



# Oregon Watershed Enhancement Board

## Adopted Administrative Rules

### ADOPTED ADMINISTRATIVE RULES FOR WATERSHED COUNCIL SUPPORT GRANT AWARDS September 15, 2004

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#### **695-040-0010 Purpose**

- (1) These rules guide the Oregon Watershed Enhancement Board in accepting, reviewing for merit and considering applications for funding watershed council support under the provisions of ORS 541.368, 541.370(1)(e), 541.384, and 541.388.

#### **695-040-0020 Definitions**

- (1) "Watershed Council Support" means a grant for the purpose of supporting the capacity of a watershed council or group of watershed councils to conduct the activities necessary for the watershed protection, enhancement, and restoration work of the council(s). This support may include coordinator salary and benefits, operating costs, risk management and accountability assurance, and fiscal grant management costs.
- (2) "Council Coordinator" means the lead person or persons employed by or on behalf of a watershed council or a group of watershed councils to assist the council(s) in achieving the watershed protection, enhancement, and restoration objectives of the council(s). The activities carried out by a coordinator may include support to a council's board, coordination among sub-councils, development of projects, work with landowners, grant writing, fiscal management, work plan development, volunteer recruitment and supervision, communications, education, and outreach.
- (3) "Hydrologic unit" means any geographic area drained by a river system, a reach of a river and its tributaries in that reach, a closed basin(s), or a group of streams forming a coastal drainage basin. Hydrologic units are divided into size classifications, or fields, as defined by USGS codes, where the first field, such as the Columbia Basin, is a region.
- (4) "Umbrella Watershed Council" means a watershed organization that (a) provides support to and coordination for at least three watershed groups or councils, and has a coordinating council, shared staff and a single Watershed Council Support grant, or (b) provides service to a watershed area containing three or more 4th field hydrologic units.
- (5) "Merit Category" means a classification of Watershed Council Support applicants by similar qualities, achievements, or abilities, as determined by an evaluation of the grant application submitted, based on the criteria described in OAR 695-040-0050. The distribution of applicants in each merit category, the available funding, and other factors as described in OAR 695-040-0060(4) will determine the grant funding level for individual applicants. Within merit categories there may be different funding levels.

### **695-040-0030 Watershed Council Support Grant Eligibility Criteria**

- (1) A watershed council, or a group of watershed councils, is eligible to apply for Watershed Council Support if:
  - (a) The council serves a unique geographic area. A unique geographic area is one that is not or has not been located entirely or partially within the boundaries of another existing watershed council support grantee that has received council support funding from OWEB;
    - (A) In the situation where a watershed council has been awarded shared funding for watershed council support, but serves a watershed area that is not served by another watershed council, that council may be eligible to apply independently if it receives prior approval from the Board.
  - (b) Council membership reflects the balance of interests or is actively seeking a balance of interests in the affected watershed as defined in ORS 541.388(2); and,
  - (c) The council has been designated by a local government as provided by ORS 541.388. This eligibility criterion applies if the council formed after September 9, 1995.
- (2) The following costs are eligible for funding through a watershed council support grant:
  - (a) Council Coordinator salary and benefits;
  - (b) Operating costs including, but not limited to, supplies and materials, utilities, rent, travel and per diem, printing, postage, facilitation, safety equipment, office equipment, and training;
  - (c) Risk management and accountability assurance costs including audit, tax preparation, risk management and insurance; and,
  - (d) Fiscal management of the council support grant award not to exceed 10% of direct costs.

### **695-040-0040 Watershed Council Support Grant Application Requirements**

- (1) Applications for Watershed Council Support grants shall include information on the following:
  - (a) A scope of work as identified in OAR 695-040-0050(1);
  - (b) The organizational capacity of the watershed council(s);
  - (c) The past accomplishments of the watershed council(s);
  - (d) A description of the complexity of the watershed as described in OAR 695-040-0050(1)(f);
  - (e) A proposed biennial budget for the watershed council(s); and,
  - (f) Other information necessary to apply the merit-based criteria described in OAR 695-040-0050.
- (2) Applications for Watershed Council Support must also comply with OWEB's generally applicable grant application requirements.

### **695-040-0050 Watershed Council Support Grant Evaluation Criteria**

- (1) Applications for Watershed Council Support will be evaluated on a scope of work submitted by the applicant that:
  - (a) Demonstrates the extent to which the applicant is furthering the goals of the Oregon Plan for Salmon and Watersheds;
  - (b) Proposes measurable objectives and priorities for the upcoming biennium;
  - (c) Proposes council actions and outcomes for the upcoming biennium;
  - (d) Addresses how the council:
    - (A) Identifies and addresses the priority protection, restoration and enhancement needs of the watershed(s) served.
    - (B) Monitors and evaluates watershed conditions and functions and the efforts to improve watershed health, including the methods and data sources to be used.
    - (C) Encourages and tracks citizen participation in watershed projects and activities.

- (D) Promotes and evaluates citizen learning about watershed science and key resource issues.
  - (E) Builds partnerships, organizational capacity, and council effectiveness.
  - (e) Identifies the council coordinator's role;
  - (f) Addresses the complexity of the watershed(s) including:
    - (A) Total population;
    - (B) Land use including total acres and a general characterization of land ownership within the watershed(s);
    - (C) Hydrologic units served;
    - (D) Total stream miles within the watershed and miles of stream on the Department of Environmental Quality's 303(d) list or in a completed Total Daily Maximum Load;
    - (E) The kind and number of species listed as Threatened or Endangered under the Endangered Species Act within the watershed;
    - (F) Total area of watershed jointly identified by Oregon Water Resources Department and Oregon Department of Fish and Wildlife as high priority for streamflow restoration;
    - (G) Municipal drinking water issues;
    - (H) Stormwater management issues; and,
    - (I) Groundwater areas with water quality and water quantity concerns, as identified by Oregon Water Resources Department and Department of Environmental Quality.
  - (g) Is reflected in the applicant's proposed budget.
- (2) Watershed council support grant applications will also be evaluated based on the following factors:
- (a) Whether the applicant has previously received a watershed council support grant from OWEB and the extent to which the watershed council(s) has made progress in accomplishing the goals of previous biennium's work plan, which reflects the level of council support funding received for that biennium.
  - (b) The extent to which the watershed council(s) takes a leadership role in achieving watershed restoration projects and activities within the watershed(s).
  - (c) The extent to which the watershed council(s) is following the currently accepted techniques of watershed management or is using innovative science-based watershed restoration techniques in addressing key watershed issues.
  - (d) How the watershed coordinator is supervised and evaluated and the role of the watershed council(s) in the supervision and evaluation of the coordinator.
  - (e) The organizational and fiscal administration capacity of the council and its fiscal agent, including employment, risk management, fiscal accountability, and decision-making.
  - (f) Whether the council(s) has or is seeking active participation of a diversity of interests in the watershed.
  - (g) Whether the council(s) has developed collaborative partnerships as shown by :
    - (A) Cooperative working relationships with local government, soil and water conservation districts, other watershed councils, landowners and other entities in the watershed.
    - (B) Sharing resources, staff, or project responsibilities with other entities.
  - (h) Whether the applicant has completed a watershed council self-evaluation, following an OWEB approved methodology, within the past 18 months and is implementing the results of the self-evaluation completed within the past 18 months.
  - (i) Whether the applicant has completed a watershed assessment(s), or is using an assessment(s) completed by others, consistent with the OWEB Assessment Manual.
  - (j) Whether the applicant has an action plan that identifies resource concerns, limiting factors, priorities, and the measures needed to address the issues identified.

- (k) Whether the applicant has demonstrated how OWEB funds have been used to leverage other investments in the watershed(s).
- (l) The age of the watershed council.

**695-040-0060 Watershed Council Support Grant Evaluation Process**

- (1) Watershed council support applications will be reviewed and evaluated by a Council Support Advisory Committee.
  - (a) The Committee shall be appointed by the Director and be comprised of:
    - (A) At least two representatives from each of OWEB's regions. These regional representatives shall have technical knowledge of their region's watershed functions and values and watershed council needs; and,
    - (B) At least three statewide representatives with expertise about watershed council roles and responsibilities under the Oregon Plan.
  - (b) OWEB regional program representatives may provide comments on the criteria identified in OAR 695-040-0050 to the Council Support Advisory Committee regarding watershed council support applications.
- (2) The Council Support Advisory Committee will evaluate Watershed Council Support applications submitted and make merit category recommendations to the Director. The Committee will make its merit category recommendations based on the quality of response in the application to the evaluation criteria described in OAR 695-040-0050.
- (3) Information provided by the applicant, the evaluation criteria in OAR 695-040-0050, the recommendation of the Council Support Advisory Committee, the recommendation of the Director, and the applicant's response to these recommendations will be used by the Board to determine an applicant's merit category placement and grant funding level.
- (4) Individual watershed council support grant funding levels will be based on:
  - (a) An applicant's merit category.
  - (b) Whether the applicant is an umbrella watershed council as defined in OAR 695-040-0020(4).
  - (c) Whether the applicant is two or more watershed councils serving unique geographic areas in a single Watershed Council Support grant where the application demonstrates operational economies of scale over two separate grant applications.
  - (d) Available funding.

**695-040-0070 Grant Agreement Conditions**

- (1) The Watershed Council Support Grantee will be required:
  - (a) To complete a self-assessment as provided by the Board or a similar evaluation method approved by OWEB for each watershed council receiving support;
  - (b) To submit an annual report to OWEB and local government entities;
  - (c) To obtain insurance or bonding providing coverage for financial decisions and actions as identified by OWEB if the Grantee is its own fiscal agent, or if the Grantee's fiscal agent does not have such insurance or bonding; and,
  - (d) To assure that expenditures of OWEB funds are subject to an audit by an entity independent of the council or its fiscal agent.