



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **2021 Drought Response Grant Funding Guidance**

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*Chapter 173-167 WAC*

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Water Resources Program  
Washington State Department of Ecology  
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# Drought Response Grant Funding Guidance

On July 14, 2021, the Department of Ecology (Ecology) issued a [Drought Emergency Declaration](#) in all of Washington State, except for the Duwamish-Green, Cedar-Sammamish, and Snohomish watersheds (see map, below). The drought declaration will be effective until June 1, 2022.

## Washington Drought Declaration Areas



Figure 1. Map of the July 14, 2021 drought declaration areas in Washington.

Due to the unexpected and unprecedented late timing of the drought, no drought funding was appropriated during the 2021 Legislative session. To date, Ecology has determined that \$750,000 of existing budgeted funding will be available for emergency drought response to alleviate hardships caused by the water shortage. Additional funding may be made available.

In order to most expediently provide funding where it is most urgently needed, Ecology has set up a two-tiered grant application process. The first tier (Tier 1) includes the first one million dollars of funding, and eligibility is limited to providing funds to other state agencies that can work directly with affected public entities to mitigate the most severe human health, fish health, and agricultural emergencies. This provides for funding to get to those most in need as quickly

and efficiently as possible. The second tier (Tier 2) of funding would include a broader solicitation for drought emergency funding directly to Ecology from affected public entities. Projects eligible for funding must be located in areas that are listed in the drought declaration. Due to current funding limitations, **only Tier 1 applicants are currently eligible**. This guidance, therefore, focuses on Tier 1 funding.

This guidance will be updated when Ecology is able to provide funding to Tier 2 applicants.

You can access information on our [drought emergency funding rule](https://www.ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-167-2021) at: <https://www.ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-167-2021>.

**This funding opportunity will be open beginning July 28, 2021. The adopted emergency rule, chapter 173-167 WAC, remains effective until November 25, 2021. Projects funded under this opportunity must be completed by the end of the drought declaration, June 1, 2022.**

## 1. Eligible Applicants

Tier 1 applicants eligible for funding include the following State agencies: Department of Health, Fish & Wildlife, and Conservation Commission.

## 2. Eligible Project Elements

Tier 1 eligibility includes:

- To be eligible for funding, the applicant must be responding to emergency drought conditions within the area of the drought declaration order resulting in:
  - a. Potential human health emergency due to a lack of potable water;
  - b. A fisheries emergency due to water quantity or quality issues;
  - c. An agricultural emergency resulting in the potential for loss of life of agricultural animals or agricultural crops.

## 3. Ineligible Project Elements

Projects or project components that are ineligible to receive funding include:

- Projects or project objectives previously funded by Ecology. However, expansion or additional phases of a project that provide additional benefits may be eligible.
- Major and capital equipment purchases without pre-approval from Ecology.
- Lighting, landscaping, or other project elements that do not provide a water supply or instream resources benefit.
- Contaminated soils removal or remediation.

- Projects required under statute, rule, ordinance, or court order, or that conflict with other ecology rules, projects, or guidance.
- Staff time not directly related to the project.
- Bond costs for debt issuance.
- Operation and maintenance costs.
- Bonus or acceleration payments to contractors to meet contractual completion dates for construction.
- Compensation or damages for any claim or injury of any kind arising out of the project, including any personal injury, damage to any kind of real or personal property, or any kind of contractual damages, whether direct, indirect, or consequential.
- Dispute resolution under the grant agreement.
- Operating expenses or other indirect costs, in excess of approved indirect salary rate.
- Overtime differential paid to employees of a public entity to complete administrative or force account work.
- Permit fees not directly required for the completion of the project.
- Professional dues.

## 4. Project Selection

**Tier 1** eligible projects must address emergency drought conditions resulting in a potential human health emergency due to a lack of potable water, or a fisheries emergency due to water quantity or quality issues, or an agricultural emergency resulting in the potential for loss of life of agricultural animals or agricultural crops. Only projects that are located in the watersheds where drought has been declared can be considered for funding by Tier 1 applicants (see map on page 1).

## 5. How to Apply

Tier 1 applicants may provide direct requests to Ecology.

### Environmental Review

#### Cultural Resource Review

Tier 1 recipients will oversee compliance with Governor’s Executive Order (GEO) 21-02.

### Standard Agreement Terms and Conditions

The following are important terms and conditions that play a role in the day-to-day decisions made on loan or grant projects. A complete listing of the administrative requirements for all grants and loans administered by Ecology is contained in the [\*Administrative Requirements for Recipients of Ecology Grants and Loans Managed in EAGL\*](#) at:

<https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html>.



## **Budgets**

All recipients must track the project budget by task. Object-based budget management 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 cannot exceed 15 percent of the total eligible cost of the project.

## **Disbursements of Grant Funds**

Ecology disburses grant funds to recipients on a cost-reimbursable basis. The recipient must incur eligible costs within the approved grant-funding period; from the effective date to the expiration date of the funding agreement.

## **Payment Requests Processing**

Payment requests are initiated and processed through the EAGL system. Backup documentation is required for all goods and services listed in a payment request.

## **Procuring Goods and Services**

The recipient is responsible for procuring professional, personal, and other services using sound business judgment and good administrative procedures consistent with applicable federal, state, and local laws, orders, regulations, and permits. This includes issuing the invitation for bids, requesting proposals, selecting contractors, awarding sub-agreements, and other related procurement matters.

The Office of Minority and Women Owned Business Enterprises (OMWBE) has established voluntary goals for the participation of minority- and women-owned businesses in procurements made with Ecology funds. Each grant agreement will contain a condition regarding OMWBE. While participation is voluntary, Ecology requires reporting the level of participation.

## **Progress Reports**

Progress Reports must be submitted with each payment request.

## **Project Site Visits and Post Project Assessments**

Ecology's Project Management Team may conduct site visits to provide technical assistance, ensure compliance with applicable laws and rules, and verify progress or payment information for projects.

## **Transportation Costs**

The recipient may charge mileage to the project at the current state mileage rate. The mileage charge includes all vehicle-related needs, such as gas, tires, insurance, and maintenance.

## 6. Agreement Management

### Contractor or Consultant Role Permissions in EAGL

Recipients may not allow any contractors or consultants to hold the Authorized Official role in EAGL. Only organization staff can have an Authorized Official role for an active grant so as to maintain effective internal controls and accountability, and to avoid related audit findings. This role is able to certify and submit payment requests and progress reports, submit amendment requests, and to change member roles. If a contractor needs access permissions for grant administration, recipients may assign them to a Contractor or Writer role.

### Incurring Eligible Costs - Important Dates

The *effective date* is the earliest date on which eligible costs may be incurred. The effective date is negotiated between the applicant and the Ecology Project Manager (Project Manager) during development of the Grant Agreement.

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 Resources Program Manager. While applicants can incur eligible costs before the agreement is signed, they do so at their own risk.

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 Manager.