



Non-Shellfish Programmatic Guidelines

Program Background:

The appropriation is provided solely for grants to complete natural resource enhancement projects necessary to improve water quality in non-shellfish growing areas (definition from budget proviso language).

Definitions:

- **Capital Project**—A capital project is a project to construct either new facilities or make significant, long-term renewal improvements to existing facilities. A capital project usually has the length of time of an NRCS BMP practice life and typically requires the involvement of an architect and/or engineer. Grants made by the state to fund capital projects for other entities are also included in the capital budget.

Capital projects are usually funded by sources specifically set aside for capital purposes, such as proceeds of bond sales, long-term financing contracts, and other dedicated revenues.¹ Projects are typically on-the-ground projects and technical assistance activities limited to those that support projects or will lead to capital funded projects.

- **Water Quality**- The objective of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (CWA), is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands.²

It is the policy of the state to “exercise its powers...to retain and secure high quality for all waters of the state.” RCW 90.48.010 Also, it’s the policy of the state “to maintain the highest possible standards to insure the purity of all waters of the state...and to require the use of all known available and reasonable methods...to prevent and control the pollution of the waters of the state of Washington”. RCW 90.48.010

"Water pollution" is defined as “...contamination, or other alteration of the physical, chemical, or biological properties of any waters of the state...or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.”

¹ Office of Financial Management Budget Division 2015-25 Capital Budget Instructions June 2014, OFM Directive 14B-02.

² U.S. EPA Clean Water Act (CWA) Agriculture, <http://www.epa.gov/oecaagct/lcwa.html>

“Water pollution control activities” is defined as “...actions taken...for the following purposes: (a) To prevent or mitigate pollution of underground water; (b) to control nonpoint sources of water pollution; (c) to restore the water quality of freshwater lakes; and (d) to maintain or improve water quality through the use of water pollution control facilities or other means.” RCW 70.146.020

- **Project**-- A temporary endeavor undertaken to create a unique product, service or result by a landowner.³
- **Practice**—approved practice per current NRCS BMP FOTGs.

Program Rules:

- All proposed projects must be input into the CPDS system.
- Cost share awards are allocated based on amount requested in the CPDS system.
- Based off of the cost share award per project, an additional 25% will be awarded to include the costs of technical assistance, engineering, travel and overhead.
- Cultural resource costs are awarded on a case by case basis in addition to cost share funding.
- Ineligible costs:
 - Goods and services
 - Education and outreach
- Significant movement on the project must begin within 120 days of the funding allocation.

Cost Share Policy:

- Maximum cost share **per** land owner **per** fiscal year is \$50,000.
- All BMP practices must meet NRCS standards and specifications or alternative practice designs approved by a professional engineer licensed by the State of Washington. Emphasis will be placed on BMPs involving structures and facilities, including bioengineering practices. Practices must be in compliance with cost share policies and the management practice implementation guidance policy adopted by the Conservation Commission in 2013 (*13-05 Cost Share Assistance Policy, March 21, 2013*).

Funding Criteria:

Required:

- All proposed projects must be in the CPDS.
- Project must have a detailed project description unique to each project (see example descriptions below).
- Map of projects previously funded and projects needing funding. (Upload maps into the CPDS under the documents tab.)

³ 2013 Project Management Institute. *A Guide to the Project Management Body of Knowledge (PMBOK © Guide) – Fifth Edition*

- All projects must comply with the WSCC cultural resources policy. A cultural resources review begins only after the final design is complete to expedite the process. Please plan ahead to ensure enough time is permitted prior to implementation, which could be 45 days or more. Cultural resources review is required by the Governor’s Executive Order 05-05 for all projects using both state operating and capital funding provided by WSCC.
 - Please refer to the WSCC Cultural Resource Policy: <http://scc.wa.gov/wp-content/uploads/2015/07/15-02-Cultural-Resources-Policy.pdf.pdf>
 - DAHP has provided WSCC with a list of practices that are exempted from the requirements within the WSCC cultural resources policy.
 - The list can be viewed at: <http://scc.wa.gov/wp-content/uploads/2015/08/DAHP-Approved-WSCC-Exemption-List-Aug2015rev.pdf>
- Projects need to be ranked in the CPDS by priority at the practice level with the primary type chosen (see CPDS guide).
- Projects must be completed in the funding timeframe.
- The funding is granted on a biennium basis (July 1, 2015 - June 30, 2017) therefore, all projects must be completed by June 30, 2017.

NOTE: WSCC will hold back 25% of the total funding awarded to the Commission (\$1 million) for cultural resources, appeals to funding decisions, emergencies, and referrals.

Detailed Project Descriptions

Funded Project (Example)

ABC Farm is a 770 acre farm located in the upper Skokomish Valley near the confluence of the Northfork Skokomish and the main stem Skokomish Rivers. The Northfork Skokomish enters the property on the north property boundary and flows south, dividing the property in half and joins the main stem of the Skokomish River, which makes up the southern property boundary, near the southeast property boundary. The farm was recently purchased from the original owners who have farmed the property for the last decade primarily for hay production. The new landowners plan to develop the property as a self-sustaining organic farming community, selling a limited amount of home sites around the perimeter of the farm and preserving the majority of the rich agricultural land for organic vegetable, berry, fruit crop and hay production. In addition to these crops, the landowners plan to raise free range chickens and grass fed organic sheep and beef cattle. They have recently purchased a starter herd of 14 beef cattle which they plan to use for breeding stock to eventually increase the herd to 100 or more.

The landowners want to address water quality concerns with the implementation of a more effective manure management program. At the present time, the farm has 22 beef cattle spring and summer grazing on approximately 100 acres of pasture located on the east side of the Northfork. During the late fall, winter and early spring months, the livestock will be fed hay from the barn. As manure accumulates during the rainy months when the manure cannot be spread on the fields, it will have the potential to contaminate surface and groundwater resources. To address the problem, the landowners would like to construct a waste composting facility. Implementation of this practice will improve and protect water quality by providing a means of storing and composting manure which has the potential to contaminate surface and groundwater resources. In

addition, it will provide the farming operation with a high value organic soil amendment for use on the crop, pasture and hay fields.

The Skokomish River has a history of having problems with fecal coli form contamination that sometimes results in shellfish closures in the Hood Canal. This project will help reduce the risk of shellfish contamination by eliminating a potentially substantial source of fecal coli form to the system.

Unfunded Project (Example)

Project will implement practices that will improve water quality in a stream by reducing the amount of chemicals that can enter the stream.

**Frequently asked question:

Why do we need to describe the project with so much detail?

Answer: The Commission will need to write a detailed, narrative report for the Legislature and other interested entities on how this funding was spent and what was the benefit to natural resources, nutrient and pathogen pollution and any other resource concern. The Commission will also need to explain how these funded projects measurably improve water quality; natural resource needs overall, and partnerships with other entities to make significant measurable improvements to these resource concerns. We must report how the funding impacted the watershed, or what water bodies were improved. The number of new BMPs installed and what benefit did they bring to the problem of a local county partnership, Ecology's 303(d) listed water bodies or a county or local issue.

If you were to read the examples above, which one would you be able to "tell the best story with?"

Recommended:

- Conservation Districts are encouraged to cluster projects together
 - This unique targeted approach of clustering projects with multiple landowners in one geographic area allows for more effective and efficient use of capital funding targeting focused geographic areas for measurable resource improvement.
- Conservation Districts are encouraged to prioritize projects implemented in areas with identified pollution inputs with particular focus on areas with 303(d) listings, projects implementing an Ecology TMDL implementation plan, and project implementing a local resource plan.
- Conservation Districts are encouraged to prioritize projects connected to the conservation district's annual or long-range plan.

Funding Process:

- A report will be pulled from the CPDS of prioritized projects on July 1, 2015.

- Projects will be reviewed and selection will be based on priority and meeting requirements as listed in this guidance document.
- Conservation Districts will be awarded funding based on projects prioritized in the CPDS up to \$150,000 maximum per district. If any funding is remaining after the initial allocation, funding for other projects will be on a project by project basis.
- Districts will be informed whether funding has been approved or not.
- Projects must go through the district's Regional Manager for possible approval of swapping of projects once funding has been awarded to a district for a project. Other districts may be able to use the funding resources, allowing more projects to be implemented.
- Supervisors, Associate Supervisors and employees of a district who are applying for cost share will need to fill out a fillable form to supply more information regarding their cost share request.

The following questions are examples of the questions that will need to be answered:

- *How long have you been a Supervisor, Associate Supervisor or employee of the district?*
- *How much SCC cost share funding have you received in the previous biennium?*
- *How much more cost share is needed to complete your plan?*
- *Once these types of questions have been answered an SCC Commission Sub-committee would do a Secondary Review.*

Secondary Review from SCC Commission Subcommittee:

- A secondary review would come into play if a conservation district, SCC employee or a situation occurred where the project doesn't fall within the Non-Shellfish Guidelines listed here.
- The Secondary Review Subcommittee will be determined by the Conservation Commissioners. It would include Conservation Commissioners and SCC employee(s).

****NOTE: Periodic reports of Supervisors and Associate Supervisors receiving cost share funding will be given to the Conservation Commissioners.*

CPDS and Cost Share Requirements:

- All projects must be entered into the CPDS system
 - Only input the **cost share amount needed** from the SCC for the project
- Cost share contracts must be printed from the CPDS system

- “Before” pictures are required for each practice
- “Planned” implementation measures are required for each practice
- For project input instructions, please refer to:
 - The CPDS one page fact sheet at http://scc.wa.gov/wp-content/uploads/2015/09/CPDS-One-Pager_092215.pdf
 - The project must have a prioritization number at the practice level and a primary category type selected under the Details Tab.

Vouchering Process:

- Monthly grant vouchers are required.
 - Once projects are completed, the following fields need to be updated in the CPDS system prior to reimbursement
 - “After” pictures are required for each practice
 - “Actual” implementation measures are required for each practice
 - “Actual” amount of project is required
 - Completion date of project is required
 - All cultural resources documentation needs to be uploaded per landowner
 - The GEO 05-05 Complied Statement form needs to be submitted when requesting cost share reimbursement.
 - The form can be found here: <http://scc.wa.gov/cultural-resources-2/>
- Refer to the Grants and Procedures Manual for more detailed information about vouchering <http://scc.wa.gov/grants-and-finance/gp-manuals/>