

PUGET SOUND WATERSHED MANAGEMENT ASSISTANCE GRANTS

EPA PUBLIC WORKSHOP

November 16, 2009

Objectives

- Present the Highlights of the Request for Proposals (RFP).
- Presentations from the Puget Sound Partnership and the Department of Ecology.
- Questions and Answers.

Highlights of the RFP from EPA, Krista Mendelman: See Power Point Presentation and Speaker Notes

Presentation from Puget Sound Partnership, Joe Ryan

I just want to say a few words on behalf of the Puget Sound Partnership. We are very interested in implementing the Action Agenda for Puget Sound, which has been approved by EPA under the National Estuary Program as the plan for restoring Puget Sound. If you look at Pages 84 forward in the Action Agenda, you will see the answer to the question "Where should we start to restore Puget Sound?" And if you look at Pages 88 to 92, you will see our ranked near-term priorities for protecting, restoring, and reducing pollution.

If you look at pages 140 to 182, you will see the profiles for each action area. Each of those profiles includes a table that includes actions that need to happen in each action area. From the perspective of the Puget Sound Partnership, we are very eager to see proposals that will implement the Action Agenda. An example would be participation in the watershed characterization studies that Stephen is going to talk about, local government participation or tribal participation in those. If you look at Page 88 of the Action Agenda, the top priority for protection of habitat and for protecting Puget Sound are the watershed characterizations, and Stephen will talk about those.

Another example are pollution identification and correction projects, such as they're doing in Kitsap County for water quality to protect public health, to protect shellfish resources, and to have an interagency approach within the county in cooperation with the state to protect water quality, surface water quality and protect shellfish beds. It's been very effective in Kitsap County in terms of reopening shellfish beds.

Finally, there's a lot of activity going on right now in the Shoreline Master Program updates. Ecology from the Washington State legislature is putting a lot of resources, and there's this no-net-loss provision in our Shoreline Master Program update regulations in our state. There are programs that could enhance the effectiveness of local governments to

achieve no net loss of shoreline functions would be supported by Page 88 to 89 of the Action Agenda.

We have very strong applicants, from the perspective of the Partnership. All that being said, look at the RFP. That's what we're following. EPA has done a wonderful job with that RFP.

A little bit about the role of Puget Sound Partnership in this process. We are very interested and very eager to be supportive of all of you, who are participating, and we have ecosystem recovery coordinators in each geography of Puget Sound, and there's a list of them at the end of Krista's power point. It's on our website and we have most of them in the room here. We will not be endorsing specific proposals. We will not be writing proposals. We will not be scoring proposals. We're more in the nature of a group of people who are very active and interested, and maybe we can refer you to the right person in EPA to talk to, or maybe we've heard the question four times and we actually know the answer, so we will do our very best to help all of you write these proposals; in particular, those that implement the Action Agenda, which is also on our website.

To the extent that time is available and to the extent that the proposals are high priorities in the Action Agenda, a partnership staff may on a case-by-case basis be available to kind of review and help tie something to the Action Agenda.

Presentation from Washington Department of Ecology, Stephen Stanley:

See Power Point Presentation and Speaker Notes

EPA comments after Stephen's Presentation:

Stephen is speaking about this ongoing effort because EPA wants to be able to make you aware of it. Your proposal does not have to build on any of the work that Stephen presented. There are lots of things that need to be done out there. If this kind of information would help you get started in your local jurisdiction to develop a plan that's really going to integrate your land use with what you know about your watershed, we encourage you to talk with Stephen. We would hope that you would use the work comes out of this effort that the Partnership and Ecology. They are going to be producing maps. Then what does everybody do with those maps? Well, there's not a lot of funding out there to take the maps and make them a reality, to develop the tools necessary to make them a reality.

One of the opportunities that you have with this funding is to be able to put together a package that would be able to take the characterization work, take those maps, take some of the prescribed solutions, and/or work with Stephen in Ecology and their group to take it one step further at a smaller scale, a scale that's useful to your jurisdiction, use your information as well to refine the characterization, and then be able to try out a course for the next four years on how you could start putting together tools that would help make the map a reality. Maybe it's a transfer of development rights, a low-impact development program with incentives, ordinances development that emphasize cluster development so that you're moving development around in your watershed.

We do not require that you take on this characterization effort, but it is certainly an opportunity, and we encourage you to, if it's something that will be useful to you.

Stephen Stanley - follow up comment:

You can mix and match. One of the things that is an advantage with this characterization, we are developing a complete delineated framework which is of a much finer scale for the hydrologic units Sound-wide. So you saw part of that, but this comes actually from the tribal groups that put this together. It's based on SHEAP, it's gradient confinement, so it's already process based. So that saves a lot of time in terms of having to create analysis areas. The other thing I mentioned is that we're really encouraging you to submit projects which go across the SMA, GMA boundary, so you're looking at upland areas. Any of you involved in SMA planning know how frustrating that is, especially when it directs you to do a characterization but you have no control over those upland areas that are truly affecting your shoreline. You can get at that rub, which has been plaguing us in this state for the last 5 to 20 years were we have these strange decisions out there that try to say the CAO is not effective in the shoreline or it is. Let's see if we can come up with plans that actually address that on an effective and actual basis and implement it.

Questions and Answers

The following answers were given by EPA staff unless otherwise noted. Questions are grouped below in the following categories:

- Scope of RFP
- Watershed Characterization
- Watershed Definition
- Ranking Criteria and Review Process
- Partnerships
- Technical Proposals
- Match
- Eligible Applicants
- Schedule
- Project Start Date
- Appropriations Act

Scope of RFP

Q: In your introduction, you make reference to priority watersheds. Where is that defined, or how do we know if we're in a priority watershed or not? It's not in the Action Agenda, and it's not in your frequently answered questions, and it would suggest that that's a filter that would be applied initially, in which case if you're not in, it would put you at some disadvantage, and maybe it would be best if we knew that in advance so that we don't go through the effort.

A: We didn't define priority watersheds. We don't list priority watersheds is because of the multitude of things that we are allowing you to address, including nutrients, salmon issues, toxics, habitat. You make the case in your proposal for how the activities that you're addressing

and how those activities relate to your watershed and the importance of those activities to protecting and restoring your particular watershed. So we -- we're not pre-subscribing priority watersheds. It's a case-by-case basis.

A from Mr. Ryan, PSP: From the perspective of the Action Agenda, there are there are priority watersheds called out. The whole Puget Sound is a priority. The way I hear that term is that local communities will be setting priorities on a watershed. It could be a sub basin of a watershed that you're prioritizing yourselves.

Q: We look at the Action Agenda in our local plans, and there's nothing that calls out specifically a priority watershed in Whatcom, for example, though it does identify, for example, pathogens and nutrients. So it's a little tough when you say looking at priority watersheds, and there's no place to assign that with. You can look at the individual action plans or the various counties. And Whatcom, for example, doesn't identify any particular sub basin as a priority basin. They do talk about the pollutants that need to be addressed.

A: You are going need to articulate the importance of the resource in that particular watershed and the connection to addressing the pollutant or pollutants and how you will be effective in doing that.

Questioner: Then I cannot be concerned -- overly concerned with this identification of a priority watershed.

A: That's a good conclusion. Yes.

Q: It seems a little mixed up whether you're really looking for projects -- fresh water ecosystems that drain to Puget Sound or Puget Sound itself or either. Stephen Stanley's model as it stands is really about fresh water ecosystem health rather than Puget Sound itself as a marine water; whereas what the City was talking about was doing activities within their watersheds that are directly related to the Sound rather than the waterways draining to the Sound. Is there a particular target amongst those you're looking for, or just make your case again?

A: There's no target. Our fresh waters are important. Our estuarine waters are important for protection and restoration, so make your case and do your best to design the activities that you are presenting in your proposal as those activities that would see results in whatever target waters you are going to identify.

Q: If you have a construction component, is there any restriction to that, or an actual brick and mortar project that does fit within in the scope?

A: We are generally more interested in the earth and vegetation if they are implementation or restoration projects more than construction projects and it would have to be advanced in your progress in watershed.

Q: Could you please elaborate on what you mean between "implementation" versus "construction," since some of us view construction as implementation?

A: Our emphasis is not in building construction-oriented projects. Implementation, if it's a restoration project, if it's implementation of a low-impact development as a pilot, but we're not in the business of really constructing and using brick and mortar, not construction in terms of urbanization construction, armoring construction. Those types of projects just don't necessarily fit with the protection and restoration objectives. But where you can make that case, you're -- you're not limited, but you would have to make the case. For a stormwater management system, particularly if it's a large one, the place folks may want to go for funding is the state revolving fund because it has so much money, and it's eligible and they rank highly.

Watershed Characterization

Q: Earlier you talked about combining, you know, older models and newer models in terms of coming up with assessment plans, and I just want to get more detail on that, or just give me an example on that.

A from Mr. Stanley, Ecology: The models that we're using. The first model is the Department of Ecology's water flow assessment model. And there's a 2005 document guidance that I can send you, and there's also a newer version that actually has the scoring models in it that's being peer-reviewed right now, so I can send you that as well. So that's the water flow process. For the wildlife model, we can put you in contact with Tim Quinn if you need more information about those, but it's a Biodiversity Council's modeling effort that's taken place over the last two to three years, I believe. And that -- I won't go into the data sources because I'm not -- I know some of them, but I'm not fully familiar. The PSNERP's work, you're probably familiar with that, I think they've gone live. Haven't they produced that on the Web and it's available now? So we can send you a link to that. The water quality models, like I said in the presentation, they're currently being developed, so they're essentially the latest available models for dealing with stormwater.

Watershed Definition

Q: What's the definition of "watershed"?

A: If you look in the RFP, it has a section in there that says "watersheds defined" in Section 1. And we are not putting any scale size on your watershed. It's -- we ask you to choose the size of a watershed in which you will see results based on the activities that you choose to put in your proposal.

Ranking Criteria and Review Process

Q: Will cities or already urbanized areas will be scored or sort of receive fewer points, given that we are already in an impacted area in terms of our habitat here. Our proposal

that we're currently working on essentially would seek to reduce stormwater impacts to the Puget Sound by taking actions within the urbanized area. And I believe that in the last round, that was actually considered as sort of a strike against us. But our view is that this would be a very effective way to help to restore and protect the Puget Sound by taking action within a city.

A: The criteria are slanted toward protecting areas that are still intact, yes, that's true. There's a lot more money available this time, though, so we do encourage cities to put forward their proposals and their ideas and be able to articulate how that proposal or that idea is an important thing that needs to happen in Puget Sound. So, make your best case

Q: Are interviews part of the process or is it strictly based on the proposals?

A: EPA only looks at the proposals in the evaluation process. We do not conduct interviews.

Q: Could you describe your review process, how that's going to work? How you're going to involve teams? How you score and what is the framework of the review?

A: Section IV A of the request for proposals has review criteria that we will score you on. We have also described a process in there, in Section IV B, we discuss gathering reviewers from EPA, some potential reviewers outside of EPA, although that becomes a little bit difficult for us because of conflict of interest. The review team makes a recommendation based on scores and also a consensus-building process where we identify strengths and weaknesses of each one of the proposals and we make a recommendation to EPA management. There are two selection officials listed in this RFP. They make the final decision. There are a couple of other criteria that they can look at as well when they make the final decision.

Q: Are you going to involve the state? Are you going to involve PSP?

A: The Puget Sound Partnership will not be on the review committee because they are offering support to local governments. Washington Department of Ecology will not be on the review committee because they are also offering support to local governments, tribes and special purpose districts to put proposals together. It becomes tough to help put proposals together and also sit on a review committee.

Partnerships

Q: If we're planning to partner with someone else, is there anything different as a partner that we should be aware of in our section of the application that you would like us to know about?

A: We are only looking at a single applicant. And if they had partners, they would end up being subawardees. If you are a county, you would be the applicant, and say, the university (your partner) would be a named subawardee with a particular defined role. The federal requirements flow to that subawardee. For example, how they handle subawards and allowable costs. Those all flow-through.

Q: If an applicant is based in one area but they may be considering partnering with a subawardee from a different action area, does it decrease the strength of a project to be implemented in more than one action area?

A: No, we don't think so. Our ranking criteria don't say you have to choose your partners in a certain way. We would be looking to see that partners you have lined up and they are the partners that you need to be successful. You're going to speak to that and justify that in your proposal. So, if that partner is someplace else but it makes sense to be partnering with that person or that entity and you can explain that, then go ahead. We would think that the lead entity on the grant would need to be an entity that has the authority under law to act in that watershed and that can get to results.

Technical Proposals

Q: Specifically where do you want the technical components of the study proposal? Is that in the plan itself, the actual technical aspects of the proposal?

A: It needs to be in the 12 pages. We don't take attachments, so put the essentials. We do require -- if there's a study or monitoring, we require a quality assurance project plan. That's something that you might want to look at what the requirements are for that. A quality assurance project plan should not be submitted with the proposal. It's something that you can include in your grant package. In the proposal you should present it as a task to be paid for with the funding. It's really at that point in time where we will look at the real details of a technical proposal.

Match

Q: If a local jurisdiction has Centennial Clean Water funding or a state revolving fund grant, can they use that for match?

A: Centennial can be used for match because it's state money. The revolving fund money needs to be issued from repaid money to Ecology.

Q: Can one use the grant money to either to acquire resource lands or to use that kind of money for matching.

A: Yes.

Q: Can there be multiple sources of funding for any of these proposals? If they do get funding from EPA, can they have other sources of funding for the project as a total?

A: Yes.

Q: The RFP states that match requirements may be in the form of cash or in-kind. Is there any split that we have to hit on that? Can it be all one or the other?

A: All of the match that the applicant or the project sponsor provides can be in-kind or can be cash. There is not split that you need to have. It can be all of one or the other. You will just have to have some way of documenting the value of the in-kind.

Q: The RFP says federal grants may not be used for match, but are state grant funds allowed for match?

A: Yes, as long as they don't have a federal source. Like Section 319, Clean Water Act Funds, have a federal source but they come down through the state. Those would not be able to be used for match. If they are state origin funds, state-appropriated funds, they can be used as match.

Q: Would you clarify how the 67 percent match will be provided by the partnership in the form of in-kind state program investments not as cash funds to your project. Is this funding to the proposal? Is it just in-kind services?

A: It is not funding to your proposal. The Legislature for this biennium appropriated over \$400 million to the agencies in Washington state to implement the Action Agenda. The Partnership is going to pick from that 400 million and use it as match. The match will be in-kind, because it may not be anywhere in the watershed that you're working in, but it's being spent, and we're willing to count it.

Q: Is it part of actual services in lieu of actual funding?

A: No. It's more a match of convenient. You won't see that match. EPA will see it in the progress reports that we get from the State, but you won't see it. EPA felt it was too burdensome to ask local governments, tribes, and special purpose districts to put a one-to-one match, dollar-per-dollar on this funding, so the Puget Sound Partnership has been gracious enough to come forward and reduce your match burden, but you won't see it.

One thing EPA can do is that once a project has been selected, we have the ability to authorize preaward costs up to 90 days back from when we make the award, if that helps.

Q: When EPA is looking at the project budget, are you basically going to be accounting just for what is requested in grant funds plus the 33 percent match?

A: Yes.

Q: The other two-thirds match is going to be whatever is not going to be accounted for in the project.

A: Yes. If you come forward with a million-dollar project, we would be looking for \$330,000 of match in your proposal.

Q: When is the start time for how far the match can go back? If we're currently undertaking some activities that would count as match towards our project, or that we were hoping it would, how far back are those applicable?

A: The expenditure has to happen after the award of the grant within the budget period. For example, you could have already received matching funds from the State. But there needs to be some that are expended within the project period for this particular grant. So say you have money already that you're working with and you get awarded EPA funds on July 1st. Anything that you spend beyond July 1st can count toward match. If the local legislative body appropriated for the current fiscal year that you spent after July 1st could count.

Q: We wouldn't necessarily have the money set aside in an account. It would be specially pledged by our council that, yes, we want to go forward with this project if we get this grant, and then the council would then award the money to the budget once the grant has been awarded. So, is that kind of pledge from our council acceptable as far as having to match not in the sense that we have a funded project sitting in the wings waiting?

A: Yes. That is fine.

Eligible Applicants

Q: Who is eligible to receive the award or subawards? There is language about institutions of higher learning not being able to receive awards, and state and federal agencies. But I see some others are here (at the meeting), so would you clarify that?

A: I think they're here because they want to partner up. The RFP says that institutions of higher education, state agencies, federal agencies, are not eligible to compete for this solicitation but they are eligible for several awards. And so that's why you're seeing them here and hearing them on the phone, is they want to know a little more so they can work with whomever they're going to partner up with. But the prime needs to be a unit of local government, a special purpose district, or a federally recognized tribe.

Q: Is there a certain department within a city or a county that would be best slated to apply for this funding, like public works versus planning versus parks?

A: No.

Schedule

Q: When is it you expect to make a decision, and when will the funds be actually transferred over so that we know sort of what projects might be in the works right now that we can jump onboard with, or how far ahead should we be planning?

A: This is the revised schedule that has changed since this public meeting. The Award date remains unchanged – May 28, 2010.

January 26, 2010	Proposals must be received in hardcopy by EPA Region 10 by 4:00 PM Pacific Standard Time (PST) or by e-mail at pugetsound_proposals@epa.gov by 4:00 PM PST.
March 19, 2010	Finalists notified and requested to negotiate and submit final grant application and work plan.
April 12, 2010	Grant applications and work plan received by EPA Region 10.
May 28, 2010	Awards made.

Project Start Date

Q: Is there a particular start date after funding is awarded where a project would have to begin?

A: No.

Appropriations Act

Q: Are there any specific strings attached to the funding through this omnibus appropriations act similar to the strings attached to the recovery act?

A: No. The only string was EPA had to compete all the money.