



Floodplains by Design Grant Program

2025-2027 Funding Guidelines

Washington State Department of Ecology
Olympia, Washington

November 2023, Revised February 2024 | Publication 23-06-015

Publication Information

This document is available on the Department of Ecology's website at:
<https://apps.ecology.wa.gov/publications/summarypages/2306015>

This publication was revised in February 2024, as follows:

1. New content to explicitly incorporate requirements in the Revised Code of Washington (RCW) 70A.65.305, Tribal consultation, has been added. This content, which includes a table, appears on page 11.
2. The List of Tables on page 10 has been updated to include the new table on page 11.
3. The page numbers throughout the document have been updated to reflect 1 and 2, above.

Contact Information

Shorelands and Environmental Assistance Program

Mailing address

Department of Ecology

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-407-6600

Website¹: [Washington State Department of Ecology](http://www.ecology.wa.gov)

¹ www.ecology.wa.gov/contact

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Ecology Contacts

Headquarters Office	
Floodplains by Design Program Coordinator	<p>Amelia Petersen 360-480-3298 Amelia.Petersen@ecy.wa.gov</p>
Financial Managers	<p>Michele Boderck 360-764-6807 Michele.Boderck@ecy.wa.gov</p> <p>Cindy James 360-280-8645 Cindy.James@ecy.wa.gov</p> <p>Amy Krause 360-742-7789 Amy.Krause@ecy.wa.gov</p> <p>Layne Slone 360-867-8171 Layne.Slone@ecy.wa.gov</p>

Regional Office	Project Manager
Central Regional Office	<p>Sandra Floyd (509) 571-5679 Sandra.Floyd@ecy.wa.gov</p>
Eastern Regional Office	Currently vacant
Northwest Regional Office	<p>Lisa Nelson (425) 649-4253 Lisa.Nelson@ecy.wa.gov</p>
Southwest Regional Office	<p>Matt Gerlach (360) 407-0271 Matt.Gerlach@ecy.wa.gov</p> <p>Alex Rosen (360) 407-6521 Alex.Rosen@ecy.wa.gov</p>

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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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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DEPARTMENT OF
ECOLOGY
State of Washington

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New content as of February 2024

Incorporating Requirements in RCW 70A.65.305

The Revised Code of Washington (RCW) 70A.65.305, Tribal consultation, outlines specific requirements that apply to:

- (1) State agencies “...that allocate funding or administer grant programs appropriated from the climate investment account... the climate commitment account... and the natural climate solutions account...” [RCW 70.A.65.305(1)];

and

- (2) “...applicants for funding from...” those same three accounts [RCW 70.A.65.305(2)].

The Governor’s Office of Indian Affairs (GOIA) recently shared Interim Operational Guidance for state agencies to help meet the requirements of this portion of the law. To ensure all project applications for the 2025-27 Floodplains by Design (FbD) grant funding cycle are eligible for these different funding sources, Ecology is revising the 2025-27 FbD Funding Guidelines.

Ecology recognizes that the 2025-27 FbD grant funding cycle is already underway, and aims to provide clarity about what these changes entail and when in the process they apply. Please see the table below for more details.

Table 1. Applicability of the RCW 70A.65.305 requirements to each of the three 2025-27 FbD grant round application stages.

Stage of Application Process (and status, as of February 2024)	Dates	Do the new requirements apply?	Explanation
Pre-application (complete)	Pre-applications were due to Ecology on January 12, 2024; Ecology notified pre-applicants about their eligibility to move forward on January 26, 2024.	No	Compliance with these requirements is unrelated to the factors that were used to determine eligibility to advance beyond the pre-application phase.
Eligible pre-applicant presentations (in-process)	February 12-15, 2024	No	Eligible pre-applicants will not receive notification of the new requirements before the presentation stage.
Full application (not yet started)	Currently scheduled to open on March 12, 2024, and close on May 1, 2024. (Ecology is assessing whether these dates can be delayed to help support applicants’ compliance with the new requirements.)	Yes	Ecology will be providing updated information and resources on the agency’s FbD website to support applicants with these requirements and will contact eligible pre-applicants directly to notify them when the webpage has been updated.

Chapter 1: Program Overview

Floodplains by Design (FbD) is a partnership of local, state, federal, and private organizations focused on coordinating investment in and strengthening the integrated management of floodplain areas throughout Washington State. Floodplains are vital to the ecological health of the state. They are critical to the economic vitality, cultural heritage, and quality of life provided by our region—from salmon to farmland to commercial development and recreational opportunities.

The Washington State Department of Ecology’s (Ecology) Flood Unit administers the Floodplains by Design grant program under a biennial funding cycle. Ecology awards grants on a competitive basis to eligible entities for collaborative and innovative projects throughout Washington State that support the integration of flood hazard reduction with ecological preservation and restoration, and preservation and improvements to agriculture.

Proposed projects may also address other community needs, such as improvements in water quality or increased recreational opportunities, provided they are part of a larger strategy to restore ecological functions and reduce flood hazards. This document describes the intent of the program and how to apply for funding, meet program requirements, and manage funded proposals.

Grant program intent

Washington State’s rivers and their floodplains and estuaries deliver a wealth of economic, natural, and cultural benefits to our communities. Yet floodplain management has not kept pace with our growing communities. People are living in the path of flood waters; our water quality is on the decline; and habitat critical to restoring salmon and orca populations is disappearing.

In the past, floodplain management was often provided by numerous entities, each with a narrow focus and sometime at odds with the focus of others. Rather than maximizing the goods and services derived from floodplains, this “silo” approach to floodplain management led to unintended consequences, inefficiency, and conflict.

The FbD grant program seeks to advance integrated floodplain management strategies and projects that consider a broader variety of ecological functions, values, and benefits to the affected human communities. Projects can have a higher likelihood of success when they improve ecological function, reduce flood risk, and meet other community needs because they are more likely to garner the necessary community support and public funding.

Integrated floodplain management description

The goal of Integrated Floodplain Management (IFM) is to improve the resiliency of floodplains for the protection of human communities and the health of ecosystems, while supporting values important in the region such as agriculture, clean water, a vibrant economy, and outdoor

recreation. IFM solutions should be locally driven and solve multiple floodplain management challenges.

IFM aims to move past single focus or “siloed” management efforts that can lead to unintended consequences, toward a holistic, collaborative model that works at a scale to maximize benefits and reduce costs to people and nature. IFM embraces a holistic and collaborative approach to decision making that brings together multiple interests to find common agreement on local floodplain visions, strategies, and actions that achieve multiple benefits.

Multi-benefit outcomes can include (but are not limited to):

- Reduced flood risks for communities, commerce, and agriculture.
- Healthy habitats for fish and wildlife.
- Resilient communities and ecosystems.
- Minimized flood damage.
- Productive, viable agriculture.
- Safe and sustainable development.
- Jobs and sustainable livelihoods.
- Sustainable supply of clean water.
- Recreation and open space.

In 2018, the Floodplains by Design team developed an initial draft set of ten elements of integration that should be considered in IFM processes at the local scale. Not all local areas will be making progress on each element, and various elements will be at different levels of sophistication and depth at different times. The figure below shows these ten elements of integration with bullet points characterizing less robust to more robust efforts for each element. While the bullet points within an element progress from less robust to more robust, the overall pathway to a more holistic and effective floodplain management paradigm can be non-linear. Increasing robustness in one element may reduce the robustness of another, which can be a sign of increased overall robustness. For instance, a small group of people can have a very robust set of goals. As the group expands and includes more interests, the concurrence on the goals may naturally become less robust in the short term. However, this “regression” in goals is actually a sign of overall progression of the effort.

The elements of integration are intended to be a tool for local practitioners to identify the next best step for IFM in their area. It is not intended to be used to “score” the IFM efforts of a local watershed because, as noted above, the assessment of where the area is in the overall process of integration may be challenging to discern from just assessing the status within each box.

How Integrated is our Floodplain Management?



Figure 1. Ten elements of integrated floodplain management processes at the local scale. *Floodplains by Design: Toward a New Paradigm.* (The Nature Conservancy, 2018)

Characteristics of FbD projects

Ideal projects are part of an integrated strategy designed to holistically manage the floodplain within a watershed or specific reach of a river. The strategy must identify means to reduce flood risk to affected communities, restore ecological function, support community and environmental resiliency to future climate impacts, and provide additional community benefits. In areas where agriculture is a land use, projects must minimize negative impacts to agriculture and identify strategies to support local agricultural interests.

Actions are encouraged to be part of a watershed or a reach strategy that connects rivers with their floodplains, giving floodwater room to spread out and allowing room for the dynamic processes that form critical habitats to be restored. A river reach is a user-defined section of river that contains a unifying geomorphic, land-use, infrastructure, or other characteristic. A watershed or reach strategy is generally based on a technical assessment of the river or reach and a robust stakeholder process that results in agreement on objectives and a set of integrated actions. A project on an individual site can in itself contain all the required benefits for flood risk reduction, ecological function, and community interests, or it can be one or more component(s) of a coherent larger strategy that collectively achieves all the benefits. If it is the latter, the project proponent must demonstrate how the project fits into a larger strategy that has broad support of the affected communities.

Watershed scale projects are not simply a collection of individual projects but an integrated combination of projects that work together to achieve the overall project objectives. It is important to explain how integration is being achieved and how different project components are connected or related.

The focus of the FbD program is the major rivers and their estuaries in a given watershed. Major rivers and estuaries are where the most extensive flood risks exist, where the greatest ecological restoration opportunities reside, and where much of our best agricultural soils are located. Projects on large river systems are more likely to receive funding than projects on small river systems or creeks. The full application includes metrics and project outcomes that Ecology tracks as key measures for FbD projects. Grant proposals should explain project outcomes in these terms, or, if a grant proposal is for feasibility or early design work, applicants should include analyses in their application that will provide this information.

Reduce flood risk and damage

Floodplains by Design projects must reduce flood risk to communities or be part of a strategy that reduces flood risk, as well as reduce flood risk on both a short-term and long-term basis. Many existing flooding problems are anticipated to increase in the near future due to climate change and development pressures from a growing population. FbD projects must develop solutions that address existing flood risk and consider the effects of projected changes to river flows, sea level rise, sediment delivery, and other factors that could increase flood risk in the future.

One approach to lasting solutions is to move people and infrastructure away from the river, remove impediments to flow, and provide more floodplain area for floodwater conveyance and storage. Flood risk reduction measures should not encourage new land development that increases potential future flood risk. It is important to note that projects that address flooding due solely to drainage problems, or nuisance flooding, do not meet the flood risk reduction intent of FbD, although it can be part of a larger project.

FbD can support redevelopment and improved flood resiliency in historically established and substantially built-out urban areas. However, to reduce long-term flood risks all projects should consider whether moving people and infrastructure away from the river and out of high-risk areas is feasible. Except in situations where a community has no other options for meeting appropriate growth targets, projects that encourage additional urban development and impervious surface within floodplains will not score well.

The flood risk reduction component of the FbD project should include a quantified demonstration of improved flood safety for an area and a demonstration of no adverse impact (that the project will not worsen flood damage anywhere else). Additionally, flood risk reduction measures should not create adverse ecological impacts. Feasibility and design projects should include appropriate analysis of anticipated changes to flood risk in the scope of work so that these outcomes are understood prior to advancing to the next project phase. Construction project proposals should be able to quantify flood risk reduction resulting from the proposed actions.

Ecological restoration and/or preservation

Floodplains by Design projects must have a significant ecological restoration component or be part of a watershed or reach strategy that will significantly restore ecological function. The ecosystem restoration or preservation component of the FbD project should include a quantified description of restored ecosystem processes and functions. For example, if proposals are located in a salmon-centric area, clearly addressing recovery priorities for salmon species that are ESA-listed or are the preferred prey of endangered Southern Resident Killer Whales will score higher. A higher probability of long-term ecological benefits will be provided by projects that maintain or re-establish natural processes and functions, considering future conditions.

Where it is not feasible to have the restoration in the same location of a flood risk reduction action, the restoration can occur in the same reach provided it is part of an integrated strategy. Ecological restoration measures should not increase the risk of flood damage to existing uses in the floodplain. A higher probability of long-term ecological benefits will be provided by projects that maintain or re-establish natural processes and functions. Projects should also consider the effects of climate change and accommodate future anticipated changes to river flows, sea level rise, sediment delivery, and other factors that affect ecosystem function and habitat formation (see Climate Change section).

Enhance and preserve agriculture

Where Floodplains by Design projects are proposed in agricultural areas, local agricultural interests must be engaged in project development as part of the project partnership so that their needs and concerns are addressed. The needs and priorities of a particular place and community, and means to address them, will vary by location, but might include improvements to drainage or irrigation infrastructure, or protection of farmland with easements.

Drainage (and irrigation) infrastructure is an important issue in maintaining agriculture in many floodplains and is often intertwined with flood control infrastructure. As described in the flood risk reduction section above, projects that address flooding caused solely by poor drainage are not considered flood risk reduction projects in the context of FbD. However, projects that include a drainage (or irrigation) improvement element to benefit agriculture, in addition to a flood risk reduction component consistent with the FbD intent, can score points in the agriculture category.

Tribal rights and floodplain management

Floodplain management activities affect tribal rights, including treaty rights, due to the link between floodplain habitat, salmon productivity, salmon harvests, and other protected resources and access to rivers for spiritual and cultural practices. In addition, the 1974 federal court ruling, *United States v. Washington* (commonly known as the Boldt decision), affirmed tribal treaty rights and established Tribes as co-managers of fishery resources in Washington State (Treaty Indian Tribes in Western Washington, 2011). For these tribes in Washington State, habitat recovery and restoration are critically important for salmon co-management in order to support a robust harvest guaranteed to Tribes through their treaty rights.

While floodplains play an important role for supporting salmon populations, the management of floodplains to reduce flood risk poses challenges for salmon recovery. Flood control structures and actions severely limit habitat-forming processes in floodplains and are often at odds with salmon recovery efforts. Flood planning efforts should start with an acknowledgement that, on many rivers, the existing flood control infrastructure causes daily harm to salmon populations. As populations increase in Washington State, so too do the development pressures faced by floodplain areas.

Tribes are already highly involved in many efforts related to flood hazard management, including salmon recovery and integrated floodplain management. By incorporating these efforts into your planning process, there will inherently be tribal involvement and consideration of treaty rights. However, it is important to engage with Tribes directly on the planning effort, ideally as early in the process as possible. Applicants must notify Tribes that may potentially be interested in your project. Ecology will provide a template notification letter upon request.

It is important to note that tribal rights and engagement of local Tribes are related to but distinct from environmental justice considerations. While many of the same best practices hold true, even the recommendations from the Washington State Environmental Justice Task Force

note the distinction of tribal consultation as a legal requirement as opposed to a best practice. For more resources, please visit the website of the [Governor's Office of Indian Affairs](#).

Environmental justice and public participation

Bringing a diversity of perspectives to the table is foundational to integrated floodplain management. Floodplain landscapes often support numerous communities, jurisdictions, and ecosystems that come with a diversity of management viewpoints, needs, and approaches that must be integrated. Consider how the public could provide their perspectives on proposed projects and what they might know through lived experience.

Recent studies have shown that flooding disproportionately affects overburdened communities. Not only are lower income individuals more likely to live in neighborhoods that are susceptible to flooding, but they are also significantly disadvantaged in recovering from flood damage (Sherwin, 2019). Therefore, it is important to consider diversity, equity, and inclusion when developing a project. FbD applicants should reference the resources below to help them identify overburdened communities and craft their proposals to be beneficial to those communities.

“Overburdened communities” are defined as “communities that experience disproportionate environmental harms and risks due to exposures, greater vulnerability to environmental hazards, or cumulative impacts from multiple stressors.” *Environmental Justice Task Force Final Report, Environmental Justice Task Force, 2020.* ²

Below are a few examples of mapping resources to help you consider how your proposal will impact overburdened communities.

- [Senate Bill 5141 - Healthy Environment for All \(HEAL\) Act](#)³
- [Washington Environmental Health Disparities Map](#)⁴
- [Washington State Employment Security Dept. Distressed Areas Map](#)⁵
- [Washington State Environmental Justice Task Force Final Report \(2020\)](#)⁶
- [US Environmental Protection Agency Environmental Justice Screen](#)⁷

² https://apps.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=EJTF%20Report_FINAL_39bdb601-508e-4711-b1ca-6e8c730d57bf.pdf

³ <http://lawfilesex.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5141-S2.SL.pdf?q=20210521101530>

⁴ <https://www.doh.wa.gov/DataandStatisticalReports/WashingtonTrackingNetworkWTN/InformationbyLocation/WashingtonEnvironmentalHealthDisparitiesMap>

⁵ <https://esd.wa.gov/labormarketinfo/distressed-areas>

⁶ https://apps.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=EJTF%20Report_FINAL_39bdb601-508e-4711-b1ca-6e8c730d57bf.pdf

⁷ <https://www.epa.gov/ejscreen>

- [Climate and Economic Justice Screening Tool](#)⁸

Other community needs

Strong FbD projects may also include actions to address other community needs that are compatible with flood risk reduction and ecological restoration, including improved water quality, increased recreational opportunities, or other needs specific to a particular community. What these other benefits look like will depend on the needs of a particular community and actions the community determines are most appropriate to address their needs. Water quality improvements might include riparian planting, removing impervious surfaces, or reducing non-point pollution from homes or farms. Increased recreational access might include increased miles of trail, additional boat ramps, or fishing access points. Project applications that demonstrate community engagement and efforts to address other community needs in an inclusive and equitable manner will be scored higher.

Partnerships

Integrated floodplain projects, by their nature, require that a variety of interests and organizations coordinate and collaborate to develop projects. Depending on the location, scope, and affected interests of a particular project, applicants will develop partnerships with some or all of the following groups:

- Flood/floodplain management authorities.
- Ecosystem restoration and salmon recovery entities (e.g., Lead Entities, Local Integrating Organizations, etc.)
- Agricultural interests and organizations.
- Tribes.
- Community recreation departments and organizations.
- Local governments, such as cities, towns, and counties.
- Economic development organizations.
- Environmental organizations.
- Federal and state natural resources agencies.

Because there is a requirement to demonstrate match or leverage (see the Match and Leverage section in Chapter 2), FbD projects typically include financial partnerships from federal or state grants, such as the Salmon Recovery Funding Board, National Oceanic and Atmospheric Administration, local flood control districts, counties or cities, and/or United States Army Corps of Engineers, among other sources.

It is critical that partnerships form early in the project development process. Applicants should identify the organizations and parties that may have an interest in the project and reach out to them early and often so that all interests are represented, needs and concerns are heard and addressed, and the resulting project is supported by all affected parties. There is no boiler plate

⁸ <https://screeningtool.geoplatform.gov/>

list of groups for any project or even particular organizations for a given interest group. It is up to the local project sponsor to determine the organizations and interests that are relevant to a particular watershed, river reach, or project. The application should include a narrative that describes the outreach done and specific involvement of interests related to the project. Ideally, project applicants will receive the written support of interested organizations and individuals.

Climate change

FbD supports integrated approaches that consider climate impacts on floodplain systems. Climate change is projected to alter floodplain hydrology, sedimentation, and sea levels throughout Washington State and as such is a significant concern for all aspects of floodplain management. The extent and frequency of flooding is projected to increase in the future, resulting in higher flood risks to human communities and further impacts to salmon populations. Projected low summer flows may cause warmer water temperatures that exceed the thermal threshold for salmon and are an important concern for potentially limiting water availability for farms. Increases in sea levels will increase the risk to coastal areas from storm surges and inundation and could impact drainage of coastal agricultural lands. Projected shifts in temperature and precipitation regimes are likely to compound existing stressors on floodplain habitats and salmon populations. Strong FbD proposals and project designs should consider the effects of climate change and address future changes to hydrology, sediment delivery, sea level rise, and other factors that affect floodplain systems. Strong FbD proposals will:

- Identify critical impacts of climate change specific to the proposal activities and stakeholder and Tribal interests. Many regions have completed vulnerability assessments or climate action plans that identify these key risks. In regions where these plans have not been completed, applicants can use the available regional data to make their best assessment of key impacts in their watershed.
- Incorporate projections, where available and critical for project outcomes, into project modeling and design plans.
- As climate change elevates the frequency and intensity of extreme events, consider consequences and alternative resilience approaches for when the project may be exceeded.

The discussion of climate change impacts on the project area and proposed actions should be included in the scored sections for Flood Hazard Risk Reduction, Floodplain Ecosystem Protection and/or Restoration, and Agricultural Benefits. This information will be used to determine the robustness and durability of proposed actions as related to flood, ecosystem, and agriculture outcomes. Applicants are encouraged to discuss the specific effects of climate change in the project or planning area and describe how this information was used in project selection and design. Answers may be brief but should include:

- Citations of existing research/reports that are relevant to the project area.

- Consideration of impacts observed during historical events that can serve as an analog for future conditions (e.g., recent large flooding events, warming events/trends, etc.).
- Description of how climate change predictions were incorporated into or used during project site selection or design.
- Where possible, models/projections of future floodplain or nearshore inundation/risk.
- Description of confidence in flood, ecosystem, and farm outcomes and for how long into the future.

Statutory and administrative requirements

Statutory requirements, administrative rule uses and limitations, and program and agency policy provide the framework for the Funding Guidelines. Key statutes, rules, and policies include:

- [Administrative Requirements for Ecology Grants and Loans](#) (Yellow Book)⁹
- [Senate Bill 5141](#)¹⁰ - *Healthy Environment for All (HEAL) Act*. AN ACT Relating to reducing environmental and health disparities and improving the health of all Washington state residents by implementing the recommendations of the environmental justice task force.
- [Governor's Executive Order 21-02](#)¹¹ The Executive Order reflects the governor's commitment to assure cultural resources, archaeological sites, historic structures, and tribal sacred places are fully considered in any state funded project and that impacts to these cultural resources must be considered.

Ecology's General Terms and Conditions **are nonnegotiable** and failure to accept these conditions or any attempt to alter these conditions can result in revocation of grant awards. Contact Ecology staff if you would like a copy of the most recent Agreement Terms and Conditions.

Applicability of the Floodplains by Design Funding Guidelines

The FbD program strives for continual improvement. As such, funding guidelines and other aspects of the program will be routinely updated. These funding guidelines apply to all FbD grants awarded during the 2025-27 biennium. They will be applied to all grant agreements completed and signed after publication. Certain elements of the guidelines may need to be

⁹ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

¹⁰ <http://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5141-S2.SL.pdf?q=20210521101530>

¹¹ <https://dahp.wa.gov/2102>

incorporated into the Special Terms and Conditions of the grant agreements, as determined by the FbD grant program.

Chapter 2: Funding Program Details

This chapter provides a basic overview of the funding program, including grant cycle timing, applicant and project eligibility and funding provisions. More specific information about project eligibility may be found in the following chapters.

Ecology manages the Floodplains by Design program funding under a biennial funding cycle. Proposals are due in early winter of even-numbered years. An evaluation team will review, rate, and rank applications, and then Ecology distributes funds to the highest priority grant projects. Funds, if appropriated by the State Legislature, are available starting in June of odd-numbered years.

Entities eligible to apply

- Counties, cities, and towns
- Special purpose districts, such as flood control and port districts
- Federally recognized tribes
- Conservation districts
- Municipal or quasi-municipal corporations
- Not-for-profit organizations that are recognized as tax exempt by the Internal Revenue Service

Note: Ecology will issue a grant to a single eligible Recipient that will be responsible for all Ecology-grant-required actions and will manage all grant deliverables. FbD grant Recipients may enter into a formal agreement with other organizations and partners in a watershed where a large body of work will occur. The FbD grant Recipient is responsible for billing, communication, and coordination of work with any contractors, project partners, and other stakeholders. Ecology is not responsible for work between the Recipient and their contractors, project partners, or other stakeholders directly unless special circumstances require Ecology guidance through approved protocols or other challenges the Recipient may not understand.

Timeline and schedule for FbD projects and the capital budget reappropriation process

Funding for the Ecology Shorelands and Environmental Assistance (SEA) Program's Floodplains by Design grant program (FbD) is provided through capital budget appropriations every two years. FbD funding normally comes from the State Building Construction Account; however, the Legislature may allocate funding from other accounts. This program has been funded in part or wholly by Climate Commitment Act associated funding. The Climate Commitment Act (RCW 70A.65) created a market-based program to help reduce greenhouse gas emissions over the next few decades. A portion of the revenues are directed into the Natural Climate Solutions Account and were distributed into several standing grant programs, such as Floodplains by Design. Funding comes with additional reporting, assessment, and tribal consultation requirements. The Governor's Office and state agencies plan to engage tribal governments on

how best to meet these requirements. Ecology will provide guidance to applicants after the tribal government engagement has concluded.

All FbD grant agreements are made with a four-year timeline in mind. Applicants are encouraged to develop a schedule, budget, and scope that completes the projects within the four years from the anticipated time the grant funding will be awarded. However, Ecology understands timelines shift for a variety of reasons and it is not unusual for projects to extend into years five and six upon approval by Ecology. If you are awarded a FbD grant and later experience a shift in timeline, please reach out to your Ecology Project Manager immediately to discuss the possibility of extending the grant agreement.

When a project is expected to take more than the initial four years to complete, funding must be “re-appropriated” each biennium by the state Legislature. Legislative staff make regular inquiries regarding Ecology’s re-appropriations. While these inquiries are not likely to result in re-appropriation reductions, it could impact the amount of new appropriation the program receives. The Legislature has discretion to reduce or eliminate re-appropriation funding and lower or eliminate new capital appropriations where large underspending occurs. This risk is higher for funding re-appropriations from the competitive State Building Construction Account.

To reduce the need for large re-appropriation requests from the capital budget, Ecology developed a Capital Budget Management Plan. The Capital Budget Management Plan requires FbD to emphasize readiness to proceed, careful monitoring of spending trends for all projects, and to identify and correct any spending slowdowns. If FbD projects need to have funds re-appropriated into a third biennium (working years five and six), the FbD program will be required to report its rationale to Ecology’s Deputy Director and Chief Financial Officer. Their approval is needed to make a recommendation in the agency Capital Budget request to move FbD funds into a third biennium.

The FbD program is sharing this information with applicants and potential grant recipients to emphasize the need to select the right scale for a project that is achievable in four years or less. Funding projects beyond four years will require significant rationale and could be declined. Therefore, “right-sizing” a project and being ready to take major actions as soon as possible to complete work within four years is now the standard for all FbD projects.

Funding levels

Total funds available for FbD have varied. The amount of funding available on a competitive basis for each State biennium is based on legislative directives. Ecology does not know the exact amount of funding available at the time a particular funding cycle begins. The amount of funding will not be known until state appropriations are made. Table 1 shows past funding availability.

Table 2. Funding appropriated by the Washington State Legislature for FbD projects in previous biennia.

Fiscal Year	Range of Funding Awarded	Funding Appropriated
FY 2013 Competitive Grants	\$50,000 to \$2,000,000	\$11,000,000
FY 2013 Proviso Grants	\$867,000 to \$7,881,000	\$33,000,000
2015-2017 Competitive Grants	\$560,000 to \$9,501,000	\$35,560,000
2017-2019 Competitive Grants	\$415,000 to \$7,750,000	\$35,388,073
2019-2021 Competitive Grants	\$516,000 to \$9,402,000	\$50,400,000
2021-2023 Competitive Grants	\$341,000 to \$10,000,000	\$50,900,000
2023-2025 Competitive Grants	\$236,900 to \$10,438,969	\$67,392,000

Fund request limit

The FbD grant program does not have a hard limit on the amount of funding requested. Project sponsors are encouraged to think holistically and in terms of complete solutions when putting projects together. However, considering total funding and the significant needs that exist across the state, Ecology has yet to fund more than \$10 million in any one FbD grant. FbD has a soft limit of \$10 million of Ecology Share, per ask. Note that the total project cost (bigger project costs) may be well in excess of this amount when match, other funding sources, and multiple project phases are demonstrated. If a project is submitted that enters into the higher levels of FbD fund requests, Ecology may ask the applicant to consider phasing the project over time, reducing the scope of work, consider partnering with other available fund sources (e.g., local flood control district), or otherwise reducing their fund request.

For more information about Total Project Cost and other grant definitions, see [Appendix C: Grant Agreement Definitions](#).

Grant match or leverage requirements

Match is defined as a portion or share provided by the Recipient for the grant. Leverage is the total amount of all funding sources for the entire project and includes Recipient match (when match is required) but does not include Ecology’s share of the FbD grant.

Applicants must demonstrate they have project leverage in the grant application (pre-application and full application). Those applicants that do not qualify for a match waiver must also demonstrate they have match. Both match and leverage can be demonstrated in the form of: Flood Control Zone District, city, town, county, or federal funds; other grant funding; value of land previously acquired as long as the land is used for implementation of the project; time spent working on a project; or in-kind costs. If questions arise regarding match or leverage, please contact your regional Ecology Project Manager for more information.

Applicants must demonstrate that they qualify for the Economically Distressed Communities match exemption for Floodplains by Design using the process outlined below.

Median household income

If an applicant can demonstrate the project area is in a location with a mean household income below 80% of the state median, they are deemed eligible for a match waiver and no additional justification need be provided. The [U.S. Census Bureau](https://data.census.gov/)¹² provides median household income (MHI) data through the American Community Survey (ACS). MHI estimates for states, cities, towns, and census designated places (CDP) are included in a data series produced by ACS. If you have questions about MHI for your project area, please contact Ecology.

Climate and economic justice screening tool

If an applicant does not meet the criteria for a match waiver using the MHI tool described above, but can demonstrate the project area is identified as disadvantaged based on the [Climate and Economic Justice Screening Tool](https://screeningtool.geoplatform.gov/en/),¹³ they are deemed eligible for a match waiver.

Ecology is exploring programmatic changes to the FbD grant program that may result in the elimination of the match requirement for all projects. It is possible that a decision will be made in time to impact grant awards made in the 2025-27 funding cycle. Ecology will update the [FbD grants website](https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/floodplains-by-design-grants)¹⁴ as more information becomes available. In the meantime, applicants that do not meet the criteria for a match waiver must continue to plan on demonstrating they have match in their pre-application.

¹² <https://data.census.gov/>

¹³ <https://screeningtool.geoplatform.gov/en/>

¹⁴ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/floodplains-by-design-grants>

Chapter 3: Eligible Project Activities

This chapter outlines some common types of activities that are eligible for FbD funding. Information on ineligible project activities and project scope changes is also included. For more information about eligible costs, please see Chapter 5: Agreement Development, Management, and Conditions.

Please note that FbD is normally funded through the State Building Construction Account, which means any project activities must relate to capital project implementation. For example, this could include data acquisition or measuring project effectiveness, if the intent is to inform future project design. When developing a project, the following aspects should be considered: relevant climate change information; diversity, equity, and inclusion; and environmental justice.

Examples of common types of FbD-eligible activities

- Community engagement and/or integrated planning committee support
- Pre-construction planning, such as studies and/or modeling
- Conceptual, preliminary, and/or final designs
- Permitting, construction, and/or planting
- Acquisitions and/or easements
- Demolition, home elevations, and/or home relocation

These common activities are described in further detail below. Please contact your regional Ecology Project Manager if you have questions about eligibility.

Community engagement and/or integrated planning committee support

Project-specific or reach-scale public engagement and education efforts are eligible for grant funding, as part of the larger project. These engagement and education efforts should use effective methods and programs to engage the public's interest in flood risk reduction and ecosystem restoration. It will help for the public to understand the project and its impacts upfront so that concerns may be addressed before the project begins. Applicants are encouraged to consider that the public has different levels of educational background, knowledge of flooding and ecological restoration issues, tribal rights (including treaty rights), private property rights, and legal issues, as well as different socioeconomic and cultural backgrounds. Therefore, applicants should consider a multi-pronged approach to project engagement and education efforts cognizant of equity, inclusion, diversity, and justice. Either way, the effort should involve generating basic awareness of flooding and ecological restoration issues, as well as tribal rights, for relevant audiences.

Audiences engaged in project development are encouraged to include those affected or impacted by the proposed project. Those who may be the most impacted may not be the ones who readily participate in project engagement and education efforts. People from underserved groups do not always have the capacity to engage in efforts such as these, and they may not easily hear about the opportunity through their normal communications channels. Project

proponents should make every effort to directly connect with those potentially impacted by the project, which may include working with or providing capacity funding for community-based organizations focused on underserved groups.

Activities can include providing integrated planning committee support for agricultural, tribal, and small city representation in the floodplain integration process to update flood hazard plans or advance specific integrated projects to design and construction. This support could include providing equitable access to stakeholders or partners by compensating them for their time in participating in planning or informative community meetings. If you have any questions about compensating participants, contact your Ecology Project Manager.

Pre-construction planning

As part of a larger FbD project, applicants can include studies and modelling to examine existing conditions and future conditions of alternative designs, such as hydraulic and geomorphic modelling; habitat assessments; flood risk assessments; debris flow risk assessments; diversity, equity, inclusion, and environmental justice assessments; and sediment transport assessments. Costs of preparing pre-construction documents, including reach studies and other area-specific assessments of floodplain conditions and needs; engineering reports; environmental review; and related work that leads to the identification of capital projects may be eligible for Floodplains by Design program funding. Potential applicants are encouraged to check with their regional FbD contact to ensure the pre-construction project scope will be eligible.

Project assessment both before and after project completion are important for tracking project results. Ecology may allow the use of grant funds for project assessments if the assessment takes place within the grant period. Typically, a Recipient undertakes pre- and post-project assessments to characterize, identify, or quantify the existing conditions present at/on a particular site/area.

Prior to generating, collecting, analyzing, and/or using environmental data, Recipients are required to create and submit a Quality Assurance Project Plan (QAPP). Recipients should assume a QAPP is required unless Ecology can confirm otherwise. Project work should not begin until the QAPP requirements are completed. See [Ecology's QAPP website](#)¹⁵ for QAPP examples, a general QAPP template, and more information; also review the QAPP section in Chapter 4 under *Quality Assurance Project Plan Requirements*.

Conceptual, preliminary, and/or final designs

Conceptual, preliminary, and final designs are eligible FbD project types. Recipients with a design project must submit preliminary designs / design report to Ecology's Project Manager prior to the final designs to ensure there are no adverse impacts to future restoration in priority habitats.

¹⁵ <https://ecology.wa.gov/Issues-and-local-projects/Investing-in-communities/Scientific-services/Quality-assurance/Quality-assurance-for-NEP-grantees>

Permitting, construction, and/or planting

Costs related to completing and submitting permits for the project are eligible for FbD reimbursement.

Applicants can apply for a combined design and construction project. All the applicable requirements for both design and construction projects apply. See the note in the construction discussion above on combining all elements of a project and the project timeline and schedule discussion in Chapter 2.

The Recipient of a construction grant must ensure the project complies with the approved (signed and sealed) plans and specifications prepared by an engineer licensed in the state of Washington. Competent and adequate construction management and inspections are required. Construction projects will require a Cultural Resources Executive Order 21-02 process be completed. For more information, see [Appendix B: Cultural and Historic Resources Review Guidance](#).

Projects that contain construction-only elements must be ready to start construction upon receipt of funding by FbD. That means acquisitions, design, permitting, etc. should be complete prior to award. The project may need to be “phased” into discrete, timely actions if construction would not occur for several years. In that case the pre-cursor activities (e.g., design) would be funded in one round, with construction applying for funding in a future round.

Planning and implementing riparian and wetland habitat restoration projects are eligible grant components. If the project includes planting, you must provide a planting plan or description of how you will ensure plant survival and maintenance. More details are provided in Chapter 4.

Acquisitions and/or easements

Acquisitions and easements are eligible project costs. This includes purchase of conservation or agricultural easements, development rights, or fee title to land. Ecology can work through an escrow process, if needed, to assist the Recipient in the land acquisition process. Where the purchase of an entire parcel is necessary to obtain the required land, the proposal should be clear regarding management of the land obtained outside the project area. This land must be managed consistent with FbD objectives and should avoid creating new residential or commercial-type development in flood-prone areas. Additionally, FbD funds can be applied/used for a comprehensive river reach-based approach to land acquisition should multiple river front parcels become available. Land acquisitions will require a Cultural Resources Review, Executive Order 21-02 process be completed. For more information, see [Appendix B: Cultural and Historic Resources Review Guidance](#).

Demolition, home elevation, and/or home relocation

Demolition, home elevations, and home relocation are eligible project costs.

There are minimum requirements for home elevations. To determine how high to elevate the home, use the flood of record plus one foot OR the base flood elevation from the Flood

Insurance Rate Map plus one foot, whichever is higher. The following deliverables will be required for home elevations:

- Elevation Certificate.
- Before and after photos.
- As-builts.
- Location/maps of places where the elevations are occurring.
- Documentation of floodplain development permit if the home is in a mapped floodplain.

Land purchase usage and restrictions

See [Appendix E: Example Acquisition Task Language](#) for more information about the standard required property acquisition documentation. Eligible land costs are subject to the following limitations, in addition to other requirements of the agency:

- **Public access** – Appropriate opportunities for public access must be provided to land acquired with FbD funds where feasible, unless an exception is granted. If a Recipient proposes to preclude public access from grant-acquired property, justification must be provided relating to public safety or other relevant features of the property and adjoining area.

Please Note: Public access will not be required for the purchase of conservation or agricultural easements.

- **State agency land acquisition prohibited** – State agencies are ineligible to receive FbD funds.
- **Willing seller only** – FbD land acquisitions are by willing sellers only. Acquiring land by condemnation or eminent domain is not eligible for FbD grant reimbursement.
- **If relocation of residents needed** – FbD follows the federal [Uniform Relocation Act \(URA\)](#) and will cover costs associated with relocation of renters/tenants, if needed. Providing relocation assistance will be required if the property has renters residing on site. Relocation costs will not be covered for willing sellers.
- **Conservation easements** – Ecology will normally hold third-party rights to conservation and agricultural easements, and that must be written into the easement language. In some cases where more than one state agency is funding a project, each easement may have unique issues, but this is Ecology's standard approach. Ecology may defer third party rights to another state agency (e.g., the Recreation and Conservation Office) or another authority on a case-by-case basis. Consult with your Ecology Project Manager if you have questions about easements.

- **Life estates** – A life estate is a real property interest in the form of a reservation on the deed that is held for the duration of a person’s life. FbD may approve a life estate when all of the following conditions are met:
 1. The life estate does not unreasonably limit public use or achievement of the purpose of the FbD project agreement or FbD funding program.
 2. The life estate is for the owner(s) of the property only, not for successive generations.
 3. The impact of the reservation of the life estate is addressed in the valuation of the property. Appraisers must treat a life estate as an encumbrance.
 4. The terms or covenants of the life estate have been reviewed and accepted by FbD, including any assessment of flood threat or other life safety hazards presented by continued occupation of the property. These conditions must be approved by FbD prior to closing on the property. If they are not agreed to in writing prior to closing, the acquisition may be considered ineligible for FbD funding.

- **Acquisitions for more than the appraised value and appraisal waivers**

1. FbD reimburses for property costs based upon the property’s appraised value confirmed by an appraisal review. The appraised value is the just compensation for purchase of the property and the amount eligible for FbD funding. If negotiations with the property owner establish a higher price, the project sponsor may agree to pay a higher price and only seek reimbursement from FbD based upon the appraised market value.

When the estimated property value does not exceed \$25,000, and the acquisition is not complex, the grant recipient may be exempt from meeting appraisal and review appraisal standards. Such exemptions must be requested in writing and approved by the Ecology Project Manager before the closing on the property. The grant recipient must provide a value determination narrative and any additional documentation used to determine value estimation. The RECIPIENT must follow the appraisal waiver standards in 44 C.F.R. § 24.102.

2. In limited circumstances, FbD may approve paying up to 10 percent more than the appraised market value of the property. Approval to pay more than the appraised market value is not approval for additional grant funds or a grant cost increase. It allows FbD to reimburse at the higher approved purchase price. Approvals are made on individual properties, not for the entire scope of a project. Ecology must approve requests for

reimbursement above 10 percent of the appraised market value in advance.

3. A project sponsor must request approval to pay more than the appraised market value before closing on the property. FbD will not approve a request to pay above the appraised market value if the request is submitted after the project sponsor has closed on the property. The written request must address the questions below and include a copy of the appraisal, appraisal review, and draft Purchase and Sale Agreement or option agreement.

- What was the appraised value of the property?
- What is the proposed purchase price?
- Explain how the appraised value may not reflect the property's market value. Include adequate market data to substantiate the purchase price.
- How far back in time or how far afield did the appraiser need to go to find comparable values? Were there adequate comparable properties readily available?
- Are there any proposed interim land uses on the property?
- How will the additional property expense impact the project scope? Will the original scope of work still be completed even if a higher purchase price is approved?
- Are there alternative properties in the project agreement that could be pursued or is this property unique in some way?

- **Income from properties purchased with FbD funds**

Properties purchased with FbD funding may generate income, for example renting a structure or land. Income generated by these types of activities will be debited from the total eligible costs of the project, per Ecology Yellow Book requirements. Any income generated from properties purchased with FbD funds is not eligible as match.

- **Renting, leasing, sub-letting or other use of properties purchased with FbD funds after closing**

Any future occupancy or use of the property should be discussed with the Ecology Project Manager prior to the local sponsor entering into said agreements. FbD funds are intended to reduce the potential for damage to property and the threat to human health and safety from flooding. As such, Ecology has a vested interest in ensuring that those goals are met and that any future use of the property during the life of the FbD grant does not undermine those goals.

- **Deferring to Federal acquisition processes and procedures**

In limited cases FbD may allow deferral to Federal acquisition processes and standards in lieu of our standard requirements. This is possible when there is a dedicated federal partner to the project that is providing funding or other direct support to the project and has clearly defined acquisition procedures and processes that must be implemented by the local sponsor to the project.

- **Completion of cultural resource reviews prior to using grant funds to pay for acquisitions is required**

The FbD program is aligning to the language of the Washington State Governor’s Executive Order (EO 21-02) and will require successful completion of the EO 21-02 consultation process (i.e., Ecology issues a final determination authorizing the project) prior to the expenditure of the grant funds. For situations that require an escrow deposit be made by Ecology at the time of closing, Ecology must have successfully completed the EO 21-02 consultation process in order to fund the escrow deposit. The EO 21-02 process is not required if the acquisition is for purchase of an easement only.

In situations where a grant Recipient can close on a property with their own funding, the EO 21-02 consultation process doesn’t have to be completed prior to the grant Recipient closing on the property, but it must be successfully completed prior to Ecology reimbursing for the acquisition at a later date. Ecology recommends completing the EO 21-02 consultation process prior to closing on future acquisitions to avoid the risk that consultation may lead the property to be ineligible for an FbD grant. However, there may be situations where grant Recipients are comfortable taking on the risk associated with closing prior to EO 21-02 consultation being completed, and that choice will be accommodated. Always allow enough time for the entire process to be completed, which includes defined review periods and formal decision by Ecology prior to the need to close on a property. Not allowing sufficient time for the process to be completed may jeopardize a timeline negotiated with the seller.

Land acquisition documentation

See [Appendix E: Example Acquisition Task Language](#) for a detailed list of the documents required if a project includes acquisitions or easements.

Other administrative costs

In addition to the project types above, a FbD grant routinely covers costs for other administrative items, such as grant management, obtaining required permits and approvals,

completing Letters of Map Revisions or Conditional Letters of Map Revision (as required by 44 CFR 65.3), and other administrative requirements.

Ineligible project types

The following are examples of ineligible project types for FbD funding. Recipients should ask their Ecology Project Manager if there are any questions.

Remediation projects

FbD funds cannot be used for projects whose primary focus is remediation of toxic sediments or structures. Applicants can receive guidance and are encouraged to work with Ecology's Toxic Cleanup Program to address toxics on site prior to any application for FbD funding.

Comprehensive flood planning or mitigation projects

Proposals that have a primary component of performing advanced flood hazard reduction or mitigation planning are not eligible in this grant program. Applicants who are interested in developing or updating a flood hazard plan should refer to [Ecology's Flood Control Assistance Account Program](#)¹⁶ (FCAAP) for information about grants for planning efforts. If you have questions about whether your proposal is eligible for FbD, please contact your Ecology regional floodplain management specialist, listed in the contacts section above, prior to submitting a pre-application.

Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs

It has been established that FbD funds cannot be used in TDR programs but can be used in PDR programs. In 2016, the FbD program sought WA State Treasury's input on the use of said funds in TDR and PDR programs. Treasury concluded that, as FbD funds are public tax exempt and bonded funds, they are not appropriate for the TDR programs due to the potential of private gain with this public funding source. PDR is acceptable and an important tool in the FbD system. Grant applicants should carefully consider if they want to use PDRs later in a TDR program before they utilize FbD funding.

Changes in project scope after funding award

Any project Recipient that significantly deviates from their original scope after award of funding may have their grant award reduced or re-scoped, at Ecology's discretion after discussion with the grant Recipient. To be eligible for re-scoping, the adjusted project scope must be consistent with the over-arching strategy and elements described in the proposal that was evaluated during the scoring and ranking process. New scope elements that were not reviewed as part of the original proposal cannot be funded in the applicable round. Or Ecology may decide to

¹⁶ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/flood-control-assistance>

reprogram the entire award to the next unfunded project on that round's ranked list based on the nature of the scope change and whether the project still meets the original intent.

Any discussion of a proposed re-scoping effort must include consideration of the impact on Tribes and invested stakeholders, including but not limited to the local community, governmental agencies, elected officials, other funding agencies and sources that have invested in the project, agricultural interests, salmon recovery and ecosystem restoration interests, and floodplain management and emergency planning agencies and interests. The grant Recipient proposing the changes in scope must provide assurances that Tribes and other stakeholders are still in support of the changes.

Chapter 4: Developing Your Proposal and Applying for Funding

Elements of successful proposals

In general, a successful FbD project proposal will:

- Show how the proposal solves or addresses a significant flooding problem and advances a priority salmon recovery need.
- Demonstrate an integrated floodplain management approach, particularly at a reach or watershed scale.
- Describe how relevant authorities, tribes, and/or stakeholders have collaborated to develop the proposal; and describe the institutional structures in place to support ongoing collaboration.
- Demonstrate a clear connection between the proposal and how it will help resolve the identified flooding issue.
- Document that the proposal will not worsen flooding in another location.
- Show how the proposal will not induce more development in the floodplain and, as possible, reduce existing development in the floodplain.
- Demonstrate how the proposal takes climate change impacts into account and enhances long-term community and environmental resilience. Show how the proposal is consistent with relevant plans that address salmon recovery, flood risk reduction, agricultural viability, and/or other public benefits. For proposals in the Puget Sound, show how the project is consistent with the Puget Sound Partnership Action Agenda and applicable LIO ecosystem recovery plans.

Describe the community support and stakeholder involvement that shaped the proposal.

- Document the outreach and engagement conducted to develop the proposal.
- Document support for the proposal from affected parties.
- Provide documentation of plan(s) that supports the proposal.
- Explain why the proposal is a high priority for the affected community(ies).
- If your proposal impacts local flooding and flood control structures, document a robust stakeholder process that involves the local floodplain managers in your region.
- If your proposal impacts agricultural land, document a robust stakeholder process that involves the agricultural community including, but not limited to, letters of support from landowners in the project area.
- If your proposal impacts salmon habitat, document a robust stakeholder process that involves Lead Entities in your region/watershed.

Show that public capital funds will be well stewarded.

- Provide an accurate, detailed, and reasonable budget.
- Show that the funding request is reasonable compared to the proposed benefit.

Illustrate that the proposal is ready to proceed.

- Include a well-defined scope of work that has goals, objectives, timelines, and measurable outcomes.
- Document that all required environmental reviews have been completed.
- Document all permits needed for the project and whether they have been obtained or applied for.
- Demonstrate that the lead organization has adequate capacity/staffing to manage the funds.
- Describe as explicitly as possible the status of landowner engagement and readiness. If you can obtain a landowner letter of support, please do so.

Be easy to read and understand.

- Make sure the application addresses all items identified in the evaluation criteria and scoring guide.
- Give clear, concise answers to all questions.
- Write in complete sentences.

Helpful hints:

- Include maps, diagrams, and pictures of the proposal and project areas and display past projects (if any exist) to provide watershed or reach-scale context for proposed activities.
- Provide documentation to support answers, including citations.
- Complete the Metrics and Project Outcomes information in the application.

Consistency with the Puget Sound Action Agenda

Applicants in the Puget Sound basin must be consistent with the Puget Sound Action Agenda. See the Puget Sound Partnership's [Action Agenda for Puget Sound website](http://www.psp.wa.gov/action_agenda_center.php)¹⁷ for the current version. The Puget Sound basin is defined as WRIAs 1 through 19 (see [Ecology's Find your WRIA website](https://ecology.wa.gov/water-shorelines/water-supply/water-availability/watershed-look-up)¹⁸ for a map of WRIAs in Washington State).

At a regional scale, the Action Agenda is Puget Sound's shared roadmap for ecosystem recovery. The plan outlines the regional strategies and specific actions needed to protect and

¹⁷ http://www.psp.wa.gov/action_agenda_center.php

¹⁸ <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/watershed-look-up>

restore Puget Sound. The Action Agenda is a collective effort informed by science and guides effective investment in Puget Sound protection and restoration.

At the local scale, communities around the Puget Sound coordinate efforts to advance the Action Agenda. Local governments, tribes, non-profits, watershed, marine resource, and salmon recovery groups, businesses, educational organizations, and private citizens are collaborating to develop and integrate local actions that foster implementation of Action Agenda priorities through organizations called Local Integrating Organizations (LIOs). All LIOs have approved local ecosystem recovery plans, many of which include floodplain goals and strategies. The collective impact of local plans better moves the dial for overall floodplain targets. See the Puget Sound Partnership website for current LIO Plans.

Consistency with watershed or community-based plans

Describe how your work is based on, or relates to, your local watershed or community-based plans. Proposals should be consistent with watershed or community-based strategies and measures including local flood risk reduction plans, water quality improvement plans or [Total Maximum Daily Load \(TMDL\)](#),¹⁹ agricultural plans, restoration plans, [Community Flood Hazard Management Plans \(CFHMPs\)](#),²⁰ [Shoreline Master Programs \(SMPs\)](#),²¹ or related planning documents.

Salmon habitat (riparian and wetland) restoration is a vital part of FbD projects that are located in salmon-centric areas. The design of habitat restoration components should be consistent with watershed-specific planning and conditions, as well as be based on best practices identified in various manuals and guidance.

Salmon Recovery Lead Entities are key groups supporting watershed-based habitat restoration across the state. It will be very important to ensure your FbD project is in harmony with the habitat recovery objectives of the Lead Entity (LE). Engagement of LEs is expected. Letters of support are strongly encouraged but not required in the grant application. For background and contact information, see the [Puget Sound Partnership website on Lead Entities](#).²²

Other sources of habitat information are the Washington State Department of Fish and Wildlife (WDFW) and tribal biologists familiar with your region. See the [WDFW website](#)²³ or [the Governor's Office of Indian Affairs Tribes and Tribal Reservations Map](#).²⁴

Documents providing best practices for habitat project design include:

- [The Stream Habitat Restoration Guidelines](#) (Washington State Department of

¹⁹ <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Total-Maximum-Daily-Load-process>

²⁰ <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Hazards/Floods-floodplain-planning/Floodplains-by-design>

²¹ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Shoreline-Master-Plan-handbook>

²² <https://rco.wa.gov/salmon-recovery/managing-organizations/lead-entities/>

²³ <https://wdfw.wa.gov/species-habitats>

²⁴ <https://goia.wa.gov/resources/tribal-maps>

Fish and Wildlife, 2012)²⁵

- [Restoring Wetlands in Washington: A Guidebook for Wetland Restoration, Planning & Implementation](#) (Washington State Department of Ecology, 1993)²⁶
- [Washington State Recreation and Conservation Office Governor's Salmon Recovery Office](#)²⁷
- [Northwest Indian Fisheries Commission Northwest Treaty Tribes website](#).²⁸

Tribal engagement

As sovereign independent nations, each Tribe has its own governmental structure. Tribes may be impacted or interested in projects from a variety of perspectives.

- Because Tribal interests often lie outside any formal land boundaries, all FbD proponents should consult and contact all Tribes in the region of the project.
- Proponents must notify the Tribal Chairperson and include the Tribal Natural Resources Department who have interest in your project area. Ecology will provide a letter template to applicants upon request.

Stakeholder engagement

Applicants are expected to engage all stakeholders early and often. This engagement and coordination should occur prior to applying for funding, as well as during project development and implementation after receiving an award. While letters of support from stakeholders are important from a proposal evaluation standpoint, robust ongoing engagement from them is crucial to the success of a FbD project.

Successful FbD applications will be founded on robust interaction with stakeholders:

- If your project impacts local flooding and flood control structures, contact the local floodplain managers in your region, including diking and drainage districts and flood control districts.
- If your project could impact salmon habitat and/or cultural or archaeological resources, contact the Salmon Recovery Lead Entity and Tribes in your region.
- If your project is located in the Puget Sound (except for the Skagit), contact the Local Integrating Organization Coordinator in that area.

²⁵ <https://wdfw.wa.gov/publications/01374>

²⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/93017.html>

²⁷ <https://rco.wa.gov/salmon-recovery/governors-salmon-recovery-office/>

²⁸ <https://nwtreatytribes.org/habitatstrategy/#:~:text=As%20translated%20from%20Lushootseed%2C%20g,and%20waters%20that%20sustain%20us>

- If your project impacts agricultural lands, contact the local Conservation Districts, Drainage Districts and/or farming organizations.
- If your project impacts water quality, contact Ecology Water Quality Program staff and local Conservation District for input.
- If your project impacts recreation, contact local user groups and/or local or state parks departments.

Historic and cultural resources requirements

Many proposed projects have the potential to significantly impact culturally or historically significant locations or artifacts. All projects that disturb soil from its natural state or impact buildings 45 years or older that are on the historic register or eligible for it must comply with the applicable state or federal laws. Activities such as potholing, performing geotechnical borings, and grading are considered soil disturbance.

Applicants should address compliance with State and Federal cultural resource protection environments as part of the project work plan. All activities associated with site assessments for cultural and historic resources are grant eligible. For more information, see [Appendix B: Cultural and Historic Resources Review Guidance](#).

Quality Assurance Project Plan (QAPP) requirements

Many FbD projects involve collection or analysis of existing or new environmental data that will generate new results. Washington State Department of Ecology Executive Policy 22-01 requires the consistent application of quality assurance principles to environmental data collection studies/activities conducted or funded by Ecology. Each environmental study conducted **must** have an approved QAPP. Recipients should assume a QAPP is required for their project, and should incorporate this into the project scope, timeline, and budget. Project work should not begin until Ecology's Shorelands and Environmental Assistance (SEA) Program Quality Assurance Coordinator or designee either approves your QAPP or confirms that a QAPP is not required for your project.

In general, a QAPP is required if your project will do any of the following activities:

- Generate new environmental data.
- Analyze existing environmental data.
- Model environmental conditions.

The QAPP describes the objectives of the study and the procedures to be followed to achieve those objectives. The QAPP is a product of a systematic planning process. The preparation of a QAPP helps focus and guide the planning process and promotes communication among those who contribute to the study. The completed plan provides direction to those who conduct the study and forms the basis for written reports on the outcome.

A QAPP is intended to ensure projects that collect or analyze environmental data, as well as those that model elements of the environment, develop plans for field, laboratory, and

analytical activities that meet quality standards appropriate to the goals and scope of the project. Where relevant, applicants should include preparation of the QAPP within the scope of work and budget when completing the grant application.

The earlier in your project you begin the QAPP process, the easier it will be. Consider the following when designing your project and applying for your grant:

- The cost of creating a QAPP. This should be reflected in your project budget.
- The time it will take to create and have your QAPP reviewed and approved by Ecology's SEA QA Coordinator. This should be reflected in your project timeline.
- How the QAPP review and approval process fits into your scope of work.

In determining the level of documentation needed for the QAPP, consider the four scenarios below. The level of documentation increases as you move down this list:

- Project uses existing data sources with established methods or protocols without modification.
- Project collects new data following an established method or protocol without modification.
- Project collects new data or uses existing data following an established method or protocol with modification.
- Project collects new data or uses existing data following a new or unique method or protocol.

If you are unsure whether your project requires preparation of a QAPP, please contact your Ecology regional project manager and also see the websites linked in [Appendix D: EAGL and Additional Grant Resources](#). For detailed guidance on preparing a QAPP, applicants can review the Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies²⁹, and see Ecology's website³⁰ for QAPP examples. Contact your Ecology regional project manager with questions.

²⁹ <https://apps.ecology.wa.gov/publications/documents/0403030.pdf>

³⁰ <https://ecology.wa.gov/Issues-and-local-projects/Investing-in-communities/Scientific-services/Quality-assurance/Quality-assurance-for-NEP-grantees>

The funding cycle

Table 3. FbD 2025-27 funding cycle milestones and expectations.

Date	FbD Program Milestones and Expectations
Early November 2023	Request for proposals (RFP) announced, Funding Guidelines posted, and pre-application period opens. Webpage updated with all the new information.
November 7-8, 2023	Applicant webinars held.
January 12, 2024	Pre-application period closes.
January 26, 2024	FbD Grant Program Coordinator announces pre-application review results.
February 12-16, 2024	Applicants will give presentations of their projects to the full Evaluation Team.
March 12, 2024	EAGL grant application period opens at 8:00 a.m.
May 1, 2024	EAGL grant application period closes at 8:00 a.m.
May 6 - June 17, 2024	Application Evaluation period.
July 2024	FbD Grant Program Coordinator works with SEA Account/Budget Manager, Ecology, and the Office of Financial Management on Capital Budget Request (Due: August 1, 2024).
August 2024	Ranked project list is made available to the public.
April 2025	Legislature makes the final funding decision.
May 2025	FbD Grant Program Coordinator sends applicants a funding decision notice.
June 2025	SEA Program Manager sends award letters to funded applicants, identifying Ecology's Project Manager (PM) and Financial Manager (FM).
July 1, 2025, or thereafter	Anticipated start date for funded grant agreements.
July-August 2025	Ecology PMs and FMs will send draft grant agreements to funded applicants.
October 31, 2025	All new grant agreements should be finalized.

The application cycle for the 2025-2027 Biennium begins in November 2023, when the Request for Proposals (RFP) is released. The deadline for submittal of pre-applications is mid-January 2024. Other important funding cycle dates for the current Biennium will be outlined on the [Floodplains by Design grant webpage](#)³¹. The application process begins with brief pre-applications submitted, then eligible applicants are invited to give presentations on their projects. Applicants are encouraged to invite key project partners to attend or participate in these presentations. Presentations last an hour or less and will be scheduled for mid-February 2024. The format for the presentations will be made available in early December 2024. All projects that are invited to give presentations will also be asked to submit full proposals through our online EAGL system, where they are evaluated and scored, and finally a ranked list is developed and submitted to the Governor's Office of Financial Management and the state

³¹ <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Hazards/Floods-floodplain-planning/Floodplains-by-Design>

Legislature for consideration during the funding appropriation process. The amount of funding available varies; it is determined biennially by the state Legislature.

Pre-applications

Reach out early and often to your regional Ecology grant manager to understand your eligibility for funding.

A Request for Proposals (RFP) will be released in the fall of 2023, with a pre-application form provided by Ecology. Applicants will prepare a brief pre-application, describing the application scope of the proposed work and how the activities advance both flood hazard reduction and floodplain ecosystem protection or restoration. Support (existing or in process) from floodplain project partners and stakeholders should be described, including the partner or stakeholder groups identified, the nature of the interaction (e.g., advisory group, one-time contact with landowners, workshops, etc.), and any other process information around partner or stakeholder engagement.

The pre-application should describe other benefits of the project beyond flood risk reduction, such as agricultural benefits, salmon recovery, water quality improvements, or enhanced recreation. In addition, the pre-application must provide a preliminary budget for the project. Pre-applications must be submitted in PDF form to Ecology and then will be evaluated by Ecology flood team staff. The top pre-applications best meeting the objectives of the FbD program will be invited to submit full proposals.

In order to promote integrated floodplain management and coordination of all stakeholders, as you are developing your application, reach out to others in your watershed that may also be applying. Applicants are encouraged to submit a single, full application for activities within a watershed, defined for these purposes as a Water Resource Inventory Area (WRIA) and as pictured on [Ecology's Find your WRIA website](#).³²

During the pre-application evaluation process, Ecology will flag multiple submittals from the same WRIA or sub-watershed area and encourage the sponsors to discuss their proposals with each other if they have not already done so. Ecology recognizes this is not always feasible and is not limiting the number of applications in a given area; the hope is to encourage coordinated planning and solutions.

It is understood that with climate change, increasing flows, and more sediment moving, the integration and interconnectivity of capital investments is critical in creating long-term solutions. As you develop your application, consider what other capital investments, regulatory actions, and planning processes are important to consider.

Project presentations

Projects approved to advance past the pre-application phase will be invited to provide a presentation to the FbD evaluation team. Due to time restraints, presentations should be kept to approximately 25 minutes. There will be time after each presentation for a short question-

³² <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/watershed-look-up>

and-answer session with the evaluation team. The date and time of the presentation will be scheduled by Ecology after pre-applications have been screened but will occur in mid-February 2024.

Full proposals

Full proposals will be submitted via Ecology's EAGL (Ecology Administration of Grants and Loans) in the spring of 2024. To access the system, applicants must: 1) Register for a [Secure Access Washington \(SAW\) online](#)³³ services account; and 2) Through the SAW account, register as an EAGL user. For more information about registering for SAW and EAGL, visit [Ecology's Grants & Loans website](#).³⁴

Applicants are strongly encouraged to use the EAGL Prep Tool and Application Instructions to help complete the full application. The EAGL Prep Tool is helpful so you can copy and paste your answers to application questions into EAGL. EAGL will time out after 20 minutes or so; the EAGL Prep Tool will help prevent losing information if this occurs. Completing the full application in EAGL may take a several days so we strongly advise that you begin the process early and do not wait to initiate, complete, and submit your application.

Evaluation team

Ecology uses a team of technical experts to evaluate and score full project proposals based on responses provided on the application and then develops the final list with the FbD Operations Team based on other program policies and priorities. The Flood Hazard Risk Reduction, and Floodplain Ecosystem Protection or Restoration categories each have 60 points possible; and Collaboration, Partnerships, and Institutional Structures, and Integration categories each have 30 points possible, which reflects the importance of these categories. Agricultural viability and benefits also has a separate category due to its importance in many floodplain areas as there is a need to understand the potential impacts and benefits to any proposed actions in agricultural areas. For a more complete description of the scoring guidance see [Appendix A](#).

Scoring of the full proposals will be conducted by a technical review team composed of experts in the fields of floodplain management, natural hazards mitigation, salmon recovery, ecosystem restoration, agricultural practices, and/or general project management. Ecology will assemble the review team in advance of the full application deadline. The evaluators will consider the entire application, then share their critiques, comments, and scores with their fellow review team members at a final evaluator meeting. After consultation with each other, the evaluators have one more opportunity to amend their individual scores before entering the scores into EAGL. The final score for the project is the mean of all evaluator scores.

The FbD Operations Team will receive the scored list from the evaluation team. However, final scores are not the only consideration in providing a final, ranked list to the Legislature for funding. The scoring system is intended to identify high-quality projects that meet the FbD program intent of integrated floodplain management at a watershed or river-reach scale that

³³ <https://secureaccess.wa.gov/>

³⁴ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans>

considers flood hazard reduction, ecological preservation and restoration, salmon recovery, agricultural benefits, and other community benefits. Other considerations in creating a final ranked list include:

- Consideration of geographic diversity in FbD investments across the state.
- Past performance on FbD grants.
- The level of FbD funding already awarded that is unspent at the time of grant ranking.
- Consideration of social and economic equity issues.

A full proposed funding list will be released in early August 2024. Ecology will submit a budget request to the Governor's Office for the 2025-27 biennium. The Governor will release a budget in December 2024 for consideration by the Legislature. Typically, the State Legislature will adopt the final funding level for FbD in the state budget by the end of April the next year (2025). If an applicant makes significant changes to the scope of work after the application deadline, Ecology may withdraw its funding offer.

Chapter 5: Agreement Development, Management, and Conditions

Agreement development

Ecology makes formal funding offers at the time of the publication of the final funding list. Ecology assigns a Project Manager and Financial Manager to each project receiving a grant funding offer. The Project Manager contacts the Recipient within four weeks of the grant offer to schedule a time to discuss the funding offer and begin the process of developing a funded grant agreement. The Project Manager and Financial Manager work to develop and negotiate funded grant agreements. There may be several iterations of updates to the funding agreement before it is finalized.

The Project Manager and Financial Manager use information from the grant application to develop the initial draft grant agreement. Funded grant agreements with 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 help make the negotiation process more efficient, Ecology standardizes much of the funding agreement language and includes general terms and conditions and other conditions required by state or federal law.

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

The Project Manager ensures compliance with the scope of work, as well as reviews eligible expenditures on payment requests. The Financial Manager approves eligible expenditures and ensures compliance with the agreement's budget and other agency financial criteria.

When the agreement is ready for signatures, the Financial Manager will route the agreement to the Recipient signatory/ies and the Shorelands and Environmental Assistance (SEA) Program Manager or authorized designee for electronic signatures using DocuSign. Please note, Ecology cannot send or receive hard copies. The Ecology Financial Manager will email a fully signed copy of the agreement back to the Recipient and upload a copy in EAGL.

Tribal resolutions

When a tribal government is the applicant, Ecology's SEA Program requires a copy of a signed tribal council resolution for the grant application or agreement, prior to signing a grant agreement and amendment.

Project partners and interlocal agreements

Ecology recognizes that collaboration is a required aspect of FbD applications, and Recipients will formalize partnerships with stakeholders to complete different phases of the project.

Recipients should have a formal, signed interlocal or interagency agreement, memorandum of agreement, or memorandum of understanding with project partners (local governments, Tribes, special purpose districts, or non-governmental organizations) before the project begins. The formal agreement with project partners does not have to be done through a competitive procurement process, as defined by [Ecology's Yellow Book](#)³⁵ and RCW 39.26.125. The formal agreement with project partners should include and generally align with the FbD grant scope of work and budget between Ecology and the Recipient.

Interlocal agreements are between entities within local governments (city or county), such as Department of Public Works and Department of Resource Management. Interlocal agreements must be consistent with the terms of the grant agreement and [Chapter 39.34 RCW, Inter-local Cooperation Act](#).³⁶

Interagency agreements are used between state agencies or between state and federal agencies. Federally recognized tribes, as sovereign governments, use inter-agency agreements with federal or state agencies ([RCW 39.34.080](#)).³⁷

Contractors

If a Recipient hires a contractor or subcontractor, the Recipient must follow the local jurisdiction's procurement policy. If there is no recorded policy, then Recipients must follow the state's procurement policy. Contracts should include and align with the scope of work and budget of the grant agreement between Ecology and the Recipient.

All contractors, primary and subcontractors, are required to comply with the terms of the grant agreement, including but not limited to the General Terms and Conditions and the Administrative Requirements for Recipients of Ecology Grants and Loans ([Ecology's Yellow Book](#))³⁸, and these Funding Guidelines. A copy of invoices from primary and subcontractors are required for grant reimbursement.

Amendments

Modifications and changes to the funding agreement may become necessary. If and when an amendment is needed, the Recipient must submit any proposed amendments or changes in writing to their Ecology Project Manager. The Recipient and Ecology's project and financial managers will negotiate changes and document the changes as an amendment to the funding agreement.

All proposed project changes are subject to approval by Ecology.

Either the Recipient or Ecology may initiate the amendment process. If the Project Manager concurs with the written request, the Financial Manager prepares the amendment.

³⁵ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

³⁶ <http://app.leg.wa.gov/rcw/default.aspx?cite=39.34&full=true>

³⁷ <https://apps.leg.wa.gov/rcw/default.aspx?cite=39.34.080>

³⁸ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

Common reasons for amendments could include:

- Increase or decrease to the budget, redistributing the budget between tasks.
- Scope of work and deliverable changes.
- Changes to required performance.
- Time extensions.

Important dates and timelines

The goal of the FbD grant program is to have all grant agreements fully signed and active within six (6) months of award notice. Recipients should plan and allow extra time in the schedule for the negotiation process, which commonly takes longer than expected especially if there are multiple drafts before the final, agreed upon draft is ready for signatures. The time period can be extended for cause and is subject to Ecology's approval. Unless there is high confidence that grant work will be completed within the biennium that funds are provided, Ecology will write the grant agreement with a 4-year expiration date. The 4 years begins with the start of the biennium in which funds are awarded (normally July 1 of odd-numbered years). Projects are still expected to submit a schedule, budget, and scope that can be completed in four years. The expiration date of the grant does not guarantee funding will be re-appropriated at the end of the initial biennium. That is a legislative decision and is not guaranteed. Additionally, slow spending of awards and repeated re-appropriation of unspent funds may be interpreted as a lack of need for future legislative funding of the program. The Ecology Project Manager will monitor Recipient performance once the grant offer letter is sent.

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 as that date on which the Scope of Work will be fully completed.

If the project is not going to be completed by the grant expiration date due to unforeseen circumstances, the project sponsor must notify Ecology as early as possible, at a minimum of three months, prior to the agreement expiration date.

Agreement management

The effective date of the agreement is the earliest date on which eligible costs may be incurred. Unless explicitly stated by the State Legislature in a budget appropriation, the effective date for grants is usually the beginning of the state fiscal year or biennium, which occurs July 1.

The applicant may incur project costs on and after the effective date of July 1 or the state date as determined by the Washington State Legislature and before Ecology's signature of the final agreement. Eligible expenditures cannot be reimbursed until the agreement has been fully signed by Ecology's SEA Program Manager or their designee. While applicants can incur eligible costs before the agreement is signed, they do so at their own risk.

Public awareness

Recipients must inform the public and any affected parties about the project. Any site-specific project that is accessible to the public must have signs acknowledging state participation. Both Ecology and Floodplains by Design logos are available from Ecology's Project Manager for use on all signage and/or publications.

Permits

If the project includes a complex permitting process, the Project Manager may consult with other Ecology staff or other agencies with jurisdictional authority to ensure requirements are met.

Recipients must obtain any required permits and provide a copy of permits as a grant deliverable. Time spent on permit preparation and permit fees for the FbD project are eligible costs.

Education and engagement

Recipients must provide Ecology with a final electronic version of educational products developed under the grant, such as brochures, manuals, pamphlets, electronic copies of video and audio files, curriculum, posters, media announcements, and web page links. If this is not practical, Recipients must provide Ecology a complete description including photographs or printouts of the products.

Recipients must also provide Ecology with contact information for local project leads.

If there are a significant number of people in the community (5% or 1,000 people, whichever is less) that speak languages other than English, Recipients must produce all educational and public outreach materials in both English and the other most prevalent language.

Project site visits and post-project assessments

Ecology staff may conduct site visits to provide technical assistance and verify progress or payment information for projects.

Project closeout

When the grant agreement expires, the final PRPR and final deliverables, including Deliverable 1.3 Project Outcome Summary Report, must be submitted within 30 days after the grant agreement expiration date.

The grant budget

Recipients must track the project budget by task. A budget by category, such as staff salaries and benefits, goods and services, equipment rental, and travel, is also required in the full application. The budget information is reviewed by evaluators to check if all costs have been

considered by the applicant, and Ecology will use the information through the agreement negotiation process and grant management.

Disbursements of grant funds

Ecology disburses grant funds to Recipients on a cost-reimbursable basis. The Recipient must incur eligible costs within the effective date and expiration date of the grant agreement. Cash advances of grant funds are not allowed, except for Escrow payments arranged in advance with Ecology.

Incurring eligible costs

The following information includes project costs that are eligible, conditionally eligible, and ineligible for grant reimbursement. For more information about eligible project activities, please see Chapter 3: Eligible Project Activities.

1. Eligible costs include the following:

- Staff salaries and benefits (e.g., staff working on the project).
- Contracted consultant services (e.g., a Recipient/consultant signed contract is required).
- Goods and services (e.g., marketing and outreach costs, video production, printing, and postage).
- Travel (e.g., number of miles staff traveled, calculated at state rate per mile).
- Indirect/overhead (e.g., Ecology allows up to 30 percent of staff salaries/benefits).
- Costs directly related to the projects. Recipients must show how expenses are directly tied to the grant project. The indirect rate or overhead rate may include costs that are not directly related to the project.

2. Conditionally eligible costs **require prior written approval from Ecology**, such as:

- Computer software (e.g., permit or geo-spatial software).
- Equipment purchases (e.g., monitoring equipment).
- Conferences and meetings (e.g., facility rental costs and light refreshments).
- Training and education (e.g., that directly benefits the project).
- Technical Advisory Committees (for example, a group that provides direct advice about a specific task or tasks in the grant; consult your Ecology FbD Project Manager to discuss eligibility).

3. Ineligible costs:

- General expenses, beyond the scope of the project, required to carry out overall government responsibilities.
- Fines and penalties: see the [Administrative Requirements of Ecology Grants and Loans](#) (Yellow Book)³⁹ for more details.

³⁹ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

Indirect rate or overhead

The Recipient may charge an indirect rate of up to 30 percent of salaries and benefits to cover overhead or indirect rate costs. Indirect rate costs are administrative costs not directly associated with a particular task of the project, such as utilities, miscellaneous copying, telephone, motor pool, janitorial services, records, storage, rentals, etc. These are items not directly attributable to the project yet required to conduct business.

If Recipients choose to charge an indirect rate to the grant, Ecology may request backup documentation, including the list of costs included in the indirect rate. The indirect rate must be negotiated before the grant agreement is finalized because the rate appears in the signed agreement. Indirect rate charges must be reported on a separate line item on the PRPR. For more information about costs normally included in the indirect rate, see page 35 of the [Administrative Requirements of Ecology Grants and Loans](#) (Yellow Book)⁴⁰ for more details.

Light refreshments

Light refreshment costs for meetings are eligible and must be pre-approved as permitted by Ecology's travel policy. Light refreshments, not meals, include coffee and any other nonalcoholic beverage, such as tea, soft drinks, juice, or milk and snacks served at a meeting or conference. Check with the Ecology Project Manager for Ecology's Light Refreshment Form. Recipients must submit this form prior to the meeting, and it must be approved by the Ecology Project Manager prior to the meeting(s). After the meeting, Recipients must submit the roster of attendees and agenda for each meeting to be eligible for reimbursement. See also Payment Request back up documentation section.

Procuring goods and services

The Recipient is responsible for procuring professional, personal, and other services using sound business judgement and administrative procedures consistent with applicable federal, state, and local laws, orders, regulations and permits. This includes issuance of invitation of bids, requests for proposals, selection of contractors, award of sub-agreements, and other related procurement matters. The Recipient must follow procurement policies that follow state procurement procedures in Chapter 39.26 RCW.

All contractors, primary and subcontractors, are required to comply with the terms of the grant agreement, including but not limited to the General Terms and Conditions and the Yellow Book, and these Funding Guidelines.

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

⁴⁰ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

participation on Form D: Contractor Participation Report and submitted with each Payment Request/Progress Report (PRPR).

Travel costs

Travel costs for mileage, meals, and overnight stays that follow OFM travel policies and rates may be eligible for reimbursement. For state mileage rates, see [OFM’s travel reimbursement resource website](#).⁴¹ For a copy of Ecology’s travel policy, please ask your regional Ecology Project Manager.

Payment Requests/Progress Reports (PRPRs)

Recipients are required to submit quarterly payment requests and progress reports (PRPRs) through EAGL. After a Recipient submits a PRPR, Ecology reviews and approves it prior to disbursing the grant reimbursement. All PRPRs are reviewed by Ecology’s Project Manager for eligibility and compliance with the scope of work and deliverables. Both the Project Manager and Financial Manager review the Payment Request and associated deliverables for conformance to the budget and grant requirements. Recipients must submit PRPRs a minimum of once a quarter even if there are no expenditures to report. PRPRs are due 30 days after the last day of each quarter, as shown in the table below. If a Recipient is not claiming any costs for the quarter, a progress report is still required.

Table 4. Example due dates for quarterly Payment Requests/Progress Reports (PRPRs).

Quarterly Payment Request / Progress Report	Reporting Period	Due Date
Qtr. 1: JulSep2025	July 1 - September 30	October 30
Qtr. 2: OctDec2025	October 1 - December 31	January 30
Qtr. 3: JanMar2026	January 1 - March 31	April 30
Qtr. 4: AprJun2026	April 1 - June 30	July 30

PRPR expenditures are itemized for each cost incurred by task. Backup documentation is required for each line item. Backup documentation should be uploaded and appear in the same order as the expenditure line items. Backup documentation must clearly show how the expenditure line item is calculated. If an expenditure line-item cost is part of a larger cost, it is the Recipient’s responsibility to detail which cost(s) Ecology is reimbursing and the source of funding for the other costs. Ecology’s Financial Manager may require more backup documentation prior to approving the PRPR. Budget deviations are allowed between tasks (e.g., a Recipient may spend less funds on one task and more on another), but in no circumstance

⁴¹ <https://ofm.wa.gov/accounting/administrative-accounting-resources/travel>

may the Recipient exceed the Total Eligible Cost. If the total of all budget deviations exceeds 10 percent of the entire project cost, an amendment will be required.

PRPR backup documentation and additional forms

Ecology requires a progress report for each calendar quarter of the grant period, even if there are no expenses being claimed for the billing period. A progress report must accompany each payment request so the Ecology Project Manager and Financial Manager can:

- Crosscheck information with the itemized expenses in a payment request.
- Verify compliance with the terms of the agreement.
- Track project progress. If a payment request is not submitted, simply check “No” in response to “Are you submitting a payment request with this progress report?”

Progress reports should include essential task information to support costs incurred in the corresponding payment request, such as:

- Progress by task, percentage of task completion over the life of the grant (should correspond with percent of task budget spent), and summary of accomplishments for the reporting period.
- Description and reasons for any delays.
- General comments. Additional documentation to support the quarterly progress report. Progress information includes such items not specified as a deliverable in the agreement and are specific to the time and date of the progress report.

For payment submittal, Ecology forms that are listed below are required and should be included with PRPR backup documentation. (Note - These forms are not already built into the EAGL system. Recipient must upload these documents into EAGL.):

- Copies of receipts and invoices.
- Complete copies of both primary contractors and sub-contractor invoices.
- Timesheets and payroll records must include:
 - Form E: Monthly Timesheet (Ecology form or equivalent). Timesheets must be signed and dated by both the employee and the supervisor. Show hours worked on the project broken out by task, date, and staff person.
 - For larger jurisdictions, a time accounting payroll system roll-up of staff costs by task/date/staff with subtotals will suffice.
- Meeting and travel expenses, must include:
 - Form F: Record of Meeting Attendance (Ecology form).
 - If light refreshments are deemed appropriate for a meeting, a Light Refreshments Approval Form must be approved by Ecology’s Project Manager prior to the event and included with the payment request documentation. An agenda of the event and

a roster of attendees must be submitted as backup documentation with the payment request.

- Meals and travel documentation – provide purpose of travel, beginning and end points, and mileage calculations. Travel documentation is required from Recipients and contractors. All travel costs cannot exceed state travel rates and must be within Ecology’s travel policies. For the state travel policies and per diem map, please visit [OFM's travel reimbursement resource website](#).⁴²

Non-performance of projects/re-assignment of funds

Project sponsors are encouraged to read the Termination section of the General Terms and Conditions of their grant agreement for more details on non-performance.

Projects that do not perform in a timely fashion present a risk not only to the direct project itself, but also the entire FbD grant program, as timely performance is an expectation of the Legislature and the fund source. Ecology wants projects to be successful, so please reach out early and often to your Project Manager if you are concerned about timely performance.

If a funded project is not making progress, either in whole or part, Ecology may, at its sole discretion, or at the request of the project proponent, retain some or all of the funding originally awarded to the project that has not already been spent. Discussions with the grant Recipient as to the cause and potential solutions to getting the project going again will be performed prior to any decision by Ecology. Discussions are likely to be unique to each project but may include, though not be limited to, input from the local community, governmental agencies and tribes, elected officials, other funding agencies and sources invested in the project, agricultural interests, salmon recovery and ecosystem restoration interests, and floodplain management and emergency planning agencies and interests.

If the decision is made to retain some or all of the funding, the following steps will be considered as potential new uses of the retained funds:

1. Ecology will work with the original grant Recipient to develop a new scope of work that is still within the overarching proposal evaluated in the scoring and ranking process, if possible. Ecology will have sole decision authority about whether the new proposed scope was fully evaluated under the overarching proposal.
2. If no new scope can be agreed upon with the grant Recipient under the overarching project, Ecology will re-assign the funding to a project on the ranked list.

Past performance

When the scope of work has been completed and the grant is closed out (or if the grant is terminated due to non-performance or other issues), Ecology Project Managers and Recipients will submit a close-out report reviewing the following performance elements:

⁴² <https://ofm.wa.gov/accounting/administrative-accounting-resources/travel>

1. The general responsiveness of recipients in communicating in a timely way with Ecology.
2. Timeliness in completing the initial grant agreement and any subsequent amendments.
3. Timeliness and completeness of Progress Reports and Payment Requests.
4. The need for amendments, their frequency, and significance of scope change.
5. Timely grant close out.
6. The results of any audit findings.
7. The project was completed within budget and on schedule.
8. The overall project challenges were managed properly.
9. The overall goal was achieved.

If the recipient applies to FbD in future funding cycles, past performance will be a major consideration in the project ranking process and a future grant award offer.

Appendix A: Application Scoring Guidance

Ecology scores FbD project proposals based on responses provided on all the questions of the application. The full application includes unscored sections intended to provide more context and information about the scope and scale of integrated floodplain management (IFM) being done in your area, as well as how your current FbD funding request fits with the larger floodplain management effort being advanced. Please refer to the [Floodplains by Design grant program website](#)⁴³ for more application materials and guidance about the application process. Also, please refer to the discussion of IFM in Chapter 1 when filling out the full application. The discussion below is for the scored elements of the application.

Projects with no benefits to agriculture are scored out of 280 points possible, while projects that do include benefits to agriculture are scored out of 310 total points possible. In order to normalize scores between projects with or without agricultural benefits, Ecology uses a “percent of available score” system. For example, a project not located in an area where lands are in active agricultural production that scored 260 points would receive a score of 92.9% (260/280). A project located in an area where lands are in active agricultural production that scored 260 points would receive a score of 83.9% (260/310). If your proposal includes elements in agricultural areas, describe how your proposal affects agricultural viability positively or negatively. Agriculture includes aquaculture; see [Appendix C: Grant Agreement Definitions](#) for further a definition of agriculture. If your project is not in an agricultural area, do not try to score extra points by filling in the agricultural section in the application, as this could decrease your overall score. Keep in mind that overall score is not the only mechanism used for selecting the best projects for funding.

The following provides a list of the sections that are scored, with details on how points are awarded and scoring guidance. Please keep in mind that applications which provide quantitative data and documentation score higher than applications which provide only qualitative or descriptive information.

Application scoring criteria

Collaboration, partnerships, and institutional structures (0-30 points)

Integrated floodplain projects, by their nature, require a variety of interests and organizations coordinate and collaborate to develop projects. All applicants must engage the relevant entities responsible for both flood risk management (e.g., City/County floodplain managers and special purpose flood control/levee/dike districts) and ecosystem recovery (e.g., salmon recovery lead entities, Indian Tribes, lead entities, and local integrating organizations). Projects opposed by any of these groups will not be considered for funding.

⁴³ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/floodplains-by-design-grants>

Depending on the location, scope, and affected interests of a particular project, applicants may also engage some, or all, of the following:

- Agricultural interests and organizations.
- Community recreation departments and organizations.
- Local governments, such as cities, towns, and counties.
- Economic development organizations.
- Federal and state natural resources agencies.
- Others, as appropriate.

All applicants should describe the process they used to engage stakeholders; how stakeholder interests, concerns, and input were incorporated; and level of support from each stakeholder/interest group for the proposed actions. This will be particularly important in areas without existing floodplain management or habitat recovery plans.

Maximum points are awarded for projects specifically supported and prioritized in adopted plans and strategies, and for which letters of support are provided from relevant authorities and stakeholders explicitly endorsing the project and its outcomes for their interests.

Integration (0-30 points)

Projects shall be consistent with existing floodplain management and habitat recovery plans. Projects must also be consistent with Climate Adaptation Plans if available. Applicants need to demonstrate the project is consistent with the sequencing of local work plans and priorities, as well as aligned with watershed recovery work. (Elements of the project may have been developed through more than one planning process. Please identify the planning process used for each major element if they are not from a common plan.)

Maximum points are awarded for projects specifically supported and prioritized in adopted plans and strategies, such as local hazard mitigation, ecosystem recovery, salmon recovery, or agricultural viability plans.

Flood hazard risk reduction (0-60 points)

FbD projects must reduce flood risk to communities, infrastructure, and/or farmland or be part of a reach or watershed strategy that reduces flood risk. Projects will be evaluated based on the individual project's effects or on the effects of the reach or watershed strategy.

Minimum requirements for flood risk reduction include a demonstration of improved flood safety for an area and a demonstration of no adverse impact (that the proposal will not worsen flooding anywhere else). Applicants should discuss both upstream and downstream effects. Flood risk reduction measures should not create adverse ecological impacts.

Applicant should describe significance of the flood hazard and frequency of flood events as indicated by negative consequences of existing and anticipated future level and frequency of flooding, extent of at-risk structures and property, disruption of transportation, etc.

Applicant should demonstrate the solution addresses the hazard, describing the root cause of the problem and how the proposed project will address not just symptoms but the root cause.

Applicant should provide supporting quantitative data where possible (e.g., number of structures removed from hazard area, BFE reduction, acre-feet added, area or distance of setback, etc.).

Proposals should reduce flood risk on both a short-term and long-term basis in a way that is durable. One approach to durable solutions is to move people and infrastructure away from the river, remove impediments to flow, and provide more floodplain area for floodwater conveyance and storage. Another example of durability is if the project considers the effects of climate change and land use changes and accommodates future anticipated changes to river flows, sea level rise, sediment delivery, and other factors that affect flood risk.

Flood risk reduction measures should not encourage new land development that increases future flood risk and, as possible, should reduce development in the floodplain. FbD can support redevelopment and improved flood resiliency in historically established and substantially built-out urban areas. However, all projects should consider whether moving people and infrastructure away from the river and out of the floodplain is feasible. Typically, projects that induce additional urban development and impervious surface within floodplains will not score as well. For an area that is only partially developed, high-scoring proposals must show how future development is being guided to maximize remaining natural functions of the floodplain.

Feasibility and design proposals should include appropriate analysis of anticipated changes to flood risk in the scope of work so these outcomes are understood prior to advancing to the next project phase. Construction project proposals should be able to quantify flood risk reduction that will result from the proposed actions.

Proposals that address flooding due solely to drainage problems do not meet the flood risk reduction intent of FbD. Drainage is discussed further in the agriculture section below.

Floodplain ecosystem protection or restoration (0-60 points)

FbD projects must have a significant ecological restoration component or be part of a reach or watershed strategy that restores or enhances ecological function. Projects will be evaluated based on the significance of the ecological benefit within the overall restoration needs in the project-scale area or watershed.

Applicants should demonstrate how the proposal provides ecological benefit (e.g., reconnects floodplains, advances salmon recovery, protects the channel migration zone, protects treaty-reserved natural resources, and/or restores habitat). Provide supporting quantitative data where possible (e.g., acres of floodplain or estuary restored/reconnected, miles of overall river ecosystem function improved, etc.)

A higher probability of long-term (durable) ecological benefits will be provided by proposals that maintain or re-establish natural processes and functions, as well as by proposals that accommodate future anticipated climate changes to river flows, sea level rise, sediment delivery, and other factors that affect ecosystem function and habitat formation.

Proposals should be consistent with the salmon recovery plan for the watershed if there is one. The proposal should include a description of how the project implements action(s) identified in a salmon recovery plan and how the proposed actions fall into the prioritization of salmon recovery actions within the watershed.

Proposals should be consistent with the Local Integrating Organization (LIO) ecosystem recovery plan for the area (Puget Sound only).

Proposals on larger rivers will get more points than those that are on smaller rivers and tributaries.

In the proposal narrative, applicants need to describe the ecological benefits that will be provided, as well as ecological processes and functions that will be enhanced. Greater points are given for projects that can preserve and restore ecological processes and functions as much as possible.

To receive maximum possible points, the ecological restoration measures should not put existing floodplain uses at increased risk of flooding.

Agricultural viability and benefits (in agriculture areas only) (0-30 points)

Ecology and the FbD review team will inquire at the pre-application stage about how agricultural activities and land use in your project area or adjacent to it were determined. Agricultural lands or “working lands” are generally defined as lands that support natural resource production for economic gain or lands that have the potential to do the same. This definition includes but isn’t limited to farmland, agricultural land, cropland, pastureland, rangeland, grasslands, forestlands, and shellfish beds.

The first step is determining if your project will have impacts on working lands. If it will not, you do not need to complete this section. If you do identify impacts on working lands, you must fill in this section and cite the beneficial effects (as well as any negative effects) your project will have. Examples of potential impacts include (but are not limited to) buying working lands; acquiring conservation easements; reduced, modified, or increased flooding; altered productivity; and access to working lands. Incidental impacts to downstream shellfish beds through water quality improvements do not trigger this section, but major improvements should be included.

- FbD projects in agricultural areas may be part of a reach or watershed strategy to address flooding, ecosystem benefits, and agriculture.
- Agricultural areas are defined as areas where lands are in active production or are planned for production.
- Ecology will inquire during the pre-application phase about how the agricultural community was engaged and impacts to agricultural lands and activities were assessed.
- Where FbD projects are proposed in agricultural areas, local agricultural interests should be part of the project partnership. Applicants should describe how they engaged agricultural interests, what concerns they heard, and how agricultural input was

incorporated. Applicants should also provide documentation of support for the proposed project; opposed projects will be removed from consideration.

- Consistent with flood safety and ecological restoration, FbD projects should also enhance agricultural viability. Applicants should provide evidence of agricultural benefits, such as provision of flood-safe areas for livestock and equipment during floods, improvements to drainage or irrigation infrastructure, protection from urban development (in acres), or other capital or non-capital benefits to agriculture. Projects that accommodate future anticipated changes to land use, river flows, sea level rise, and sediment delivery will receive higher scores than those that do not.
- Drainage is an important issue in maintaining agriculture in many floodplains. As described in the flood risk reduction section above, projects that address flooding caused solely by poor drainage are not considered flood risk reduction projects in the context of FbD. However, projects that include a drainage improvement element to benefit agriculture, in addition to a flood risk reduction component consistent with the FbD intent, can gain points in the agriculture category.
- Projects that take farmland out of production must demonstrate how the project will provide other means for a net gain to the local agricultural community in order to gain points in this category.
- Efforts to analyze challenges to agricultural viability and opportunities to address them that lead to identification of potential projects are eligible and encouraged.

Other relevant benefits (0-30 points)

Successful projects will also offer additional compatible community benefits, such as improvements in water quality, (e.g., restoration of wetlands or riparian areas, treatment of a TMDL or 303(d) issue, reduction in sediment), increased opportunities for public access and recreation (e.g., land acquisition; the development of trails, fishing access points, or other recreational infrastructure), or other needs specific to a particular community.

Magnitude of benefit will in part be measured by strong linkage to relevant plans and demonstrated involvement of relevant stakeholders.

Other benefits may include efforts to provide carbon sequestration through best available science and best management practices.

Applicants should document the importance of the result produced, the ability of the solution to address the overall stakeholder need, and the long-term improvement resulting from the project. More points are awarded for significant beneficial impact on needs for recreation, open space, and water quality improvement identified in adopted plans than for other benefits with lower magnitudes of beneficial impacts or unclear impacts.

Outcomes and public benefits (0-20 points)

Describe how your project represents a good investment of public funds.

Provide metrics and outcomes related to your project(s). These will be scored on impact and completeness, not on numbers. The metrics are helpful for the FbD program to review during the funding cycle evaluation process, for communicating with stakeholders and legislators, and to gauge success of projects when funded projects are completed.

Examples of metrics include acres of restored floodplain or estuary area; miles of overall improved river ecosystem functions; acres of connected floodplain protected from development (that could cause further degradation); and acres of improved flood safety. Design activities do not need to be included in the metrics.

This application only needs to include information about project activities that are to be done as part of the 2025-27 funding cycle. Applications without this information will be considered incomplete. Some of these metrics may be difficult to estimate in advance, so please use your best judgment.

For purposes of metrics data collection, do not include project progress prior to the 2025-27 funding cycle, or anticipated progress past June 30, 2029 (beyond the 2025-27 funding cycle). For each category, the most precise data source available should be used. Several of the metrics ask for a Geographic Information Systems (GIS) polygon. This information is extremely important. This spatial data allows the FbD program to analyze the aggregate benefits of the program. If you do not have access to GIS, please contact your regional Ecology Project Manager for assistance.

Readiness to proceed (0-30 points)

Projects are scoped to do the next logical step(s) that can be completed in a -four-year timeframe, are ready to proceed immediately upon notification of funding, and sponsors/partners have the capacity to complete the project successfully and maintain it over time. Applicants should describe:

- Overall project process and how the steps proposed fit into the larger life of the project.
- Critical milestones for the project, such as receiving a permit or completing an acquisition, must be identified. There must be enough milestones to evaluate whether the project is on schedule or if adjustments will be needed.
- Skills and experience of the project team and team members' availability to complete the work to demonstrate capacity to complete the project.
- Schedules, deliverables, and, if a project is acquisition only, a clear plan outlined for successful subsequent floodplain restoration.
- Long-term maintenance plan.

Projects can demonstrate a certain level of readiness to proceed for their project (or each element of their project) by addressing the following criteria in their applications:

- A project is considered to be construction ready if it has a significant amount of engineering and design work already completed, such that final engineering and design

can be completed and permits in place so that construction can commence within one year of contract award or the next available fish window.

- A project is considered to be design ready if it has completed conceptual (feasibility) and preliminary design by the time of contract award.

A project is considered to be acquisition ready if it has already had positive discussions with landowners or has secured a signed Landowner Acknowledgement form. The form is available from Ecology upon request. Projects that show a landowner acknowledgement form with positive responses from all affected landowners will receive maximum credit.

Cost effectiveness and budget (0-20 points)

Points are awarded for cost-effective projects that represent a good investment of public funds to achieve flood risk reduction, floodplain ecosystem benefits, and other compatible community benefits.

Cost effectiveness is evaluated using the following information:

- Detailed budget consistent with and appropriate for the project scope and location. Include methods used to develop the budget. A spending plan is a required element of this section and the EAGL application. The spending plan should show the projected spending by quarter through project close-out.
- Clear and appropriate scope of work. All necessary project work has been incorporated and contingencies are identified and planned for.
- Includes post-project considerations, such as anticipated reductions in infrastructure maintenance and flood damage costs under future conditions.
- Higher scores will be awarded to projects that are clearly and appropriately scoped and budgeted, as well as minimize or eliminate future costs for maintenance, operation, or emergency response.
- Applicants must demonstrate match or leverage when applying for funds. Match can be demonstrated in the form of other grant funds, value of land previously acquired as long as the land is used for implementation of the project, time spent working on a project, and in-kind materials. Leverage can be defined as relationship building with partners, success of past or present relevant projects to the current proposal, or other applicant-defined leverage that demonstrates how the project has become ready for a funding request. For more information, see the Grant match or leverage requirements section in Chapter 2.
- Projects are scored on demonstrated coordination of other funding programs and investments (e.g., SRFB, FCZDs, Dike Districts, TMDLs, WWRP, ESRP, NEP, or others as applies). Evidence of this will be based on the amount and diversity of the leveraged funding sources. Sponsors must identify 1) the funding agency, 2) the fund source or type, 3) the intended use of the leveraged funds and how they relate to the FbD portion of the project, 4) whether the funds have been awarded or are pending, and 5) the amount of funding provided.

Appendix B: Cultural and Historic Resources Review Guidance

This guidance provides information for projects funded by Ecology to meet either the [Governor’s Executive Order 21- 02](#)⁴⁴ or [Section 106 of the National Historic Preservation Act](#)⁴⁵ requirements.

Please note the cultural resources review process is for government-to-government communication. Cultural Resources review can take anywhere from 30 days to many months, depending on the complexity of the review or concerns and issues that arise. Plan and budget accordingly. Requirements of this process will not be met until Ecology has provided information to the Tribes and the [Washington State Department of Archaeology and Historic Preservation \(DAHP\)](#)⁴⁶ about project activity.

Recipients must comply with all cultural resources review requirements prior to implementing any project that involves the acquisition of any properties that will lead to future ground disturbance, **modification to cultural or historic resources or ground-disturbing activities**.

Federal and state laws and rules require the funding agency (Ecology) to contact DAHP and affected Tribes regarding the proposed project activities. Any prior communication between the Recipient, the DAHP, and the Tribes is not sufficient to meet requirements.

Another agency’s cultural resources may be used to meet [Ecology’s requirements](#).⁴⁷ To do this, Recipients should submit the review documents to Ecology’s Project Manager for review and approval.

Any actions that result in the acquisition of any properties that will lead to future ground disturbance, **in modification to cultural or historic resources or ground-disturbing activities** that occur prior to the completion of the cultural resources review process will not be eligible for reimbursement. Activities associated with cultural resources review are grant eligible subject to available funding. Any mitigation measures as an outcome of the process will be requirements of the agreement. Note: Modification to cultural or historic resources or ground-disturbing activities **can include removal or modification to above-ground resources, such as culturally modified trees and petroglyphs**.

For all projects involving potentially ground-disturbing activities, you will also need to complete an Inadvertent Discovery Plan (IDP) in the event of an unanticipated discovery of human remains or historic or prehistoric resources. This written plan must be always available onsite.

⁴⁴ https://governor.wa.gov/sites/default/files/exe_order/eo_21-02.pdf

⁴⁵ <https://www.achp.gov/protecting-historic-properties/section-106-process/introduction-section-106>

⁴⁶ <https://dahp.wa.gov/>

⁴⁷ <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Area-wide-groundwater-investigation-grants/Cultural-resources-review>

Section 106 versus Executive Order 21-02

If your project has a federal partner (Corps, NOAA, etc.) and is using federal funds or will implement federal actions and decisions, the federal partner is typically the lead on the cultural resources review process to complete the Section 106 process of the National Historic Preservation Act. Ecology has delegated authority over ensuring Section 106 compliance when Recipients apply for grants under the FbD grant program.

Note: The federal partner and the Section 106 process supersedes the Governor's Executive Order 21-02 process described below.

If your project has no Federal Partner, is not using Federal funds, and will not implement Federal actions, then cultural resource review will be completed by your Ecology Project Manager and will follow the Governor's Executive Order 21-02 process as it is required for all state-funded capital projects. Ecology is the lead for ensuring the Governor's Executive Order 21-02 compliance.

This process and reviews described above must be followed even if the Recipient has been working with Tribes on the project. Consider if there are any efficiencies of scale as you develop your cultural resource scope that may make for more efficiencies as your project moves forward.

The Recipient must complete [Ecology's Cultural Resources Project Review form](#)⁴⁸ (or conduct a site-specific survey). A site-specific survey is only required for areas where there is a high sensitivity and potential to discover cultural resources. If the project will alter a building that is 45 years or older, the Recipient must still complete an EZ-2 Form available from the DAHP website.

The EZ-2 form and Survey Coversheet can be downloaded from DAHP's website. Ecology's Cultural Resources Project Review form can be downloaded from Ecology's website.

1) The Recipient must create an Inadvertent Discovery Plan (IDP). An IDP does not need to be site-specific; however, it can be a general procedure for all projects implemented by the organization. The IDP must be distributed and reviewed by all participating parties prior to any on-the-ground work so they are fully informed of the appropriate procedures. Reach out to your Ecology Project Manager if you would like to use an Ecology IDP template.

2) The Recipient must send an electronic version of Ecology's Cultural Resources Project Review form and/or the EZ-2 Form, any tribal communication, and identify the potentially interested Tribes to Ecology's Project Manager.

3) Ecology will initiate formal cultural resources consultation using the completed Ecology CR review form, EZ-2, and/or any surveys to affected Tribes and DAHP. The Tribes have an approximate 30-day comment period to initiate a more in-depth discussion about the project,

⁴⁸ <https://apps.ecology.wa.gov/publications/SummaryPages/ECY070537.html>

submit any comments, or make an effect determination on the project. After the 30-day comment period, if there has not been a determination of impact by a Tribe, DAHP, or other interested party, Ecology will make a final determination and send out a formal letter to the above parties. The Ecology Project Manager will let the Recipient Project Manager know when the project may proceed as planned.

Can Ecology “adopt” another agency’s Section 106 review or an Executive Order 21- 02 review?

If your project is state funded, Ecology can “adopt” Section 106 for state-funded projects that would normally go through the Executive Order 21-02 cultural resource review process. Ecology has a review in place to verify the Section 106 documents are applicable. Please contact your Project Manager to verify a review can be adopted.

If your project involves federal funds, Ecology may still use another agency’s documents when making its Preliminary and Final Determinations, which helps speed up cultural resource review.

For Executive Order 21-02 adoption:

If your project is state funded, Ecology can adopt another state agency’s Executive Order 21-02 process to meet cultural resources review requirements. Please contact your Project Manager to verify a review can be adopted.

The answer is no if your project is federally funded. However, Ecology may still use another agency’s documents when making its Preliminary and Final Determinations, which helps speed up cultural resource review.

Correspondence: Ecology is responsible, as the funding agency, for contacting the Washington State Department of Archaeology and Historic Preservation (DAHP), Tribes, and other interested parties to meet cultural resource review requirements.

Modification to Cultural or Historic Resources or Ground-Disturbing Activities: This refers to any work that impacts the soil or ground from its current conditions. There is no threshold for this criterion. If the activity requires any work that goes below the surface of the ground, it requires a cultural resources review.

Area of Potential Effect: The Area of Potential Effect (APE) is the maximum geographic area where your project may potentially affect historic properties, if any are present. The APE will vary with the type of project. To determine the APE, you must know the nature and full extent of your project. For example, the APE for a natural gas pipeline might include not only the actual pipeline trench, but also includes the construction right-of-way, compressor stations, meter stations, staging areas, storage yards, access roads, and other ancillary facilities. The APE for a construction project will include the construction site but might also include the buildings in a downtown area adjacent to the construction where vibrations may cause foundations to crack.

Changes to Project Design or Project Area: If there are any changes made to the project area or design after cultural resources review has been completed, review will have to be reinitiated or amended in order to capture the changes. For geo-tech work that occurs in the planning or design phases, ensuring your cultural review is completed early can not only help identify the appropriate locations from a subsurface perspective, but you can also obtain valuable input early in the planning process about sensitive locations. A simple amendment to your documents in the construction phase will complete your cultural resource compliance and generally will present no issues, as DAHP and the Tribes will already be familiar with your project.

Eligibility

- All activities associated with cultural resources review are grant and loan eligible.
- Construction or BMP implementation that occurs prior to cultural resources review will not be eligible for reimbursement.

If you have any questions, contact your regional Ecology Project Manager.

Appendix C: Grant Agreement Definitions

Administrative Requirements refers to the [Administrative Requirements of Ecology Grants and Loans \(Yellow Book\)](#).⁴⁹ The Yellow Book provides instructions, explanations, requirements, definitions, and includes details on agreement language, costs, budgets, financial management, procurement, contracting, property management, closeout, and record keeping.

Agriculture is crop and livestock production, aquaculture, fisheries and forestry for food and non-food products.

Contract is a written and legally binding agreement that has the principal purpose to procure goods or services (may be purchased or leased) for the direct benefit of the project.

Contractor is any entity who is paid directly by the recipient for goods or services received under a contract. Recipients must follow the local jurisdiction's procurement policy to hire contractors. If there is no recorded policy, then Recipients must follow OFM's Washington State procurement policy.

EAGL is Ecology's Administration of Grants and Loans. This is Ecology's web-based system used to apply for, manage, track, monitor, and close out grants and loans issued by Ecology.

Effective Dates are the start and end dates of the grant which eligible costs may be incurred.

Funding Guidelines are Ecology's grant program guidelines that correlate to the biennium in which the project is funded.

Grant Agreement is the formal, written contractual document that details the terms and conditions, scope of work, budget, and schedule of the grant, that is signed by the authorized signatories of the Recipient and Ecology.

Interagency Agreements are used between state and state agencies or between state and federal agencies. Federally recognized Tribes, as sovereign governments, use inter-agency agreements with federal or state agencies. For more information, see [Chapter 39.34.080 RCW](#).⁵⁰

Interlocal Agreements are between entities within local governments (city or county) such as Department of Public Works and Department of Resource Management. Interlocal agreements must be consistent with the terms of the grant agreement and [Chapter 39.34 RCW, Inter-local Cooperation Act](#).⁵¹

Match is a portion or share provided by the Recipient for the grant or loan.

Leverage is the higher amount of all funding sources for the entire project including Recipient match but does not include Ecology's share of the grant.

⁴⁹ <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

⁵⁰ <http://app.leg.wa.gov/RCW/default.aspx?cite=39.34.080>

⁵¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=39.34>

Project means the project described in this agreement.

Project Schedule means that schedule for the project specified in the agreement.

Scope of Work means the tasks and activities constituting the project.

Termination Date means the effective date of Ecology's termination of the agreement.

Total Eligible Cost is the sum of all costs associated with the FbD project that have been determined to be eligible for Ecology grant funding. Total Eligible Cost includes the amount of Recipient match.

Total Project Cost or **Total Cost** is the sum of all costs associated with the FbD project, including the Total Eligible Cost, costs *eligible* but not funded by the FbD grant, and costs *not eligible* for funding by the FbD grant.

Appendix D: EAGL and Additional Grant Resources

[Administrative Requirements for Grants and Loans \(Yellow Book\)](#).⁵² The Yellow Book establishes the administrative requirements for Recipients of all Ecology grants and loans, including the 2025-27 FbD grant agreements. Topics include financial management, expenditure and income reporting, contracting, and record retention.

[EAGL External Users' Manual](#)⁵³ for guidance using Ecology's EAGL online grant and loan system.

[Ecology's Grants and Loans Resources website](#)⁵⁴ for general Ecology grant and loans guidance, including EAGL training tools and resources.

Environmental Data. If grant and loan projects involve collecting, analyzing, or monitoring environmental data, Recipients should assume they are required to create Quality Assurance Project Plans (QAPPs) unless Ecology says otherwise. Recipients may also be required to enter information in Ecology's Environmental Information Management (EIM) database per Ecology's standards. Recipients are responsible for ensuring the QAPP and EIM processes are complete if applicable. Grant reimbursement may be withheld if these requirements are necessary and incomplete.

- **Quality Assurance Project Plan (QAPP).** If grant projects involve *collecting or analyzing* environmental data, Recipients are required to create QAPPs per Ecology's standards unless Ecology says otherwise. For more information, see [Ecology's QAPP website](#), which includes a QAPP template and examples of QAPPs.⁵⁵ If you have any questions, contact your regional Ecology floodplain planner.
- **Environmental Information Management (EIM).** If grant projects involve *environmental monitoring* data, Recipients are required to submit data in the EIM online database per Ecology's standards. For more information, see [Ecology's EIM website](#).⁵⁶

⁵² <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/grant-loan-guidance>

⁵³ <https://apps.ecology.wa.gov/publications/SummaryPages/1701015.html>

⁵⁴ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Grant-loan-guidance>

⁵⁵ <https://ecology.wa.gov/About-us/How-we-operate/Scientific-services/Quality-assurance/Quality-assurance-for-NEP-grantees>

⁵⁶ <https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database>

Appendix E: Example Acquisition Task Language

The below language is an example of a grant agreement task scope of work that includes land acquisition, updated as of May 2023.

The RECIPIENT will negotiate with willing sellers within the project area to acquire approximately X acres of land through fee simple ownership. Relocation planning and relocation services will be conducted when applicable.

For each property purchase, the RECIPIENT will complete an Acquisition Report. The RECIPIENT will submit a complete Acquisition Report to ECOLOGY prior to the request for reimbursement of each acquisition. Each Acquisition Report will include, but is not limited to, the following documents:

1. Acquisition Face Sheet *
2. Appraisal including:
 - a. Name/Address of seller
 - b. General Vicinity Map
 - c. Site Specific Map
 - d. Legal Description
 - f. Title Report
3. Appraisal Review by a qualified third party.**
4. Offer letter of just compensation.
5. Settlement Statement or equivalent.
6. Hazardous Substances Certification*, and Property Assessment Checklist*, both signed by the RECIPIENT (not required for purchase of easements).
7. Annotated photographic documentation of each property acquired in sufficient quantity and quality to document the state of the properties prior to and after acquisition.
8. Statutory Warranty Deed Official Copy.
9. Fully-recorded Conservation Covenant or Easement as negotiated with your Ecology Project Manager. If an escrow deposit is being requested, a draft covenant or easement should be submitted to Ecology with the escrow deposit request. The fully recorded covenant or easement is to be uploaded to EAGL shortly after closing.

*: All properties acquired shall be protected as open space in perpetuity for floodplain functions (including dikes, levees and related structures), floodplain restoration, a natural riverine environment, and as applicable: agricultural uses, passive, non-motorized recreational uses, trails, wildlife observation areas, picnic areas, other public facilities consistent with the purposes of this covenant.

(The Acquisition Report will include the pre-recorded Conservation Covenant or easement. The recorded Conservation Covenant will be submitted to ECOLOGY after recording with relevant County.)

10. Completion of the Cultural Resources Review requirements of the Governor's Executive Order 21-02 (not required if purchase of easement only).

11. Escrow Process (if applicable): if the RECIPIENT requires funds to acquire a property prior to closing, the RECIPIENT can request (an exception to ECOLOGY's reimbursement policy) by going through the escrow process. This process allows ECOLOGY to pay a RECIPIENT's grant funds in advance for the property acquisition through the title / escrow company.

The RECIPIENT, working through an established title company, will provide ECOLOGY with supporting documents including:

- a. (Red) Face Sheet for acquisitions;
- b. EAGL Payment Request/Progress Report;
- c. Title company's Wire Transfer Request with routing number, and wiring instructions for specific property referenced;
- d. Settlement Statement;
- e. Closing date of property.

ECOLOGY will wire funds to the title company for acquisition at the time of closing.

Note: Allow sufficient time for ECOLOGY and the Office of the State Treasurer to process documentation a minimum of three weeks prior to closing.

* The RECIPIENT will upload electronic acquisition forms in EAGL.

**When the estimated property value does not exceed \$25,000, and the acquisition is not complex, the RECIPIENT may be exempt from meeting appraisal and review appraisal standards. Such exemptions must be requested in writing and approved by the ECOLOGY Project Manager before the closing on the property. The RECIPIENT must follow the appraisal waiver standards in 44 C.F.R. § 24.102.