

Implementation Fund

1. **Roughly \$80,000 apportioned to each region to spend directly on resources and materials needed to *implement* nonpoint TMDLs and support direct implementation efforts – basically to put BMPs on the ground.**
 - a. Funds to be used for implementation only:
 - i. Implementation is defined as using on-the-ground practices and resources to directly abate identified sources of nonpoint pollution
 1. Examples include riparian fencing, tree planting, innovative stormwater or agricultural BMPs.
 2. Implementation cannot fund activities otherwise required by state or federal permit
 - ii. Resources and materials to include actual items or labor used to build BMPs such as fencing, t-posts, agricultural equipment (with approval), riparian plants and trees, signage, and non-required stormwater infrastructure
2. **Ecology regional unit supervisors must work with TMDL and nonpoint staff to list the top three regional water quality priorities.**
 - a. Priority water quality issues will consist of the following:
 - i. Identified sources of nonpoint pollution causing the most significant harm to water quality
 - ii. Water bodies that are identified as not meeting water quality standards and/or have a completed TMDL
 - iii. An actual ability to fix the problem, i.e., can implement the desired change and are ready to proceed
 1. Project or campaign may be completed in phases. However, contracts to complete work are for one year only. Therefore, projects or campaigns that will take longer than a year should be phased
3. **Ineligible Implementation**
 - a. Monitoring projects or the purchase of monitoring equipment is ineligible except under the following conditions:
 - i. Funds may support BMP effectiveness monitoring if not otherwise available through the TMDL process.
 1. But, when possible TMDL effectiveness monitoring should be used so implementation resources are not depleted.
 2. Effectiveness Monitoring must have a Quality Assurance Project Plan (QAPP)
 3. Effectiveness Monitoring must use an accredited lab.
 4. Water quality sampling must document and retain chain of custody when relevant.
 5. Ecology has the right to use and/or publish the data under all circumstances

- ii. Local source identification is eligible for **one year** of funding, but:
 - 1. Must be part of larger project to implement or enforce
 - a. Must identify the specific purpose of the source Identification
 - b. Regional office must submit a written commitment to use DIF funds the following year to implement specific BMPs or take specific actions to fix identified problem
 - c. Must identify specific BMPs or actions that address sources of water quality impairment.
 - 2. Monitoring project must have a QAPP
 - 3. Must use an accredited Lab.
 - 4. Water quality sampling must document and retain chain of custody when relevant.
 - 5. Ecology has the right to use and/or publish the data under all circumstances, including for enforcement proceedings
- iii. Under no conditions will monitoring be eligible, **UNLESS** there is a commitment to follow up with specific actions

- b. Funding for Ecology staff or planning efforts is ineligible
- c. Office supplies, such as computers are ineligible
- d. Vehicles purchases are ineligible

4. Conditionally Eligible Implementation

- a. Educational practices are only eligible when they accompany other efforts to fix nonpoint problems, such as riparian protection, changes in agricultural practices, implementing new stormwater controls, tree planting, or other innovative practices
- b. Funds may be used to generate positive publicity surrounding implementation activities and partnerships
- c. Ordinance development is eligible if there is a formal commitment to implement the ordinance
- d. Coordination events, such as conferences are conditionally eligible when they a necessary part of a larger campaign, and will result in leveraging additional on-the-ground implementation

5. Other Conditions

- a. Must implement a TMDL or directly address regional water quality priority to fix waters not in compliance with the water quality standards

6. Recommendations:

- a. When applicable, funds can be combined with other regions to achieve bulk purchasing of key resources, or to fund efforts that would benefit multiple regional implementation efforts

7. All implementation funding efforts, including BMP implementation, will be subject to § 319 funding guidelines

- 8. Unspent regional apportionments will be re-allocated to unfunded projects that are ready to proceed**
- 9. Proposed projects or campaigns must be submitted to Todd Bolster /WMS Section to make sure they meet these criteria and to get them processed**
 - a. Prior to purchase or contract a short project plan must be completed containing the following
 - i. Ecology staff who is lead on project or campaign
 - ii. sources of pollution to be addressed
 - iii. how to address the problem
 - iv. itemized list of materials with estimated costs and a total budget
 - v. timeline – when to start project, when to purchase, when to complete
 - vi. list of expected deliverables
 - vii. partnerships used
 - b. proposals will also be screened by Financial Management Section for their eligibility under federal § 319 funding guidelines
- 10. Projects and efforts will require reporting similar to that of the external 319 grant program. Reports required are:**
 - a. Expenditure reports (at least quarterly)
 - b. Quarterly progress reports
 - c. Annual load reduction reports
 - d. Record keeping
- 11. Regions will have two options to fund implementation efforts (to be further developed)**
 - a. When using partnerships outside Ecology, regions may choose to use a traditional grant agreement.
 - i. However, agreements can only pay for materials and labor, and cannot be used as soft money and operating costs.
 - ii. Moreover, agreements cannot be used to fund projects where recipients have not yet been identified.
 - iii. Funds given through a grant agreement must be spent in one year
 - b. When purchasing labor and materials to directly install, ecology may purchase materials and charge to PIC code.
 - i. All purchases must be coordinated with HQ who will manage the PIC codes.
 - ii. Each project or campaign within each region will have its own PIC code
 - iii. Purchases should accompany a contract to ensure activities remain in place
 - iv. Purchases over \$20,000 will need to go out bid
- 12. Reporting and tracking will be managed by Financial Management Section and final reports to EPA will be developed by WMS**

2008 Direct Implementation Fund Timeline

Establish priorities and submit project proposals to HQ/WMS: January 1 – March 31, 2008

HQ proposal review and eligibility: April 1 – April 30, 2008

Contract Development (if necessary) May 1- June 30, 2008

Project start date: May 1, 2008 or signature date of contract

If no contracts with partnering organizations needed for project to begin, work can begin on May 1, 2008. Work may begin on this date and contracts can be signed throughout the year if partnering organizations come on-board at a later date.

Project end date: April 30, 2009, or 1 year after contract signature date, whichever is applicable.