



Lower Columbia Fish Recovery Board  
Clark County Clean Water Restoration Fund

Program Guide

AUGUST 2019



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## OVERVIEW

The Clark County Clean Water Restoration Fund (CCCWRF) grant program is conducted pursuant to a negotiated settlement and consent decree in the case of the Rosemere Neighborhood Association et al versus Clark County. The intent of the program is to fund projects that address water quality problems and habitat degradation associated with stormwater runoff. The Lower Columbia Fish Recovery Board (LCFRB) will solicit and evaluate proposals and award and administer the program's grants. Projects funded through this program must occur in those parts of Water Resources Inventory Area (WRIA) 28 within Clark County, and the Gee Creek watershed. This area includes but is not limited to:

- Gee Creek
- Lake River/Vancouver Lake
- Salmon Creek
- Burnt Bridge Creek
- Lacamas Creek
- Little Washougal
- Washougal River within Clark County
- Gibbons Creek within Clark County

A project area map is provided as Appendix A.

## PROGRAM GOAL/OBJECTIVES<sup>1</sup>

The goal of this program is to reduce or prevent degradation caused by stormwater runoff, through funding enhancement and habitat improvement projects.

The program's objectives are to:

- Restore sustainable natural watershed processes that will reduce the impact of stormwater on water quality and aquatic habitats;
- Promote community awareness of stormwater impacts and participation in efforts to reduce those impacts; and
- Encourage partnerships that will leverage available resources and broaden efforts to address stormwater impacts and management in Clark County.
- Further the implementation of regional stormwater, watershed, salmon recovery and Total Maximum Daily Load (TMDL) implementation plans.

## PROGRAM FUNDING

The funding for this grant program is provided by Clark County pursuant a consent decree in the case of the Rosemere Neighborhood Association et al versus Clark County and is administered by the LCFRB. A total of \$2.85 million will be made available for projects between 2016 and 2020 through annual payments of \$500,000. The LCFRB will determine the amount available for each grant round based on the available fund balance.

## GRANT AWARD

The LCFRB will award funds and contract with sponsors on a reimbursable basis. The minimum grant award is \$10,000. The maximum grant award is \$150,000.

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<sup>1</sup> Reference Consent Decree from Rosemere Neighborhood Assoc., et.al. v. Clark County, Case No. 3:11-cv-05213-RBL

## MATCH

Match is not required, however project sponsors are encouraged to demonstrate local support in the form of cash, in-kind services, and/or materials.

## CONTRACT PERIOD

Project contracts will be for a period of performance of up to three years. When warranted, contract extensions will be considered on a case-by-case basis for the period of performance not to exceed five years.

## ELIGIBILITY REQUIREMENTS

1. Project must demonstrate a clear connection to stormwater impacts;
2. Project must be located within the specified geographic area;
3. Eligible applicants are cities, counties, special purpose districts, schools and non-profit (501(c)3) organizations;
4. Project can be part of a larger project or stand-alone;
5. A landowner must commit not to compromise the integrity of a restoration projects for a period of ten (10) years and is encouraged to voluntarily provide long term protection through perpetual conservation easements;
6. Landowner agreements permitting physical access to the site for 10 years are required.

## TYPES OF PROJECTS

Eligible types of projects include habitat restoration or supporting restoration design, outreach/education and stormwater infrastructure additions or improvements.

1. Restoration and stormwater infrastructure related projects should identify the target habitat area and water quality or quantity problem, and detail how the project will improve water quality or quantity. Approaches for addressing stormwater may include, but are not limited to:
  - Restoring natural surface or ground water flow processes;
  - Improving off-channel and side channel habitats;
  - Improving floodplain/wetland function and channel migration processes;
  - Improving riparian conditions and functions;
  - Improving water quality;
  - Increasing low flows or reducing abnormal high flows; and
  - Improving watershed conditions and hillslope processes, including forest restoration.
2. Education and outreach projects must target communication toward the reduction of stormwater impacts. Outreach and education activities include:
  - Info-graphic development and distribution such as mailings, posters and brochures;
  - Public forums and student/volunteer activities that promote improving water quality.

All projects should identify the water quality/quantity issue, and how the project will reduce the target stormwater issue either directly, or through influencing changes in specific behavior. The target

audience for outreach/education projects and the target restoration or facility aspects should be identified based on stormwater needs, not opportunistic outreach. The project must include clearly written methods, including an analysis of measurable outcomes.

#### INELIGIBLE PROJECT ELEMENTS

Ineligible project activities include the following:

1. Property acquisition;
2. Leasing land;
3. Lobbying or legislative activities;
4. Design-only;
5. Nutrient enhancement and instream log placements elements, except as an element of a larger restoration project where other source funds pay for these elements; and
6. Funds may not be used to satisfy any outstanding mitigation obligation or legal requirement.

#### PROJECT EVALUATION CRITERIA

Proposals will be evaluated and scored based on criteria and points in the 2019 Project Application Evaluation Questions, which are attached as Appendix C.

### APPLYING FOR A GRANT

#### GRANT SCHEDULE

The grant round schedule will vary from year to year, and will be posted on the [LCFRB website](#).

#### CALL FOR PROJECTS

The Lower Columbia Fish Recovery Board will announce a call for projects proposals by:

- Advising past project sponsors by electronic means (e-mail);
- Advising interested parties on the Board's general information email list; and
- Posting a notice and pertinent application information and forms on the LCFRB's website.

#### SPONSORS' WORKSHOP AND MEETINGS WITH STAFF

LCFRB staff will conduct a workshop early in the grant round or before the grant round opens, to explain the application process and requirements, highlight changes in the process from previous years, answer process-related questions, and familiarize applicants with LCFRB project tracking criteria. Prospective applicants may also meet with LCFRB staff before applications are due to discuss their project ideas.

#### APPLICATION REQUIREMENTS

Applicants must submit all required application materials to Denise Smee at [dsmee@lcfrib.gen.wa.us](mailto:dsmee@lcfrib.gen.wa.us) by 12:00 PM PST on the due date posted in the grant round schedule. LCFRB staff are available to review draft applications prior to submission to ensure that they are complete and ready for evaluation. If an

applicant wishes to have materials reviewed for completeness, they must submit materials and notify LCFRB staff at least one week in advance of the grant application deadline. Staff will advise the applicant of any deficiencies prior to the submission deadline.

**REQUIRED** application materials include the following and must be submitted by the deadline:

- A complete, filled-out LCFRB project tracking spreadsheet
- Application narrative and answers to supplemental questions
- Project area map
- LCFRB detailed budget spreadsheet
- Signed and dated partner contribution forms (*if applicable*)
- *For restoration and stormwater facility proposals only*, sponsors must provide current signed and dated Landowner Acknowledgement forms for all affected landowners that are not the sponsoring organization
- *For restoration and stormwater facility proposals only*, project design drawings (plan view, profile and cross-section, as applicable) or other supporting information
- *For projects on Washington Department of Natural Resources (WDNR) owned lands*, a DNR authorization form

Additional application materials can be attached and will not add to the page maximum for the application. These may include but are not limited to:

- Similar site or potential project photos (maximum of 6)
- Examples of similar or draft outreach or education materials
- Site plan map
- Partner letters of support

## **APPLICATION REVIEW PROCESS**

### **REVIEW COMMITTEE**

The LCFRB shall appoint, at a minimum, a 5-member Review Committee consisting of one or more representatives from the National Pollutant Discharge Elimination System (NPDES) municipal stormwater permittees outside the specified geographic area for the program, Washington Department of Fish and Wildlife, Washington Department Ecology, and/or others with a background and knowledge of the program area and stormwater issues.

Members of the Review Committee will adhere to the LCFRB Technical Advisory Committee conflict of interest policies as stated in the Board bylaws.

The LCFRB will provide administrative support to the Review Committee and act as facilitator during meetings. The LCFRB staff will compile the recommendations of the Review Committee for final review and approval by the LCFR Board.

#### STAFF AND REVIEW COMMITTEE APPLICATION REVIEW

Staff will distribute application packages to the Review Committee prior to the review meeting. LCFRB staff and Review Committee members will then meet to review the applications and provide feedback. Feedback will be provided to each applicant on their own projects at least a week in advance of the Scoring meeting.

#### APPLICATION PRESENTATIONS AND SCORING

There will be a project presentation and Review Committee scoring meeting. Applicants will be provided 20 minutes to provide the Review Committee a project presentation, and the committee will then have 10 minutes to ask the applicant questions, and 10 minutes to score the application. The applicant may also be asked to answer questions during the Review Committee's funding recommendation deliberations that take place after the applicant presentations.

The Review Committee shall review and score each project application, after all the applicants have presented and answered any committee questions. Each committee member will be provided with the application, staff comments, and a scoring worksheet, using the CCCWRF Project Evaluation Criteria. A majority of the Review Committee is required to be present to review and rank the proposals. To ensure statistical parity among projects, each member must score all applications, unless they are excused based on conflict of interest policies. If a Review Committee member is unable to attend, s/he may submit their scores in advance of the meeting for consideration by the other Review Committee members. However, their scores will not be used in calculating a project's total score and ranking except to break a tie between applications.

Each participating Review Committee member will evaluate and score all project proposals and will document his/her rationale for scoring for each project. A draft ranked project list will be prepared by compiling the individual member scores. The draft list will then be reviewed collectively by the Review Committee and a final recommended ranked project list will be approved by consensus (as described in Appendix B) of the scoring committee members. The committee shall document its scoring of each project and its ranking of projects. This documentation shall be based on the CCCWRF Evaluation Criteria and any supporting technical information and conclusions.

#### RECOMMENDED RANKED PROJECT LIST

Once the Review Committee completes its review and scoring, the recommended ranked list and deliberation documentation will be forwarded to the LCFR Board. The Review Committee may also recommend conditions for approval of a project if it deems necessary and appropriate. The proposed list, documentation, and any proposed conditions shall be available to the public at least seven days in advance of the LCFRB meeting.

## LCFRB REVIEW AND APPROVAL

The LCFRB shall consider the ranked project list, staff's report, and the Review Committee's recommendations. The LCFRB may consider additional factors such as community support, economic impacts, and social and cultural issues. The LCFRB may approve or modify the ranked list. The LCFRB will document in writing the rationale for any changes it makes to the ranked project list prepared by the Review Committee.

## PUBLIC COMMENTS

The LCFRB and Review Committee shall consider comments from the public in reviewing, evaluating and ranking applications. Comments may be made in writing or orally at the Review Committee or LCFRB meetings during which project proposals are being considered. Written comments submitted to staff in advance of such meetings shall be provided to the Review Committee and/or LCFRB for consideration. Depending on how many persons wish to speak, the Review Committee facilitator or Chairman of LCFRB, as applicable, may limit the time permitted to each speaker.

## NOTIFICATION OF FUNDING DECISIONS

Projects receiving awards shall be notified via email to the primary sponsor and will be posted on the LCFRB website. Projects identified as alternates may receive funding up to one year after the LCFRB grant award meeting in the event a funded project fails to enter into contract.

## PROJECT IMPLEMENTATION

### CONDUCT OF PROJECT SPONSORS

It is the sponsor's responsibility to successfully complete the project and to comply with the requirements of the project agreement or grant. The LCFRB is committed to working with project sponsors and their partners to successfully complete funded projects. The LCFRB will assist sponsors in dealing with administrative and technical issues that may arise in completing a project.

All sponsors implementing projects in the region shall conduct themselves in a responsible manner and make every effort to avoid any negligent, harmful or damaging activities. Sponsors are reminded that the acceptance of CCCWRF funding requires strict compliance with contracting rules and applicable laws.

### TECHNICAL AND ADMINISTRATIVE ASSISTANCE

While it is the responsibility of the sponsor to successfully complete the project and to comply with the requirements of the project agreement or grant, the LCFRB will, when requested, work with project sponsors and appropriate agencies to resolve technical, permitting, and administrative issues in a timely manner. Project sponsors may request staff assistance at any time.

### PROJECT AGREEMENT AND GRANT ADMINISTRATION

Successful applicants enter into grant agreements with the LCFRB. Grant awards must be placed under contract within 90 days of the award. Specific requirements for reimbursement and progress reporting

will be included in the grant agreement. Sponsors will be required to provide a presentation to the LCFRB when the project is completed, and a report on project results.

#### AMENDMENTS

Amendments for changes in the scope of work, budget, or sponsor must be approved by the LCFRB. Amendments for a change in schedule or milestones will be reviewed by LCFRB staff to determine the nature and risk associated with project delays. An amendment requesting a change in schedule, deliverables or milestones may be referred to the Review Committee for consideration and LCFRB for approval if LCFRB staff concludes that the requested change could place successful completion of the project at risk. The revisions will be considered based on the approved scoring criteria and risks to associated delays and will submit recommendations to the LCFRB for consideration, if needed. Out of scope work is at risk of not being endorsed or funded.

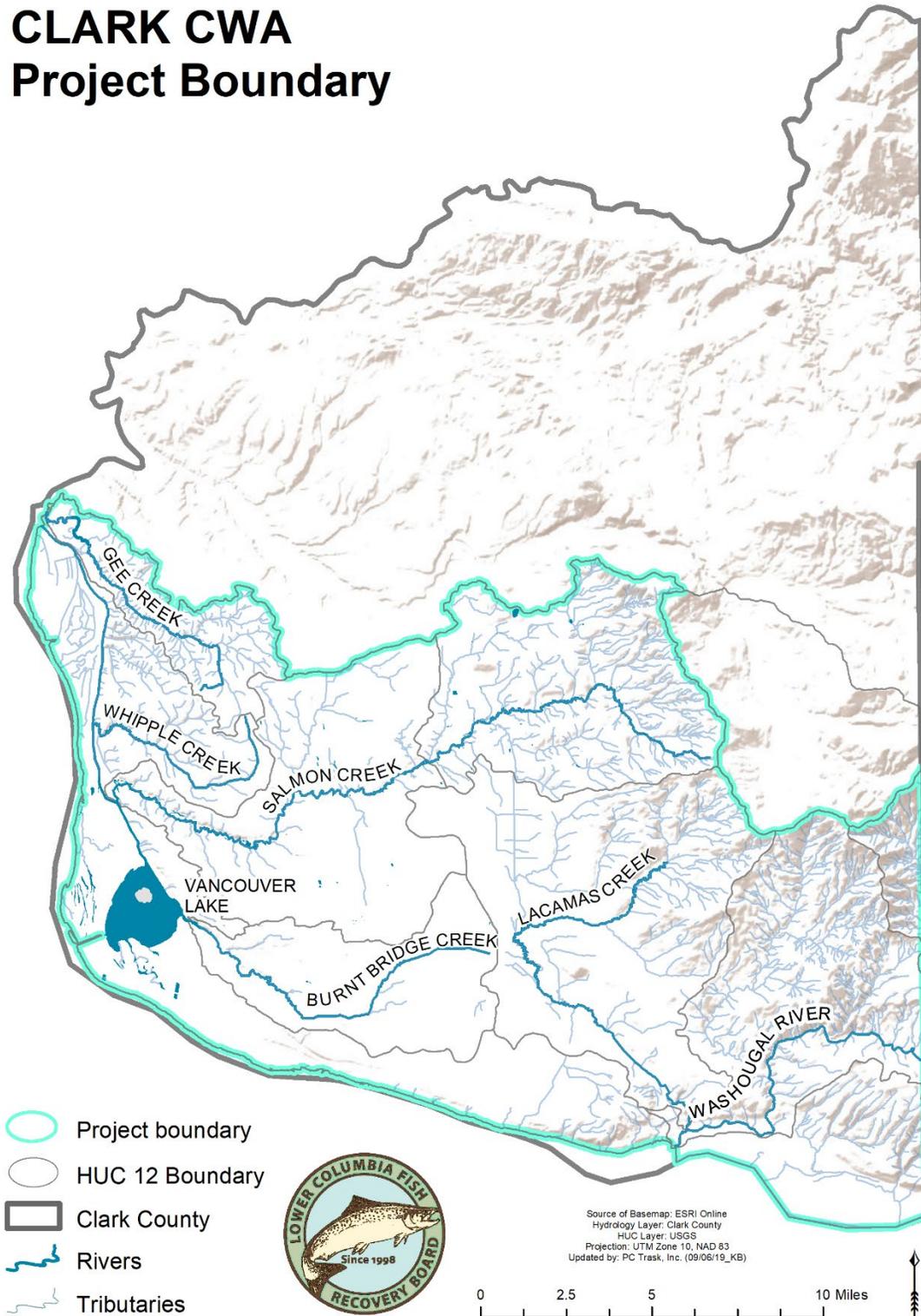
#### RESPONSIBILITY FOR PROJECT

While the LCFRB works to assist sponsors with their project by providing guidance and technical support, the project itself remains the sole responsibility of the sponsor. The LCFRB undertakes no responsibilities to the sponsor other than as is expressly stated in the grant. The responsibility for the implementation of the project is solely that of the sponsor, as is the responsibility for any claim or suit of any nature by any third party related in any way to the project. It is the responsibility of the sponsor to notify the LCFRB when a project is not completed as reviewed by the LCFRB. It is the responsibility of the sponsor to comply with the terms and conditions set forth in the grant agreement.

#### MONITORING

The project sponsor is responsible for monitoring activities that are called for in their grant contract. LCFRB staff is available to assist sponsors in conducting such evaluations. The sponsor shall provide the LCFRB with an assessment of the project's results and its effectiveness. The sponsor may also provide recommendations to improve the implementation of future projects.

# CLARK CWA Project Boundary



APPENDIX B: DEFINITION OF CONSENSUS FOR LCFRB REVIEW COMMITTEE

Consensus is defined in terms of agreement along a continuum. Team Members may register the degree of their agreement within any of the first six columns:

Endorse	Endorse with a minor point of contention	Agree with reservation	Abstain	Stand aside	Formal disagreement but will go with the majority	Block
"I like it"	"Basically I like it"	"I can live with it"	"I have no opinion"	"I don't like it but I don't want to hold up the group"	"I want my disagreement noted in writing but I'll support the decision"	"I veto this proposal"

(Adapted from: *Facilitator's Guide to Participatory Decision-Making*, 1996)

The last (shaded) column on the right side of the continuum is *not* considered acceptable for consensus in this process.