs must be reported annually (by January 15) for projects funded by Section 319 or Centennial dollars that are used to meet the state match requirement.

Implementation Metrics – Quantifying the Proposed Work

- Best management practices should be specified, based on the eligible activities from the guidelines (see Table 25 below). If any specific sites are already known, they should be identified.
- Photo monitoring to visually show qualitative characteristics before and after implementation.
- Education and outreach tasks should specify the target audience and the types of activities.
 - Landowners – for BMP implementation:
 - Quantify general outreach including distribution of flyers, newsletter articles, website updates, social media posts.
 - Individual technical assistance and recruitment for future BMP implementation through phone calls, site visits, site plans.
 - Students/General Public – for general knowledge and behavior change:
 - Number of classroom visits, field trips and number of students, teachers, parents, or general public reached.

Water Quality & BMP Effectiveness Monitoring – Ensuring the Work is Functioning as Intended

This may be an activity included in the scope of work, or it may be a separate effort outside the scope, which can provide relevant data. Funding applications should demonstrate how the effects of the project will be measured and contribute to watershed goals. Suggestions of ways to measure water quality improvements and BMP effectiveness include:

- Upstream-downstream sampling and analysis of the parameters addressed by the project.
 - Ecology’s Environmental Information Management (EIM) system is one repository of monitoring efforts that may provide useful data in the project area. Most monitoring data collected as part of a funded project must be entered into EIM (see Section 2.5.10 for more information).

- Check with local partners such as conservation districts, counties, tribes, or other local jurisdictions who may have relevant monitoring projects, ongoing programs, and data.
- Pre and post implementation/construction monitoring. This may include:
 - Brief narrative of the conditions after implementation (upon completion, 1 year later, 3 years later, etc.)
 - Photo points.
- Plant survival rates/plant densities achieved.
- Canopy cover percentages and shade deficits.
- Stewardship and maintenance activities – what monitoring and maintenance will occur and when.

Example (hypothetical)

The Scope of Work – FOR APPLICATION form specifies that the project will install a waste storage facility, 1200 feet of livestock exclusion fencing, and 2.75 acres of riparian buffer along Stony Creek. The Water Quality Benefits and Public Health Improvement form describes an ongoing monthly temperature and fecal coliform monitoring program by a partner organization, which established that the current temperature is 0.4 degrees higher than the standard for Stony Creek over 7 months of the year (based on 2016-2019 data) at the RM 1, 6, 12, and 18 monitoring stations, which are above and below the proposed project site. There is currently 0% canopy cover in the project reach. Eight of the ten fecal coliform samples from that same monitoring period exceeded standards. This monitoring program is anticipated to continue, so we will request annual data from our partner organization so we can assess fecal coliform changes after the project. We will perform vegetation monitoring for 5 years to ensure at least 85% survival of trees and shrubs, and work with our partner to add canopy density to their monitoring program in this reach.

Metrics to Report for Nonpoint Implementation Projects

Table 26 shows the metrics to report for nonpoint implementation projects. **Note:** Some activities should report more than one metric. See Section 2.5 and associated appendixes for eligibility criteria and limitations for specific BMPs.

Table 26: Metrics to Report for Nonpoint Implementation Projects

BMP/Activity	Implementation Unit to report	Metric Description
Agricultural BMPs		
Conservation Tillage Residue Management (Direct seed, reduced-till)	acres	Area seeded through cost-share, equipment rental program, or equipment loan program. Report all cost share acres, and specify the rotation number. In cases of multiple rotations on the same acreage, report each rotation as a separate line, and specify the rotation number in the comment field. Task Outcomes and Close Out Reports should identify both total acres seeded (including multiple rotations for cost share), and total unique acres.
Cover Crop	acres	Area seeded through cost-share, equipment rental program, or equipment loan program. Seeds include grasses, legumes, and forbs planted for seasonal vegetative cover.
Fence	feet	Length of stream protected by the fence.
Fence	individual units	Number of head of livestock excluded from the stream.
Filter Strip	square feet	Area of herbaceous vegetation that removes contaminants from overland flow.
Grassed Waterway	feet	Length of a shaped or graded channel that is established with suitable vegetation to convey surface water at a non-erosive velocity using a broad and shallow cross section to a stable outlet.
Heavy Use Area Protection	acres	Area of grazing/pasture area served by the area. This should be reported with Water Facility as appropriate.
Heavy Use Area Protection	individual units	Number of head of livestock served by the area. This should be reported with Water Facility as appropriate.
Heavy Use Area Protection	square feet	Area of a stable, non-eroding surface for livestock use. This should be reported with Water Facility as appropriate.
Irrigation Water Management	acres	Area where the volume, frequency, and application rate of irrigation water is controlled.
Livestock Stream Crossing	acres	Area of grazing/pasture area served by the crossing.
Livestock Stream Crossing	individual units	Head of livestock served by the crossing.
Livestock Stream Crossing	square feet	Area of a stabilized area or structure constructed across a stream to provide a travel way for livestock. Bridges for livestock crossing may be up to 6 feet wide.
Roof Runoff Management	square feet	Area of facility roof/cover.
Sediment Basin	tons per year	Amount of sediment captured and prevented from

BMP/Activity	Implementation Unit to Report	Metric Description
		entering a waterbody.
Spring Development	individual units	Number of springs to provide for livestock.
Waste Storage Facility	acres	Area of grazing/pasture area served by the facility.
Waste Storage Facility	individual units	Number of head of livestock served by the facility.
Waste Storage Facility*	square feet	Area to temporarily store wastes such as manure.
Water Well	individual units	Number of wells. Report with Water Facility or Irrigation Water Management as appropriate.
Watering Facility	individual units	Number of head of livestock served by the facility.
Well Decommissioning	gallons per day	Volume of well water used.
Well Decommissioning	individual units	Number of wells decommissioned
Windbreak/Shelterbelt Establishment	feet	Length of windbreak to discourage livestock from congregating near surface waters.
Windbreak/Shelterbelt Establishment	individual units	Number of head of livestock excluded from the stream.
Land Acquisition		
Conservation Easements	acres	Area of easement for wetland habitat preservation and protection; riparian area and watershed preservation; drinking water source protection.
Property Acquisition	acres	Area of property acquired.
Wetland Acquisition-protection	acres	Area of wetland acquired.
Outreach and Education		
Community Event	individual units	Number of attendees, specify type of event in comments.
Community Meeting	individual units	Number of attendees.
Distributed Materials	individual units	Number of media materials distributed.
Media Materials	individual units	Number of media materials produced.
Pet Waste Management [Disposal System]	individual units	Number of disposal systems.
Pet Waste Management [Education Program]	individual units	Number of signs installed.
Student Education -	individual units	Number students, include school name in comments and latitude/longitude of school. Other property related

BMP/Activity	Implementation Unit to Report	Metric Description
Classroom Visit		information is N/A.
Student Education - Field Trip	individual units	Number of students, include school name in comments and GPS coordinates of school. Other property related information is N/A.
Technical Assistance - Conservation Plans	individual units	Number of conservation plans
Technical Assistance - Other	individual units	Number of phone calls, door visits, etc. Specify in comments what type.
Technical Assistance - Site Visits	individual units	Number of site visits.
Technical Assistance - Tours	individual units	Number of tours.
Work Party	individual units	Number of attendees.
Workshop	individual units	Number of attendees.
Restoration		
Bank Stabilization (armoring/planting)	feet	Length of streambank stabilized.
Floodplain Restoration	acres	Area returned to a floodplain and its functions to a close approximation of its original condition as it existed prior to disturbance. Also report Tree/Shrub Establishment.
Invasive Species/Noxious Weed Control	acres	Area of invasive species/noxious weed control.
Lake Stabilization - Natural	feet	Length of shoreline of the lake restored. The lake must be publicly accessible.
Riparian Forest Buffer	feet	Length of stream protected by the fence.
Riparian Forest Buffer*	acres	Area of buffer implemented. Scope of work description should specify minimum buffer width required for the specific waterbody(s). Also report Tree/Shrub Establishment.
Stream Restoration	acres	Area of improved stream.
Stream Restoration*	feet	Length of improved stream.
Tree/Shrub Establishment	individual units	Number of trees/shrubs planted. Typically reported with Riparian Forest Buffer, Wetland Restoration, Floodplain Restoration (same latitude, longitude). Can also be used for supplemental planting during maintenance activities.
Water Quality Monitoring	individual units	Number of samples collected or monitoring stations established. Specify in comments. Scope of work and monitoring reports should provide additional details related to frequency, parameters, results etc.

BMP/Activity	Implementation Unit to Report	Metric Description
Watershed Management Plan	acres	Area the plan addresses.
Wetland Creation	acres	Area of an artificial ecosystem with hydrophytic vegetation for water treatment. Also report Tree/Shrub Establishment.
Wetland Restoration*	acres	Areas returned to a wetland and its functions to a close approximation of its original condition as it existed prior to disturbance on a former or degraded wetland site. Also report Tree/Shrub Establishment.

* BMPs that must report load reductions.

Appendix Q: Water Quality Program Grant and Loan Project Monitoring and Oversight

This appendix contains the text from the Water Quality Program’s Grant and Loan Project Monitoring and Oversight Policy (WQ Policy 3-17).

Purpose

To establish a policy to implement project monitoring and oversight of grant and loan recipients (this includes sub recipients defined as a recipient who receives federal monies and/or federal matching monies from Ecology).

Application

The policy applies to all Water Quality Program loan and grant recipients.

I. Project monitoring and oversight

- A. Each project receiving Water Quality funding assistance will have a Project Management Team. This team includes the Project Manager, Financial Manager, and Recipient. The Project Manager is the primary contact for the recipient and is responsible for coordinating the team regarding the funding agreement and its requirements. This may include coordinating with other technical staff.
- B. The Water Quality Program (WQP) will provide recipient training on grant and loan administration with an emphasis on payment requests, eligible costs, backup documentation, and progress reporting requirements.
- C. Ecology reimburses the funding recipient based on documented eligible costs incurred. Backup documentation and progress reports are required with every payment request. The project manager and financial manager (the project management team) will review documentation to verify eligibility and may request further documentation, as necessary.
- D. The project manager will conduct at least one field site visit and complete a site visit form for every project where on-the-ground work is being performed or document why a site visit was not conducted. A collection of photographs and observations, where applicable, is highly recommended to augment the written portion of the site visit form. For other types of projects, the project manager may opt to conduct an alternative site visit, such as an office visit, a conference call, or other methods of verifying progress and performance.
- E. The financial manager may also make site visits when necessary or when the recipient requests additional assistance with eligibility, payment requests, financial documentation, or other financial management issues. The financial manager will document the review by completing a site visit form.

- F. The project management team can increase the level of oversight and monitoring at any time during the life of the project. For example, the level of monitoring may be increased due to an audit finding or consistent payment request errors by the recipient. Conversely, the level of oversight may be reduced if a recipient shows improved management and accountability over a continuous period.
- G. Financial capability assessments will be conducted for loan recipients to ensure they can repay their loan and to identify whether any special loan conditions will be required in the funding agreement.
- H. The project management team will document whether the project should receive increased oversight along with an explanation of the factors on the "Screening, Eligibilities and Additional Requirements Checklist" in EAGL.
- I. The project management team should notify the recipient if they are under increased oversight in writing.

II. Risk Assessment and Remedies

- A. The project management team will consider the following factors in determining whether any additional conditions or monitoring will be applied.
 - 1) First-time recipient.
 - 2) A recipient of hardship grant assistance.
 - 3) Change in key recipient staff.
 - 4) Recipient whose last loan or grant ended more than three (3) years prior to the current loan or grant offer.
 - 5) First-time implementation project.
 - 6) Audit findings.
 - 7) Poor or inadequate performance on existing or past projects.
 - 8) Innovative or unusual pilot project or a complex project, including projects with multiple funding sources.
 - 9) Results of the financial capability assessment or change in recipient's financial condition.
- B. If the project management team determines that there is a need for additional conditions or increased monitoring, the following options may be implemented, as appropriate:
 - 1) The inclusion of additional requirements in the scope of work or a special grant or loan condition.
 - 2) A requirement for more documentation.
 - 3) Additional monitoring, including more frequent site visits or performance verifications, utility rate reviews, or fiscal management reviews.

- 4) More extensive photo documentation.
 - 5) Required prior approvals to initiate specific work and to incur costs.
 - 6) Require the recipient to obtain technical, financial, or project management assistance.
- C. If a recipient fails to meet the conditions of the financial assistance agreement, the project management team will determine which of the following remedies are appropriate:
- 1) Withhold payment until acceptable performance is evident.
 - 2) Disallow all or part of the cost of the activity or action not in compliance.
 - 3) Suspend or terminate the award, in whole or in part.
 - 4) Recommend suspension or debarment proceedings be initiated by the federal awarding agency.
 - 5) Reduce past performance points on evaluations for future funding.
 - 6) Deny or condition future funding awards.
 - 7) Take other remedies that may be legally available.