

Spills Coastal Protection Fund (CPF) Grant Program

2023 Funding Guidelines

Ву

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For the

Spill Prevention, Preparedness and Response Program

Washington State Department of Ecology Olympia, Washington

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¹ www.ecology.wa.gov/contact

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Chapter 1: Spills Coastal Protection Fund Overview

The Washington State Legislature created the Coastal Protection Fund (CPF) as a non-appropriated revolving fund to pay for projects that:

- Restore or enhance environmental, recreational, archaeological, or aesthetic resources for the benefit of Washington's citizens.
- Investigate the long-term effects of oil spills.
- Develop and implement aquatic land geographic information systems.

Within the Department of Ecology (Ecology), the CPF is divided into three accounts: the Terry Husseman Account (THA), the John Bernhardt (JB) Account, and the Resource Damage Assessment (RDA) Account.

Payments for oil spill natural resource damage assessment claims are deposited into the RDA Account. The John Bernhardt Account, named in honor of the contributions of Mr. Bernhardt, receives payments from penalties for oil spill violations. The purpose of these accounts is to restore and enhance publicly owned resources that have been impacted by oil spills.

These guidelines relate to the RDA Account and JB Accounts only.

Resource Damage Assessment (RDA) Account

The RDA Account receives payments from natural resource damage assessment claims under RCW 90.48.366 through RCW 90.48.368. Damage claims are deposited into regional subaccounts to fund restoration and enhancement projects in the geographic regions where spills have occurred.

Sub-Account Regions

In order to direct funding into areas impacted by oil spills, the RDA Account is divided into three regional sub-accounts:

- North Puget Sound and the Strait of Juan de Fuca
- South Puget Sound and Hood Canal
- Columbia River and the Outer Coast

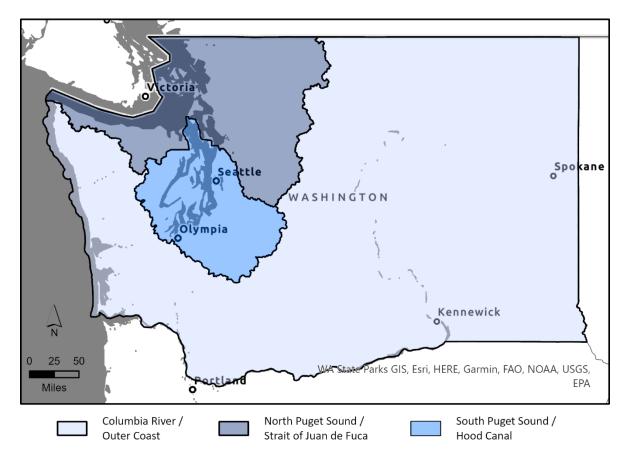


Figure 1. Resource damage assessment sub-account areas

Projects awarded in each sub-account region will be funded from the corresponding regional sub-account.

For damage claims of \$100,000 or greater, additional special sub-accounts may be created to fund restoration near the geographic location of the original oil spill impacts, or fund projects that restore specific resources that were impacted by the original oil spill.

For the 2023 grant cycle, RDA funds are available for the Columbia River/Outer Coast project areas.

John Bernhardt (JB) Account

The JB Account receives payments from oil spill penalties. The JB Account has two sub-accounts: Restoration and Enhancement. The Restoration sub-account funds projects statewide that restore or enhance environmental, recreational, archaeological, or aesthetic resources for the benefit of Washington's citizens. The Enhancement sub-account funds projects that investigate the long-term effects of oil spills or develop and implement aquatic land geographic information systems. These funding guidelines apply to the John Bernhardt restoration sub-account only.

For the 2023 grant cycle, JB Restoration funding is available to projects statewide.

Account expenditures

Disbursement of RDA account moneys is directed by the CPF Steering Committee after consultation with affected local entities and tribal governments.

JB account moneys are distributed at the direction of the Ecology Spills Program Manager.

Governing laws and rules

- Chapter 90.48 RCW, Water Pollution Control²
- Chapter 90.48.390 RCW, Coastal Protection Fund—Established-Moneys credited to Use³
- Chapter 90.48.400 RCW, Coastal Protection Fund—Disbursal of moneys from⁴
- Chapter 90.56 RCW, Oil and Hazardous Substance Spill Prevention and Response⁵

How to use these guidelines

These funding guidelines provide information about the Spills Coastal Protection Fund grant eligibility requirements, the application process, and the general requirements applicable to all awards under this grant program.

Ecology holds all grant applicants responsible for reading and understand these guidelines along with the <u>Administrative Requirements for Recipient of Ecology Grants and Loans (2017 Yellow Book)</u> (Publication No. 17-01-004)⁶ before entering into a grant agreement with Ecology.

If after reading these guidelines you find you are eligible to apply for the Spills Coastal Protection Fund grant, please see Chapter 3: Applying for Funding for complete details.

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² http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48

³ http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48.390

⁴ http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48.400

⁵ https://apps.leg.wa.gov/RCW/default.aspx?cite=90.56

⁶ https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html

Chapter 2: Funding Program Details

Eligible applicants

All grant opportunities from the Coastal Protection Fund are available to public agencies, local governments, and federally recognized Tribal governments. In addition, non-profit organizations are eligible for funding from the Spills CPF grant.

If you are unsure if your organization is eligible, please contact the <u>Spills CPF Grant Fund</u> Coordinator.

Ineligible applicants

Private entities are not eligible to receive Spills CPF funding. However, they may partner with eligible applicants to provide more financial support in addition to the Spills CPF grant.

Eligible project types

Coastal Protection Fund grants support locally sponsored projects that restore or enhance the natural environment. Typical projects address water quality issues and fish and wildlife habitat protection or enhancement in or adjacent to waters of the state, such as streams, lakes, wetlands, or the ocean.

Projects that develop and implement aquatic land geographic information systems (GIS) that support restoration or enhancement of the natural environment are also eligible and may be proposed.

To be considered, projects must provide primary benefits to public resources (land or water stewardship) and affiliated infrastructure.

All projects that install a Best Management Practice (BMP) must have a signed Landowner Agreement, prior to implementation, for all properties on which a BMP takes place (see Appendix C: Landowner Agreements). In addition, projects that involve stream restoration must follow program requirements (see Appendix D: Riparian Restoration and Planting).

Ineligible project types

All planning types of projects, such as watershed planning, land use / stormwater management planning. This includes species management projects, environmental monitoring, research, and

data gathering projects that are not related to a specific project. Design only projects are also ineligible.

Table 1. Examples of eligible and ineligible project types

Example Eligible Project Type	Example Ineligible Project Type
Riparian restoration	Watershed planning
Develop and implement an aquatic land geographic information system (GIS)	Species Management (not habitat management)
Wetland restoration	Land use / stormwater management planning
Stream bank stabilization	Environmental monitoring, research, and data gathering (not related to a specific project)
Fish and wildlife habitat enhancement	Design only projects (without implementation)
Livestock exclusion fencing	

Funding cycles

Project request cycles depend on current CPF account balance levels in the RDA sub-accounts and JB account. Adequate account balances typically occur every three to five years, or when larger than normal penalties or RDA claims are issued.

Grant award amounts and project timelines

Grants are awarded on a competitive basis. Funding requests will vary based on project type and scope. While there is no maximum award amount, typical grant awards range from \$20,000 to \$50,000 to maximize available funds. Total available funds are usually between \$100,000 to \$400,000.

Funded project timelines typically run 12 to 18 months.

Match or cost share

There are no recipient match or cost-share requirements. Coastal Protection Fund grants provide 100 percent of the project Total Eligible Cost. However, contributing funds may be used to demonstrate stakeholder support and may increase competitiveness of an application.

Spills CPF grant funds can be used to meet match requirements for other Washington state grant programs, such as:

 Ecology's Water Quality Combined Financial Assistance Program Nonpoint grants (Section 319 EPA–federal fund source, and Centennial State Building Construction Account fund source). 2. Washington State Recreation and Conservation Office (RCO) grants.

Cultural resources and human remains: Inadvertant discovery plan

Most THA projects involve implementation activities that have the potential to disturb historic or pre-historic cultural resources (including objects, traditional and sacred spaces, buildings, structures, and districts), human remains, and funerary objects, hereby collectively referred to as cultural resources. Project activities could result in an inadvertent discovery of, or impact to, these cultural resources.

Recipients must take reasonable action to avoid, minimize, or mitigate adverse effects to cultural resources by complying with <u>RCW 27.53</u>, <u>Archaeological Sites and Resources</u>.⁷ The Department of Archaeology and Historic Preservation (DAHP) may require a Recipient to obtain a permit pursuant to <u>RCW 27.53.060</u>⁸ prior to conducting on-site activities where an impact to cultural resources or historic properties is likely or anticipated.

The Spills CPF grant program requires Recipients to submit an <u>Inadvertent Discovery Plan (IDP)</u>⁹ to Ecology (and upload to EAGL) prior to implementing any project that involves activities with the potential to impact above or below ground cultural resources. The IDP must be on the project site and available to all project staff, consultants, and volunteers at all times during project implementation activities.

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect. Follow the IDP (Section 6) for specific instructions on how to handle a human remains discovery. Also see: RCW 68.50.645: Skeletal human remains—Duty to notify—Ground disturbing activities—Coroner determination—Definitions.¹⁰

Activities associated with cultural resources compliance are an eligible reimbursable cost subject to approval by your Ecology Project Manager. Any project implementation that occurs prior to the submission of an IDP will not be eligible for reimbursement.

We encourage all Recipients to view Ecology's IDP Training Video. 11

Limitations on use of grant funds

Recipients are responsible for project development, design, or technical assistance. This work must be identified and included in the project proposal, schedule, budget, and other available financial or in-kind resources.

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⁷ https://apps.leg.wa.gov/RCW/default.aspx?cite=27.53

⁸ https://app.leg.wa.gov/RCW/default.aspx?cite=27.53.060

⁹ https://apps.ecology.wa.gov/publications/SummaryPages/ECY070560.html

¹⁰ https://app.leg.wa.gov/rcw/default.aspx?cite=68.50.645

¹¹ https://www.youtube.com/watch?v=ioX-4cXfbDY

Recipients may only use grant funds to cover direct costs related to project implementation or for extraordinary project costs that are not part of routine operations. Recipients cannot use funds to reimburse costs not directly associated with the project, such as regular salaries/benefits of employees for routine operational support, except in the form of a negotiated indirect rate.

Direct costs include:

- Compensation of employees' time on the project.
- Costs of materials used specifically for the project.
- Costs of services for the project.

2023 Funding cycle timeline

Applications are accepted between April 4, 2023, and May 4, 2023, with project funding available as early as August 15, 2023. Please see below for a summary of grant milestones.

Table 2. Funding cycle timeline

Date	Program Milestone
Thursday, April 4, 2023	EAGL grant application opens at 8:00 a.m.
Thursday, May 4, 2023	Applications due.
111u13uay, Way 4, 2023	EAGL grant application closes at 5:00 p.m.
May 8, 2023 – June 5, 2023	Ecology screens and evaluates applications.
June 12, 2013	Funding decisions made. Award letters sent.
June 19, 2023 – August 3, 2023	Agreement development and negotiation.
August 7, 2023, or after.	Agreement start date of funded projects.

Chapter 3: Applying for Funding

Application process and requirements

Applicants must complete and submit an application through the Ecology Administration of Grants and Loans (EAGL) web-based grants system.

This application becomes the foundation of the grant agreement itself. The application forms include prepopulated language for Task 1 Project Administration/Management and allows the applicant to add additional tasks and task descriptions as needed.

EAGL is a comprehensive grant management system. It allows Ecology's grant recipients to fill out and submit applications, manage agreements, request amendments, submit payment requests and progress reports for reimbursement, upload and track deliverables, and submit closeout reports, all electronically.

An EAGL user can perform certain actions depending on his or her assigned role and the status of a document or subdocument. The options available to a user will change as a document and subdocument move through the workflow.

Please refer to the <u>EAGL External Users' Manual (December 2017) (Publication No. 17-01-015)</u>¹² for detailed instructions on how EAGL works, EAGL terminology, and EAGL roles and permissions.

To access the application forms, applicants must first:

- 1. Register for a Secure Access Washington (SAW) online services account.
- 2. While logged into your SAW account, register for an EAGL user account.

How to register for a SAW account

If you do not already have a SAW account, go directly to the SAW "Create an Account 13" site. Each staff member of an organization who will have a role in the project (e.g., project manager, financial manager, and grant signatory) must establish their own separate SAW account before you can apply for a grant in EAGL. You may not share a SAW account with another person or organization.

Staff members may already have a SAW account due to their work with other Ecology grants. If so, they may use that username and password. After creating a SAW account, you will receive a confirmation email.

¹² https://fortress.wa.gov/ecy/publications/documents/1701015.pdf

¹³ https://secureaccess.wa.gov/public/saw/pub/displayRegister.do

How to register as an EAGL user

Click the confirmation link in the SAW email and log back into SAW. Select "Add a New Service." Next, click "I would like to browse a list of services." Click on "Department of Ecology" where you will find EAGL. Then click "Apply."

For information about registering with EAGL, check out this video. 14

To register with EAGL, an applicant must provide the following information. Many jurisdictions already have these numbers and IDs. (Note: Processes such as those described below may take several days.)

- Statewide Vendor Number: Jurisdictions need to register as a Statewide Payee through the Washington State Office of Financial Management (OFM) to receive reimbursement. The vendor number is needed to apply for the grant through the EAGL system. For more information and vendor registration forms, visit the OFM website. 15 Or contact the OFM Statewide Payee Desk at (360) 407-8180 or by email at PayeeRegistration@ofm.wa.gov. Note: This process may take 7 to 14 business days.
- **DUNS (Dun & Bradstreet number)**: A DUNS number verifies the existence of a business entity, including government entities. Here is a link to <u>DUNS request service</u>. ¹⁶
- Federal Tax ID (EIN or TIN): A jurisdiction more than likely has the EIN. If not, here is a link to How to apply for an EIN (IRS site).¹⁷

After you register with EAGL, Ecology will activate your account within three business days. You will receive a system-generated notice once your EAGL account application is confirmed.

Applying for a grant: Initial steps

Once Ecology's EAGL System Administrator has validated you as a new user, you will have access to EAGL. Only EAGL users in the role of Authorized Official can view available funding opportunities, initiate and submit an application.

As the Authorized Official, follow these steps to get started with your application for the grant:

- 1. Sign in to EAGL. You should see a **Welcome** page where you can initiate the application.
- 2. Under **View Available Opportunities**, Select the "View Opportunities" button. This button will take you to the **My Opportunities** page.
- 3. On the **My Opportunities** page, type "Spills Coastal Protection Fund" in the **Document Instance** text field. Select the "Filter" button, and the Spills CPF grants **Application Funding Opportunity** will appear. This shows the eligibility requirements.
- 4. Select the "Apply Now" button. This will take you to the **Application Menu**.

¹⁴ https://www.youtube.com/watch?v=9B3gvb3QRBk

¹⁵ https://ofm.wa.gov/it-systems/accounting-systems/statewide-vendorpayee-services

¹⁶ http://fedgov.dnb.com/webform/displayHomePage.do

¹⁷ https://www.irs.gov/businesses/small-businesses-self-employed/how-to-apply-for-an-ein

- 5. EAGL has assigned your application a **Document Information Number**, which is your assigned grant number throughout the life cycle of the grant. Please write this down so you can use it to access your grant documents. Now that you have a Document Information Number, select the "View Forms" button under View, Edit and Complete Forms
- 6. The View Forms button will take you to the Application Menu Forms page.
- 7. Using the **Application Instructions** under the Funding Program Guidelines heading, fill out and save each of the required application forms in the order in which they appear.

Chapter 4: Application Evaluations and Scoring

Once the application period is closed, Ecology staff and regional work groups evaluate submitted project proposals using the following scoring criteria below in Table 3.

Each application can score a maximum of 60 points. The scoring criteria is broken into ten categories, each representing a portion of the possible 60 points.

Table 3. Project scoring criteria.

#	Category	Details	Points
1	Oil spill impacts	Describe how this project benefits resources that have been impacted by oil spills.	
2	Project outcomes	Describe the expected environmental, water quality, and community benefits of the project.	10
3	Deliverables	Define each deliverable and provide direct links between the deliverables and project benefits.	5
4 Budget Provide an accurate, reasonable budget with supporting materials.		5	
5	Project schedule	Provide an accurate and reasonable schedule for the 12 to 18-month grant timeline.	
6	Leveraged funds and resources	Describe other funding resources for the project. 5	
7	Broad, local support	Provide documentation with support from the broad, local community, stakeholders, or interest groups.	
8	Readiness to proceed	Describe the current project status, and if the project will be ready to proceed if funds are awarded.	
9	Implementation of planning efforts	Describe larger project planning efforts or reasons the project is a priority.	5
10	Environmental Justice	Describe how the project includes meaningful community engagement and benefits an overburdened or underserved community.	5
11	Climate Change	Describe how the project addresses and reduces impacts from climate change.	5
		Sum total of possible points	70

Projects will be evaluated based on the following 11 criteria:

1. Oil spill impacts (0-10 points)

Describe how this project benefits resources impacted by oil spills. Identify any resources in the project area that have been impacted by recent oil spills (last five years). Historic spills can be found at the Washington State Department of Ecology reported spills to water map. 18 Sensitive resources have been identified in Washington's Oil Spill Geographic Response plan 19 webpages.

2. Project outcomes (0-10 points)

Projects must provide primary benefits to public resources. Clearly describe the expected environmental, water quality, and community benefits of the project.

3. Deliverables (0-5 points)

Clearly define the task deliverables and provide direct links between each deliverable and the project benefits.

4. Budget (0-5 points)

Provide an accurate and reasonable budget. If applicable, describe how a previous project was completed within budget. Please upload supporting documentation, price lists, quotes, estimates, etc.

5. Project schedule (0-5 points)

Demonstrate that the project will be successfully completed within the 12 to 18-month grant timeline. If applicable, describe how a previous project was completed on time.

6. Leveraged funds and resources (0-5 points)

While match is not required, describe other local resources (financial, in-kind, or volunteer) that leverage grant funds, if any.

7. Broad, local support (0-10 points)

Provide documentation with support from the broad, local community, stakeholders, or interest groups.

8. Readiness to proceed (0-5 points)

Describe the current status of the project; identify the project partners, if any; and describe how the project will be ready to proceed immediately if funds are awarded. Identify necessary designs, permits, or agreements that are or will be secured.

9. Implementation of planning efforts (0-5 points)

Describe if and how the proposal is part of a larger planning effort or describe why the project is a priority. Provide supporting information or evidence that your project is part of

¹⁸ https://apps.ecology.wa.gov/coastalatlas/storymaps/spills/spills sm.html

¹⁹ https://www.oilspills101.wa.gov/map/

a plan or addresses a water quality impairment. Please provide a reference or a link to a document.

10. Environmental Justice (0-5 points)

Describe any project consultation and coordination with overburdened or underserved communities. Include any applicable letters of support.

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." (Washington State Environmental Justice Task Force Report, 2020).

Below are a few examples of mapping resources that show where **underserved communities** are located, and how they are impacted. Use the mapping resources below to help describe how the project will benefit underserved communities.

- Washington Environmental Health Disparities Map²⁰
- Washington State Employment Security Dept. Distressed Areas Map²¹
- Washington State Environmental Justice Task Force Final Report (2020)²²
- US Environmental Protection Agency Environmental Justice Screen²³

For additional information, please reference the Environmental Justice at Ecology.²⁴

11. Climate Change (0-5 points)

Describe how your proposal will address and reduce climate change impacts.

Tackling climate change is a priority for Ecology. Fluctuating climate changes have increased the number of flooding events in our rivers, lakes, and coastline, damaging communities and infrastructure. Water quality degradation and increased water temperatures directly influence the health and survival of livestock, wildlife, native fish and aquatic communities.

Here are some additional questions to consider when answering 'how' your project will address and reduce climate change impacts:

- How will your project address climate change impacts such as flooding, fire, drought, or greenhouse gas emissions?
- How will your project increase climate change resiliency in the waterbody or watershed?
- What elements of your project will mitigate future impacts of climate change?

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

²⁰

²¹ https://esd.wa.gov/labormarketinfo/distressed-areas

²² https://healthequity.wa.gov/sites/default/files/2022-01/EJTF%20Report FINAL%281%29.pdf

²³ https://www.epa.gov/ejscreen

²⁴ https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice



https://ecology.wa.gov/All-Climate/Climate-Change/Climate-Change-the-environment

Chapter 5: Final Funding Decisions

Funding decisions

The Spills Coastal Protection Fund Coordinators will notify applicants of funding decisions.

For projects selected for funding, the Recipient will receive a formal offer letter from the Spills Program Manager. The letter outlines the general expectations about the fund award, the grant agreement, and provides the names and contact information for Ecology's Project and Financial Managers assigned to the project, known as the Project Management Team.

Chapter 6: Agreement and Grant Management

Agreement development process

The Project Management Team uses information provided in the grant application to develop a draft project agreement for negotiations. Negotiations between the Recipient and the Project Management Team will focus on defining the scope of work tasks descriptions, budget task costs, and deliverables due dates. To ensure that the agreement has clear, quantifiable goals and deliverables, and activities that are grant-eligible. The Recipient and the Project Management Team will also ensure the identification and completion of all necessary designs, permits, and agreements and that all cultural resource requirements are met. Additional information may be requested.

Final agreement

The Recipient will work with the Ecology Project Management team to finalize the agreement for official signature. After the agreement is fully signed, Ecology's Financial Manager will upload a PDF of the signed agreement into EAGL and change the status to "Agreement Executed." The Financial Manager will also email the digitally signed agreement to the Recipient, along with a transmittal letter that outlines grant management expectations and provides hyperlinks to resource guidance materials.

Terms and conditions

All grant agreements include terms and conditions that are not part of the scope of work. These terms and conditions are required and cannot be changed by the grant Recipient.

General terms and conditions

General terms and conditions are approved by the State Office of the Attorney General and are included in all Ecology grant and loan agreements. They address administrative requirements, amendments and modifications, archaeological and cultural resources, assignment of rights, communication, compensation, compliance with laws, conflict of interest, contracting for goods and services, disputes, independent status, minority and women's business enterprises, accessibility requirements for presentation and promotional materials, progress reporting, audits and records, termination of agreement and other provisions of the grant agreement.

See the <u>Administrative Requirements for Recipients of Ecology Grants and Loans (Yellow Book)</u>²⁶ for more information. Part V, Purchasing and Contracts, provides detailed information about this important topic.

²⁶ https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.htm

Grant management

Managing your grant requires paying particular and timely attention to a number of key tasks in order for your jurisdiction to be reimbursed for its work. These include payment requests/progress reports, which are due quarterly, and discussed below. This chapter also discusses grant amendments, grant file management and closeout reports.

Registering for payment

All recipients of an Ecology grant or loan must register to receive payment from the State of Washington, Office of Financial Management (OFM). OFM maintains a central vendor file for Washington State agencies to use for processing vendor payments. This allows you, as a vendor (Grant Recipient), to receive reimbursement payments by direct deposit, the state's preferred method of payment.

For more information and vendor registration forms, visit the OFM website²⁷ or contact the OFM Statewide Payee Desk at (360) 407-8180 or by email at PayeeRegistration@ofm.wa.gov.

Incurring eligible costs

Ecology pays-out grant funds on a cost-reimbursement basis. This means Recipients must incur a cost or obligation before it is eligible for reimbursement. The definition of "date cost incurred" is the date the Recipient receives the item or when the service is performed.

Payment requests and progress reports are due 30 days after the last day of each quarter. See payment request/progress report section, starting below on page 24.

Project costs must be necessary and reasonable to the project. Such costs are broken into three categories: 1) eligible, 2) conditionally eligible, and 3) ineligible:

- 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).
 - o 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).
- 2. Conditionally eligible costs require prior written approval from Ecology, such as:
 - o Computer software (e.g., GIS software).
 - Equipment purchases (e.g., livestock watering system equipment).
 - Conferences and meetings (e.g., facility rental costs and light refreshments).

²⁷ https://ofm.wa.gov/it-systems/accounting-systems/statewide-vendorpayee-services

o Training and education (e.g., that directly benefits the project).

3. Ineligible costs:

- General expenses, beyond the scope of the project, required to carry out overall government responsibilities.
- o Fines and penalties. See the <u>Administrative Requirements for Recipients of Ecology</u> Grants and Loans (2017 Yellow Book)²⁸ for more details.

The effective date of the agreement is the earliest date on which eligible project costs can be incurred.

The Recipient can incur project costs on and after the effective start date and before Ecology's signature of the final agreement, but expenditures cannot be reimbursed until the agreement has been signed by Ecology. Per Ecology's Administrative Requirements, "Cost[s] will not be reimbursed until all parties sign the agreement. The agreement may have an effective date before the signature date. Any costs incurred after the effective date but before the signature date are done so at the Recipient's risk." Expenditures also must be consistent with the scope of work and approved by Ecology.

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 items are not directly attributable to the project yet are required to conduct business.

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 <u>Administrative Requirements for Recipients of Ecology Grants and Loans (2017 Yellow Book)</u>²⁹

Light refreshments

Light refreshment costs for meetings are eligible and must be pre-approved as permitted by Ecology's travel policy. Light refreshments include coffee and any other non-alcoholic 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 Approval Form. Recipients must submit this form prior to the meeting and 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 below for information about Payment Request backup documentation.

²⁸ https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.htm

²⁹ https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.htm

Procuring goods and services

The Recipient is responsible for procuring professional, personal, and other services using sound business judgment 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 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 <u>Administrative Requirements for Recipients of Ecology Grants and Loans (2017 Yellow Book)</u>, 30 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 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 the state travel rate may be eligible for reimbursement upon approval by Ecology. For state mileage rates see OFM's travel reimbursement resource website.³¹

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 Table 4. If a Recipient is not claiming any costs for the quarter, a progress report is still required.

³⁰ https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.htm

³¹ https://ofm.wa.gov/accounting/administrative-accounting-resources/travel

Table 4. Progress report periods and due dates

Progress report	Reporting period	Date due
First Quarter	July 1 through September 30	October 30
Second Quarter	October 1 through December 31	January 30
Third Quarter	January 1 through March 31	April 30
Fourth Quarter	April 1 through June 30	July 30

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

PRPR backup documentation and additional forms

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.
- Timesheets and payroll records must include:
 - Form E: Monthly timesheet³² (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:
 - o Form F: Record of Meeting Attendance³³ (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

³² https://fortress.wa.gov/ecy/publications/summarypages/ECY06012.html

³³ https://fortress.wa.gov/ecy/publications/summarypages/ECY06013.html

- and included with the payment request documentation. An agenda of the event and a roster of attendees must be submitted as back up documentation with the payment request.
- Travel documentation provide purpose of travel, beginning and end points, and mileage calculations. All travel costs cannot exceed state travel rates. For travel policies and per diem map, please visit <u>OFM's travel reimbursement resource</u> website.³⁴

Progress reports

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?"

Reporting on outcomes

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 that are not specified as a deliverable in the agreement and are specific to the time and date of the progress report.

Uploading deliverables

Upload all deliverables in the grant agreement to the Uploads Form, located on the Application Menu-Forms page. Keep naming conventions short (D for deliverable, T for task, add the deliverable number and name, e.g., DT2.1 Final Signed Consultant Contract, DT3.1 Riparian Planting Plan).

³⁴ http://www.ofm.wa.gov/resources/travel.asp

Please avoid deleting general Uploads. If you must delete an upload, please remember to delete both the file itself and the document name in the description field.

Amendment request

On occasion, an amendment to the grant agreement is needed. For the Competitive grants, this may include redistributing the grant budget among the tasks or adding more tasks beyond the existing tasks after the grant agreement is in place. A Recipient's Authorized Official or Project Manager may request an amendment by contacting the Ecology Project Manager and Financial Manager. A written request is required, via email, which describes the type of amendment requested, details on those changes, how those changes may or may not affect the budget, and the reason for the amendment request. To initiate an amendment in EAGL, the agreement must be in "Agreement Active" status. For more information about Amendments, see Chapter 11 of the EAGL External Users' Manual.³⁵

Audits

All grants are subject to audit. For the purposes of auditing, Recipients must retain records for a minimum of three years from the day of submittal of the last payment request.

Ecology has the authority to audit the grant project for three years after the project has officially ended. Ecology may also audit the grant project invoices, and backup documentation at any time during the project. If an audit identifies issues, the Recipient must correct any issues immediately.

Close-Out Reports

Site visit reports

Ecology's Project Manager will conduct one or more site visits to document that work has been completed and carried out in accordance with the purpose and scope of the grant agreement. A final site visit will be required to close out the agreement and approve payment of the final PRPR.

Recipient Close Out Report

A Recipient Close Out Report (RCOR) must accompany the final payment request. The RCOR summarizes each task and its outcomes, and includes the following:

- The problem statement addressed by the grant.
- The purpose of each task.
- The task results and outcomes achieved.

The final payment request/progress report (PRPR) and the Recipient Closeout Report (EAGL form) are due within 30 days after the end of the agreement to ensure reimbursement. Final

³⁵ https://fortress.wa.gov/ecy/publications/documents/1701015.pdf

payment requests are payable contingent upon receipt and Ecology approval of the final deliverables of the grant agreement. Final deliverables include scope of work deliverables, the final progress report/payment request, and close out documents.

For more information about the RCOR, see Chapter 14 of the EAGL External Users' Manual. 36

Ecology Close Out Report

An Ecology Close Out Report (ECOR) will be filled out by the Ecology Project Manager. The Financial Manager will review and approve the report, and then move the agreement to Closeout/Termination. The Project Manager may have questions for the grant Recipient while completing this report.

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³⁶ https://fortress.wa.gov/ecy/publications/documents/1701015.pdf

Appendix A. EAGL Scope of Work Application Forms

The following EAGL forms are required and most of them make up the entire Scope of Work:

- 1. General Information
- 2. Project Characterization
- 3. Mapping Information
- 4. Recipient Contacts
- 5. Scope of Work Task 1 Project Administration / Management
- 6. Scope of Work Additional Tasks (all tasks will be listed here)
- 7. Scope of Work Summary
- 8. Statutory or Regulatory Authority
- 9. Project Type Explanation
- 10. Budget Task Cost
- 11. Uploads

Application forms

1. General information

The information on this form, and your Scope of Work forms, will be used by Ecology to screen, evaluate, and score your application. Enter the following information:

- **Project Title:** Enter a short and concise project title.
- **Project Short Description:** Enter a short and concise paragraph describing the overall project and environmental benefits.
- Project Long Description: A detailed description of the project, background information including other funding associated with the project including the names of other recipients, grant titles and numbers, if applicable.
- Total Cost: Enter the total project cost including other funds associated with the project.
- Total Eligible Cost: Enter the amount for the Spills CPF portion of the project.
- Effective Date: Enter effective date.
- Expiration Date: Enter 12 to 18 months maximum.
- **Project Category:** Choose one of the three available project categories.
- Will Environmental Monitoring Date be collected? Choose yes, no, from the drop-down menu.
- Overall Goal: enter a short and concise paragraph describing the overall goal and environmental benefits.

2. Project characterization

This form is for database search engines to use. Use the drop-down menu to select primary and secondary themes that associate the project type on the <u>statewide map of Ecology's grants and loans</u>³⁷ (2014-present). Secondary themes such as Bank Stabilization, Conservation, Land Acquisition, Low Impact Development, Restoration, Riparian / Wetland Restoration, Stormwater.

3. Mapping information

This form is for geo-spatial mapping data for all projects funded by Ecology. Directions to check the Mapping Information are as follows:

- On the Mapping Information form, select "Add/Modify Location(s)" (blue box) to check out the EAGL Editor Map.
- Under Project area options, under Define Project Area choose either "City" or "County."
 Towns should select "City." Select "Add." When finished, select "Next."
- It will take a few moments for the Project Location Summary to calculate. Review the
 populated information for your project area. Select "Save" and you will return to the
 Mapping Information form.
 - Check in the Map: Select "Save" at the top of the Mapping Information form to check in the map.

4. Recipient contacts

Staff listed on this form must be Recipient employees and cannot be consultants or contractors. The following staff contacts must be identified and have both a Secure Access Washington (SAW) and EAGL user account to appear in the drop-down menu:

- **Project Manager** (EAGL Role of Authorized Official): The person responsible for the overall project and for initiating and submitting the application and initiating and submitting quarterly Payment Requests/Progress Reports (PRPRs).
- Authorized Signatory (Not an EAGL Role, consider assigning in the Role of Reader)³⁸: The person that has legal authority to enter the organization into an agreement with Ecology. This may be a mayor, department or program director, or chair of a board of commissioners. The Authorized Signatory will be the first name shown on the signature page of the agreement. If there are additional signatories that must appear on the signature page (as determined by each Recipient), their name and title should be added to the "Other recipient signatories on printed agreement" matrix. These additional signatories do not need a SAW or EAGL account.
- **Billing Contact** (EAGL Role): The person responsible for working with the PM (AO) to complete quarterly Payment Requests/Progress Reports (PRPRs).

³⁷ https://fortress.wa.gov/ecy/eaglmap/

³⁸ Reader: Persons assigned in the Reader Role in EAGL will not receive EAGL system generated emails throughout the life-cycle of the grant.

5. Scope of Work - Task 1 Project Admin

As seen in EAGL:

Task 1 includes ONLY work between the Recipient and Ecology to manage the grant and work that cannot be distinguished from the other tasks. Examples are agreement negotiations, meetings between the Recipient and Ecology, and time to complete quarterly payment requests/progress reports (PRPRs) and grant close out documents.

Consultants' time spent on the scope of work tasks should not be allocated to Task 1/Project Administration/ Management.

Task Cost:	\$
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Task Title: 1. Project Administration/Management

Task Description:

- A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include but are not limited to: maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; and a recipient closeout report and project outcome summary report (including photos).
- B. The RECIPIENT will maintain documentation demonstrating compliance with applicable procurement, contracting, and interlocal agreement requirements; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items.
- C. The RECIPIENT will provide Project Management. Efforts include, but are not limited to, conducting, coordinating, and scheduling project activities and assuring quality control. Every effort will be made to maintain effective communication with the RECIPIENT's designees; ECOLOGY; all affected local, state, or federal jurisdictions; and any interested individuals or groups. The RECIPIENT will carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly manage and fully document the project in accordance with ECOLOGY's grant administration requirements.

Task Expected Outcome:

Timely and complete submittal of requests for reimbursement, quarterly progress reports and a Recipient Close Out Report (RCOR).

Recipient Task Coordinator:

As seen in EAGL:

In EAGL, enter the name of the Recipient staff person responsible for completing this task. Enter Recipient Close Out Report date. Can be "negotiated."

Table 5. Task 1: Project Administration / Management Deliverables

Number	Description	Due Date
1.1	Quarterly Payment Requests/Progress Reports (PRPRs)	Quarterly
1.2	Recipient Close Out Report	"Negotiated"
1.3	Project Outcome Summary Report (POSR)	"Negotiated"

6. Scope of Work - Additional Tasks

This form allows you to create more tasks. Create "Task 2" then choose the SAVE button. If you need another task, click "ADD" and it will be automatically created. Continue this process for each additional task, as needed.

7. Scope of Work Summary

Select and save this form. By doing so, it calibrates all of the Scope of Work forms and summarizes the tasks and totals together.

8. Statutory or regulatory authority

Describe how the project addresses the overall goals of <u>RCW 90.48.400 Coastal Protection</u> <u>Fund-Disbursal of moneys from³⁹</u> or <u>RCW 90.48.390 Coastal Protection Fund-Established-</u>Moneys credited to-Use⁴⁰.

Describe any recent oil spills that have occurred near the project area. Please describe the natural resources are found in this area, and what impact oil spills have had on these resources. Ecology manages a Spills Map that maps spills by size.

Identify other funding sources, previous Coastal Protection Fund grant projects (Spills CPF or Terry Husseman Account), and landowner readiness to proceed.

9. Project type explanation form

This form expands on the Statutory or Regulatory Authority form. Enter more information about how the project will provide environmental benefits for public land and water resources, is supported by other stakeholders, has other financial support, addresses water quality issues, and shows readiness to proceed. If the project is receiving additional financial or in-kind support from key partners, we highly recommend uploading letters from them describing what

³⁹ http://apps.leg.wa.gov/rcw/default.aspx?cite=90.48.400

⁴⁰ http://apps.leg.wa.gov/rcw/default.aspx?cite=90.48.390

the support is and how it will increase the success of the project. We also recommend uploading project support letters from key stakeholders.

10. Budget Task Cost

Provide a budget for your project proposal. While there is no maximum allowable request, to maximize available funding Spills CPF grant awards are usually up to \$50,000, including indirect rate.

The online application provides the budget tables. The budget by task table and the Total Eligible Cost column will be pre-populated based on the costs you provided when entering the SOW information.

To evaluate your project budget, please break down each task by element:

- Salaries: Wages for jurisdiction staff working on the project.
- **Benefits**: Costs employers incur for providing benefits beyond salary or wages.
- Contracts: (aka Contracted Services) amount budgeted for contractual work.
- **Travel**: Include method used to calculate travel costs (e.g., mileage rate, estimated miles traveled) at state rate.
- Goods/services: Supplies and other material costs that are not equipment.
- **Overhead/indirect**: The Recipient may charge an indirect rate of up to 30 percent of salaries and benefits to cover overhead / indirect costs.

Task Title	Total Eligible Cost	*Total Project Cost	
Total	\$0	\$0	
By Element			
Element		*Total Eligible Cost	*Total Project Cost
Salaries			
Benefits			
Salaries and	Benefits Combined		
Contracts			
Travel			
Equipment			
Goods/servic	es		
Overhead			
Total		\$0	\$0

Figure 2. Screenshot of Budget task and element breakdown

In addition to completing the Budget by Element table, please upload any supporting documentation for your budget. This includes price lists, contractor quotes, bids, or any other cost estimate documents that can be used to verify the requested budget.

11. Uploads form

During the application process, do not upload relevant application information to this form but rather upload it to the Project Type Explanation form. Or, if it pertains to the budget, upload it to the Budget Task Cost form.

To make it easier for evaluators to review uploads, please combine similar documents into one single PDF, such as maps or letters of support. Also, please upload documents only once in the application, not on multiple pages. Last, please do not upload large documents that are already available online, such as watershed plans or research papers. Just provide a web link and the document page number that is relevant to your project.

If the project is chosen for funding, the Uploads form will be where project deliverables will be uploaded and housed during the lifecycle of the grant.

Appendix B. Landowner Agreements

The recipient must obtain a landowner agreement signed by the landowner prior to planning and installing a Best Management Practice (BMP) on private or public property. Contact the regional Ecology Project Manager for a template for this agreement. The recipient must send the agreement or easement to the Project Manager. The landowner agreement must include, but not be limited to:

- A minimum 10-year maintenance agreement that is transferrable with the ownership, rental, and leasing of the land. Agreements shall not contain provisions for termination of the agreement at any time.
- Allowance of inspection of the project area by the Recipient and by Ecology staff with prior notification.
- A written and signed maintenance plan that covers establishment and long-term maintenance of the BMP(s). This plan will detail responsibilities for both the landowner and the recipient and must include details concerning, but not limited to, watering plants, maintaining a reasonable level of plant survivability, replacing dead plants, controlling noxious weeds, and repairing and maintaining exclusion fencing, off-stream watering provisions, or other eligible BMPs. This maintenance plan is generally the responsibility of the recipient unless otherwise written in the landowner agreement.
- When projects include irrigation or off-stream watering installation, agreements must include provisions to ensure that water sources are from a legal source. If you are unsure if there is an available source of legal water, or think you may need a temporary water right for irrigation, please contact the Project Manager or the Water Resources Program.

Appendix C. Riparian Restoration and Planting

The following are requirements for implementing a riparian restoration or riparian planting project.

Riparian plantings

- The Recipient must develop site-specific plans for all riparian buffers prior to implementation, which include plant locations and species. The plan must include an assessment of native plant associations and community types. Please discuss with your Ecology Project Manager their expectations for this plan. This plan must be approved prior to plant installation.
- The Recipient must only plant species that are riparian in nature and indigenous to the primary watershed where the project is.
- The Recipient must use, to the greatest extent possible, genetically appropriate plant materials collected from the primary or secondary watershed where the project is.

Streambank protection

- Streambank protection projects must not stand alone, but be part of a larger riparian buffer or stream restoration project. The project must meet the riparian planting requirements listed above whether fully or partially funded by the grant. Streambank protection projects primarily intended for structure or property protection are not eligible.
- Rock or concrete may not be used to fully armor a bank against the erosive forces of a stream, river, or marine waters. In any situation where rock is to be used, the recipient must submit the design to Ecology's Project Manager for an evaluation.
- Streambank protection designs must be consistent with the Aquatic Habitat Guidelines Program's, Integrated Streambank Protection Guidelines; see http://wdfw.wa.gov/publications/00046/41.

Exclusion fencing

- If livestock are present, exclusion fencing must be installed to protect installed riparian plants or existing riparian buffer. Exclusion fencing may also be necessary where heavy browse by native ungulates is present.
- Exclusion fencing designs must meet Natural Resources Conservation Service (NRCS) specifications⁴² or other acceptable design. The Ecology Project Manager must be review and approve the fence design prior to installation.

⁴¹ http://wdfw.wa.gov/publications/00046/

⁴² To find NRCS specifications for exclusion fencing designs, go to https://efotg.sc.egov.usda.gov/#/details search Washington State, Section IV, Old Section IV, Washington Conservation Practices, Fence.

Appendix D. Grant Tips and Resources

Tips

A few tips for managing a grant agreement successfully include:

- Review Ecology's Terms and Conditions of the grant agreement before you begin applying for the grant. This includes the Special Terms and Conditions. For a summary of these conditions, see Chapter 6, above.
- Add deadlines and important dates to your calendar.
- Communicate proactively with your Ecology Project and Financial Managers when deviating from a task budget or if you need to change deliverable due dates. Effective communication will lead to successful management of your grant agreement.
- If contracting for third-party services, follow the same scope of work and applicable budget and tasks for these as seen in the Ecology agreement.
- Review tutorials and trainings for preparing payment requests, progress reports and closeout reports.

Resources

- Spills Coastal Protection Fund (CPF) Grants Webpage⁴³
- Administrative Requirements for Recipients of Ecology Grants & Loans (2017 Yellow Book). 44 The Yellow Book establishes the administrative requirements for Recipients of all Ecology grants and loans. Topics include financial management, expenditure and income reporting, contracting, and record retention.
- EAGL External Users' Manual 45 for general EAGL guidance.
- <u>Ecology's Grants and Loans Resources Webpage</u>⁴⁶ for general Ecology grant and loans guidance, including EAGL training tools and resources.
- Environmental Data. If grant and loan projects involve collecting and monitoring environmental data, Recipients may be required to create QAPPs and enter information in the 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 environmental data, Recipients are required to create QAPPs per Ecology's standards. See <u>Ecology's QAPP guidance</u>⁴⁷ for grantees website for more information.

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⁴³ https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Coastal-protection-fund

⁴⁴ https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.html

⁴⁵ https://apps.ecology.wa.gov/publications/SummaryPages/1701015.html

⁴⁶ https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Grant-loan-guidance

 $^{^{47}\,}https://ecology.wa.gov/About-us/How-we-operate/Scientific-services/Quality-assurance/Quality-assurance-for-NEP-grantees$



⁴⁸ https://ecology.wa.gov/Research-Data/Data-resources/Environmental-Information-Management-database