

Federal Grant Application Request  
**Oregon Watershed Enhancement Board**  
Wetlands Conservation Grant

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**Analyst:** Paul Siebert, LFO

**Request:** Permission to apply for a \$599,755 federal grant from the U.S. Fish and Wildlife Service to restore tidal wetlands owned by the McKenzie River Trust.

**Recommendation:** Approve the request to apply

**Analysis:** The Oregon Watershed Enhancement Board (OWEB) is requesting permission to apply for a grant from the U.S. Fish and Wildlife Service (USFWS) National Coastal Wetlands Conservation Grant Program. This program is limited to state applicants only and requires a 25% match. Upon receiving notice of the grant opportunity in February 2013, OWEB worked with local partners to identify projects that might fit the requirements of the national program while at the same time aligning with the Board's funding priorities. The Waite Ranch Tidal Restoration Project was chosen for grant submittal. The project would restore tidal flows between the Siuslaw River and the interior of the property which is owned by the McKenzie River Trust. The restoration of this wetlands habitat should benefit salmonids, migratory waterfowl and other birds, along with other wildlife.

The grant is for \$599,755 and requires a 25% match. OWEB reports as part of the project the local sponsors will be requesting OWEB funding of \$273,000 through the agency's grant program. This is a competitive grant and applications are due June 28, 2013. OWEB will be considering this grant request at their June meeting. In order to meet legislative timelines for grant approval OWEB is bringing forward this request before the Board takes action. If the Board decides not to approve the project the grant application will not be submitted. Awards for this program will be announced by USFWS around January 2014.



# Oregon

John A. Kitzhaber, MD, Governor

## Oregon Watershed Enhancement Board

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May 29, 2013

The Honorable Peter Devlin, Co-Chair  
The Honorable Peter Buckley, Co-Chair  
State Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request**

The Oregon Watershed Enhancement Board (OWEB) requests permission to apply for a federal grant from the U.S. Fish and Wildlife Service (USFWS), which administers the National Coastal Wetlands Conservation Grant Program. As the eligible state applicant, OWEB has been requested by local sponsors to apply for the federal grant. The grant application will request federal funds for restoration of a critical property on Waite Ranch in the Lower Siuslaw River Estuary in Lane County. The property is currently owned by the McKenzie River Trust and the grant will be coordinated locally by the Siuslaw Watershed Council. The federal grant application will request a total of \$599,755 of federal funds.

### **Agency Action**

OWEB was notified by USFWS of the opportunity to apply for National Coastal Wetlands Conservation Act (NCWCA) grants on February 8, 2013 (Attachment A). After receiving the announcement, OWEB initiated a process for local entities to provide projects of interest to the Agency. The Waite Ranch project was proposed to the Agency and has been reviewed by a technical review team. It also will be submitted for approval to the OWEB Board at its June 2013 meeting to confirm technical soundness of the proposal and ensure the project matches OWEB's mission. A summary of the project as submitted to the Board is attached (Attachment B). This letter is submitted to the Legislature in advance of the Board meeting to ensure adequate time for Legislative review.

NCWCA grants are competitive on a national basis. OWEB has been successful in the past in bringing federal funds to Oregon for coastal wetland conservation projects. The grant deadline is June 28, 2013. NCWCA grants require a 25 percent non-federal match. As a part of the project, local sponsors will be requesting OWEB funding through the agency's grant program. The agency will process the grant application requesting state matching funds through its existing application review process. Any state matching funds will be awarded through OWEB's grant program and will not require additional expenditure limitation from the Legislature.

OWEB has worked with the local sponsors to develop the NCWCA grant application for federal funding. Below is a summary of the project:

The Waite Ranch Tidal Restoration Project proposes to restore tidal wetlands on Waite Ranch by removing barriers to tidal exchange and restore tidal flows between the Siuslaw River and the interior of the property. This restoration of tidal wetland habitat will support salmonids, migratory waterfowl and other birds, and a host of other priority species. The property already is owned by McKenzie River Trust, so all funds would be used for design of the restoration project and subsequent implementation. The project will result in the hiring of local contractors to complete the intensive restoration work. OWEB seeks \$599,755 in federal funds and the application also proposes cash and in-kind match of \$273,000, including a request of state funds that will be considered by the OWEB Board in September of 2013.

#### **Action Requested**

OWEB requests permission to apply for the federal grant from the USFWS for grants under the NCWCA. If OWEB receives notification of a grant award for any portion of this application, the agency will request the appropriate expenditure limitation. No new positions are associated with this request.

Sincerely,



Thomas M. Byler  
Executive Director

#### Attachment

- A. Grant Application Solicitation
- B. Project Summary

**National Coastal Wetlands Conservation Grant Program**

FY 2014

Notice of Availability of Grants and Request for Applications

Program Overview Information

**Federal Agency Name:**

U.S. Department of the Interior  
Fish and Wildlife Service (Service)  
Wildlife and Sport Fish Restoration Program (WSFR) and The Refuge System's Division of  
Habitat and Resource Conservation

**Funding Opportunity Title:**

National Coastal Wetlands Conservation Grant Program

**Announcement Type:**

Announcement of availability of grants for fiscal year (FY) 2014 and request for applications (RFA).

**Funding Opportunity Number:** F13AS00079

**Catalog of Federal Domestic Assistance (CFDA) Number:** 15.614

**Dates:** State applicants must submit applications through [www.grants.gov](http://www.grants.gov) (Grants.gov) by the deadline. The deadline for receipt is June 28, 2013, 11:59 p.m. EDT. The Service recommends that you submit early enough to address any unforeseen technical complications. The Service will not consider applications received after the deadline.

Applicants requesting comments or assistance with their applications are encouraged to submit applications to the Fish and Wildlife Service Regional WSFR Office (see Section VII., Agency Contacts) approximately 4-6 weeks prior to the due date. Although there is no guarantee that the Regional WSFR Office will provide comments, feedback may include recommendations to improve the application.

If you would like to be a subgrantee, check with the eligible agency in your State for their deadlines and requirements to apply.

All letters of financial commitment will be due with the application by the June 28, 2013 deadline. We will not consider letters received after the deadline.

We expect to announce the awards by January 2014.

**Additional information:** The Coastal Wetlands Planning, Protection, and Restoration Act (Section 305, Title III, Public Law 101-646, 16 U.S.C. 3954) established the National Coastal Wetlands Conservation Grant Program (NCWCGP) to acquire, restore, and enhance wetlands in coastal States through competitive matching grants to State agencies. The primary goal of the NCWCGP is the long-term conservation of coastal wetland ecosystems. In FY 2013, the NCWCGP will fund 24 to 26 individual projects encompassing 4,690 to 5,500 acres of coastal habitat.

The Final Rule establishing the requirements for participation in the NCWCGP was published in the Federal Register July 30, 2002 (67 FR 49264). The program regulations are in [50 CFR 84](#). Additional information about the Program is available online at <http://www.fws.gov/coastal/CoastalGrants>. Before applying for a grant, please carefully review this entire announcement, Attachment A, *Clarification of Select Ranking Criteria in 50 CFR 84.32 and General Program Questions*, and the program regulations in 50 CFR 84.

## **I. Funding Opportunity Description**

Coastal wetlands are valued because they protect against flooding, help maintain water quality, and provide habitat for wildlife. Coastal environments are also important economically, generating billions of dollars annually through such industries as commercial fishing and tourism.

The NCWCGP provides States with financial assistance to protect and restore these valuable resources. Projects can include (1) acquisition of a real property interest (e.g., conservation easement or fee title) in coastal lands or waters (coastal wetlands ecosystems) from willing sellers or partners for long-term conservation or (2) restoration, enhancement, or management of coastal wetlands ecosystems. All projects must ensure long-term conservation.

Examples of restoration efforts that may be funded include:

- Restoring wetland hydrology by plugging drainage ditches, breaking tile drainage systems, installing water control structures, dike construction, or re-establishing historic connections with waterways, or
- Planting native vegetation and/or removing invasive plants and animals that compete with native fish and wildlife and alter native habitats.

We rank applications based on criteria published in 50 CFR 84.32. See Attachment A to this announcement that clarifies select ranking criteria and addresses questions regarding [50 CFR 84](#).

**New in FY 2014:**

- Additional details about the type of information to include in the project statement approach (See Section IV., Application and Submission Information, B. Content and Form of Application).
- Letters of financial commitment and general support are due with the application by the June 28, 2013 deadline (See Section IV., Application and Submission Information, C. Submission Dates and Times).
- All applications must be submitted through Grants.gov (See Section IV., Application and Submission Information, F. Other Submission Requirements).
- Updated information regarding including partner match on the SF-424 is included in Attachment A for Criterion 10.

**II. Award Information:**

The Fish and Wildlife Service expects that approximately \$17 million will be available for grants from the National Coastal Wetlands Conservation Grant Program in FY 2014. Awards typically range from \$200,000 (there is no specific minimum) to a maximum of \$1,000,000. We expect to announce the awards in January 2014.

**III. Eligibility Information**

**A. Eligible Applicants**

Eligible applicants are any State agency or entity designated as eligible by the Governor of a coastal State. It is usually a State natural resource or fish and wildlife agency. If your agency is uncertain of its eligibility, please contact the Regional Service WSFR Office (see section VII., Agency Contacts). The Regional WSFR Offices maintain the list of certified eligible agencies in each coastal State in the Region.

Eligible coastal States are States bordering the Great Lakes (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin); States bordering the Atlantic, Gulf (except Louisiana), and Pacific coasts (Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington); and American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands. Louisiana is not an eligible coastal State for this program as provided in the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C 3955 (b)(1)).

If you would like to be a subgrantee, check with the eligible agency in your State for their deadlines and requirements to apply.

Federal law (2 CFR Part 25, Central Contractor Registry and Data Universal Numbering System) mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the Central Contractor Registry (CCR). The CCR functionality was consolidated into the System for Award Management (SAM) in September 2012.

### **DUNS Registration**

Request a DUNS number online at <http://fedgov.dnb.com/webform>. U.S.-based entities may also request a DUNS number by telephone by calling the Dun & Bradstreet Government Customer Response Center, Monday – Friday, 7 AM to 8 PM CST at the following numbers:

U.S. and U.S Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

For Hearing Impaired Customers Only call: 1-877-807-1679 (TTY Line)

Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

### **Entity Registration in SAM**

Register in SAM online at <http://www.sam.gov/>. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that SAM is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid to a bank account in the United States must enter and maintain valid and current banking information in SAM.

Entities that had an active record in CCR have an active record in SAM do not need to do anything in SAM unless a change in business circumstances requires updates to your Entity record(s) or the Entity record is due to expire. SAM will send notifications to migrated Entity users via email 60, 30, and 15 days prior to expiration of the Entity record. To update or renew your Entity records(s) in SAM your Entity user(s) will need to create a SAM User Account and link their account(s) to your migrated Entity record(s). Entities migrated from CCR can find complete instructions on accessing their SAM Entity records online at <http://www.sam.gov/>.

### **B. Cost-Sharing or Matching**

The maximum Federal cost share for this Program is 75 percent of total project costs in States that have a fund established and used for acquiring coastal wetlands, other natural areas, or open spaces. States that do not have a fund are limited to a maximum 50 percent Federal cost share. The following insular areas: American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands are not required to cost share, in which



case the Federal government may provide 100 percent of the project costs. Puerto Rico is not exempt from the cost share requirements of this Program.

The maximum Federal cost share of 75 percent is based on project costs, i.e., the amount requested from the National Coastal Wetlands Conservation Grant Program plus the amount of non-Federal cost share. Other funds that are related to the project or are part of a larger project, but are not designated as cost share will not count towards project costs when calculating the maximum Federal cost share.

The cost share requirements are detailed in 50 CFR 84.46. The requirements allow for in-kind contributions for the required non-Federal match. To receive points under the ranking criterion “Federal share reduced” (50 CFR 84.32 (a)(11)), however, match above the required non-Federal share must be cash. See Attachment A, *Clarification of Select Ranking Criteria in 50 CFR 84.32 and General Program Questions* for more information.

***Cost share examples (State with dedicated fund):***

**Example 1 – State agency requests maximum Federal share (75%) and the maximum award amount (\$1 million)**

Total project cost: \$1,333,334  
NCWCGP Request: \$1,000,000  
Non-Federal cost share: \$333,334.

**Example 2 – The proposed project will be part of a larger effort costing \$10 million, but the application is to acquire and restore a distinct parcel with project costs of \$1,333,334. State agency requests maximum Federal share (75%) and the maximum award amount (\$1 million).**

Total project cost: \$1,333,334  
NCWCGP Request: \$1,000,000  
Non-Federal cost share: \$333,334  
The other costs are not associated with the project, and therefore are not listed on the SF-424.

**Example 3 – State agency requests maximum Federal share (75%) and less than the maximum award amount.**

Total project cost: \$600,000  
NCWCGP Request: \$450,000  
Non-Federal cost share: \$150,000

**Example 4 – State agency requests less than maximum Federal share to maximize points for ranking criterion 11 and the maximum award amount (\$1 million).**



Total project cost: \$1,454,555

NCWCGP Program Request: \$1,000,000

Non-Federal cost share: \$454,555 (with at least \$90,916 of this amount in cash)

- required non-Federal share = 25% = \$363,639
- cash above required non-Federal share = \$454,555 - \$363,639 = \$90,916
- percent above required non-Federal share = \$90,916 / \$363,639 = 25% = 5 points

**Example 5 – State agency requests less than maximum Federal share to maximize points for criterion 11 and less than the maximum award amount.**

Total project cost: \$654,555

NCWCGP Request: \$450,000

Non-Federal cost share: \$204,555 (with at least \$40,916 of this amount in cash)

- required non-Federal share = 25% = \$163,639
- cash above required non-Federal share = \$204,555 - \$163,639 = \$40,916
- percent above required non-Federal share = 40,916 / \$163,639 = 25% = 5 points

To apply for a 75 percent Federal cost share, applicant must provide either a description of the State trust fund that supports a request for a 75 percent Federal share (in sufficient detail for the Service to make an eligibility determination), or a statement that eligibility has been previously approved and there has been no change in the fund.

**If you propose to use land as all or a portion of the non-Federal share, you should explain in the project overview how the land is necessary and reasonable to accomplish the project objectives. Applicants should include information on both (a) parcels proposed for acquisition/restoration with NCWCGP funds, and (b) match parcels in adequate detail for each ranking criteria so reviewers can make informed scoring decisions.**

You must document in the application all third-party matching funds, those supplied by organizations or individuals other than the State applicant, with a signed letter of financial commitment from an authorized representative of the match provider. The letter of financial commitment must detail the amount of matching funds or value of donated land and/or services. The State is responsible for ensuring the full amount of the non-Federal match as listed on the SF-424.

**Please note that if a third-party provides match, and the letter of financial commitment is missing and/or late , the match will not count, and the application may be ineligible.**

**C. Other**

Although only approved State agencies can apply for and receive grants from this Program, we encourage partnering with Tribes, Federal agencies, other State agencies, non-governmental organizations, local governments and others. Please note that any contributions from Federal sources cannot be used or counted as non-Federal match unless authorized by Federal statute.

## IV. Application and Submission Information

### A. Address to Request/Submit Application Package

You can download the application package for the National Coastal Wetlands Conservation Grant Program on Grants.gov here: [https://apply07.grants.gov/apply/forms\\_apps\\_idx.html](https://apply07.grants.gov/apply/forms_apps_idx.html), searching by CFDA 15.614 or Funding Opportunity F13AS00079. You can also download application forms through the WSFR toolkit under “Forms”:

<http://wsfrprograms.fws.gov/Subpages/ToolkitFiles/toolkit.pdf>. The Standard Form 424 is available here: <http://wsfrprograms.fws.gov/subpages/toolkitfiles/sf424-f.pdf>. If you have trouble accessing the online forms, you can contact one of the Service WSFR Offices (see Section VII., Agency Contacts).

States should submit applications online at [www.Grants.gov](http://www.Grants.gov) through the National Coastal Wetlands Conservation Grant Program Funding Opportunity. It can be located by doing an advanced search by CFDA 15.614 or Funding Opportunity F13AS00079.

### B. Content and Form of Application

Applications submitted for funding from the NCWCGP must include:

#### **Required Federal Forms (no page limit)**

1. Application for Federal Assistance, i.e., Standard Form 424.
  - a. For budget information in Box 15, State applicants should enter their match contribution on the Applicant line or the State line, not both.
  - b. Please list the project area Congressional district in box 16.
2. Budget Information, i.e., estimated costs to achieve the project objectives with various activities or components broken out by cost and by partner.
  - a. You should provide sufficient detail for reviewers to understand proposed costs. If you will be conducting acquisition and restoration, please detail the anticipated costs for each activity and each individual sub-activity and the entity that will carry it out.
  - b. Applicants are encouraged to include a detailed project budget table in addition to Standard Form 424C.
3. Statement of Assurances of compliance with applicable Federal laws, regulations, and Policies, i.e., Standard Form 424D (unless your State agency has an approved Statement of Assurances on file with the Regional WSFR Office).

#### **Project Statement (10 page limit)**

A concise project statement that does not address the ranking criteria, but rather identifies and describes:

1. The need for the proposed project;
2. Discrete, quantifiable, and verifiable objectives to be accomplished during a specific time period;

3. Expected results or benefits in terms of coastal lands and waters, hydrology, water quality, or fish and wildlife dependent on the wetlands (please refer to the ranking criteria and page number for specific benefits in that section of the application rather than repeat them);
4. The approach to be used in meeting the objectives, including specific procedures, schedules, key personnel, and cooperators. Please include (if applicable):
  - a. The organizations that will act as a subgrantee and their role(s) in meeting the project objectives;
  - b. What organization will hold title to the real property being acquired or restored;
  - c. What type of ownership interest is involved, e.g., fee-simple, easement, combination, etc., and the related acres;
  - d. What organization (or individual) will manage the real property interest;
  - e. What will be involved in the restoration? Why did you choose that approach? Please provide successful examples of this restoration approach in similar nearby ecosystems, if available.
5. The project location, including GPS Coordinates in minutes, degrees, seconds;
6. Either a description of the State trust fund that supports a request for a 75 percent Federal share in sufficient detail for the Service to make an eligibility determination, or a statement that eligibility has been previously approved and no change has occurred in the fund;
7. List of other current coastal acquisition, restoration, enhancement and management actions; agencies involved; relationship to the proposed grant; and how the application fits into comprehensive natural resource plans for the area; and
8. Any public involvement or interagency coordination on coastal wetlands conservation projects that has occurred or is planned that relates to the application (Specify the organization or agencies involved and dates of involvement).

**Ranking Criteria (20 page limit)**

A description, with appropriate documentation, of how the proposed project addresses each of the **13 numeric ranking criteria in 50 CFR 84.32**. We recommend that you address each ranking criteria individually with a brief statement or table.

If land is proposed as match, applicants should include information on both (a) parcels proposed for acquisition/restoration with NCWCGP funds and (b) match parcels in adequate detail for each ranking criteria so reviewers can make informed scoring decisions. Activities provided as cost share, including land acquisition, are part of the project and must be eligible activities.

**Drawings/Maps/Photographs (no page limit)**

1. We recommend that you include the following clearly marked drawing(s) or photographs of the overall proposed project that include:
  - a. Existing state of the project area;
  - b. Proposed project area (in one or more maps, photographs, or images);
    - i. Detail which areas will be part of the grant funded activities, delineating the project boundaries;
    - ii. Detail which areas are part of the cost share, if applicable;

- iii. Detail what restoration activities will take place and where, if applicable;
  - iv. Detail which areas, if any, are part of a larger effort that will be funded outside of the grant and cost share;
  - v. Detail wetland types (recommend NWI or State Wetlands Map); and
  - vi. Any other information that will assist reviewers to identify project components or factors involved with ranking.
2. Two maps of the project location: a map of the State showing the general location of the application and a map of the project site.

**Letters of Commitment (no page limit)**

1. Signed letter(s) of financial commitment from an authorized representative of all third-party match provider(s). The letter(s) of financial commitment must detail the amount of matching funds or value of donated land and/or services.
2. In projects with land acquisition, we encourage you to include a letter or statement that certifies that the landowner has been contacted, that negotiations are underway, or the current level of interaction regarding the possible sale of the property to help reviewers determine the feasibility of the proposed project compared with other projects.

Application packages should be arranged in the following order:

1. SF 424
2. SF 424 C (or budget table)
3. SF 424 D
4. Project statement
5. Ranking criteria
6. Drawings/Maps/Photographs
7. Letters of commitment

Applications should be formatted to print on 8.5" X 11" paper, with 1" margins at the top, bottom, and both sides, and page numbers at the bottom of the page. Fonts should be legible, i.e., preferably 12 point Arial, Times New Roman, or other commonly used font. Please number your pages starting with the Project Statement.

In accepting Federal funds, applicants must comply with all applicable Federal laws, regulations, and policies. Evidence of compliance with the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, Clean Water Act, and other Federal laws must be provided if selected for award.

**C. Submission Dates and Times**

State applicants must submit applications through Grants.gov by the deadline. The deadline for receipt is June 28, 2013, 11:59 p.m. EDT. The Service recommends that you submit early enough to address any unforeseen technical complications. The Service will not consider applications received after the deadline. All letters of financial commitment will be due with

the application by the June 28, 2013 deadline. We will not consider letters received after the deadline.

#### D. Intergovernmental Review

The National Coastal Wetlands Conservation Grant Program is subject to Executive Order 12372 “Intergovernmental Review of Federal Programs.” Coastal States and territories that have chosen to participate in the Executive Order process have established Single Points of Contact (SPOCs). Applicants from jurisdictions that have not chosen to participate do not need to take any action regarding E.O. 12372. All other applicants should alert their SPOCs early in the application process. If you, as an applicant, are required to submit materials to a SPOC, indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424.

#### E. Funding Restrictions

Eligible grant activities include:

1. Acquisition of a real property interest in coastal lands or waters from willing sellers or partners (coastal wetlands ecosystems), providing that the terms and conditions will ensure the real property will be administered for long-term conservation.
2. The restoration, enhancement, or management of coastal wetlands ecosystems, providing restoration, enhancement, or management will be administered for long-term conservation.

Ineligible activities include but are not limited to:

1. Projects that primarily benefit navigation, irrigation, flood control, or mariculture;
2. Acquisition, restoration, enhancement or management of lands to mitigate habitat losses;
3. Creation of wetlands where wetlands did not previously exist;
4. Enforcement of fish and wildlife laws and regulations, except when necessary for the accomplishment of approved project purposes;
5. Research;
6. Planning as a primary project focus;
7. Operations and maintenance, including long-term invasive species management;
8. Acquisition and/or restoration of upper portions of watersheds where benefits to the coastal wetlands ecosystem are not significant and direct; and
9. Projects providing less than 20 years of conservation benefits.

**Any proposed walkways, viewing platforms, or other recreation-related project components must contribute to the project objectives and the long-term conservation of the coastal wetlands ecosystems. Costs unrelated to protection and restoration of the site must be limited to 10 percent of the NCWCGP Federal Share and the required match.**

## F. Other Submission Requirements

Applications must be submitted through Grants.gov. We suggest that applicants verify that their version of Adobe Reader is compatible with Grants.gov to avoid problems in submitting and/or downloading application forms. The Grants.gov homepage has a link that allows users to verify compatibility of Adobe Reader.

**As a courtesy, all applicants are also encouraged to send a single pdf file comprising their entire application package, including all standard forms (424, 424C, 424D), project overview, ranking criteria information, maps and photos, and letters of financial commitment to their Regional WSFR contact (see contact information in section VII., Agency Contacts.) by the deadline.**

For further information or questions on electronic submission, contact your Regional WSFR Office.

## V. Application Review Information

### A. Criteria

Criteria for reviewing and ranking projects were established in the final rule for administering the National Coastal Wetlands Conservation Grant Program (67 FR 48264; <http://wsfrprograms.fws.gov/subpages/toolkitfiles/50cfr84.pdf>; see 50 CFR 84.32). Attachment A to this announcement clarifies select ranking criteria in 50 CFR 84.32 and answers general program questions. A brief summary of the 13 ranking criteria follows:

- 1. Wetlands conservation.** Will the project reverse coastal wetland loss or habitat degradation in decreasing or stable coastal wetland types?
- 2. Maritime forests on coastal barriers.** Will the application significantly benefit maritime forests on coastal barriers?
- 3. Long-term conservation.** Will the project ensure long-term conservation of coastal wetland functions? The project must provide at least 20 years of conservation benefits to be eligible.
- 4. Coastal watershed management.** Will the completed project help accomplish the natural resource goals and objectives of one or more formal, ongoing coastal watershed management plan or effort?
- 5. Conservation of threatened and endangered species.** Will the project benefit any federally listed endangered or threatened species, species proposed for Federal listing, recently delisted species or designated or proposed critical habitat in coastal wetlands? Will it benefit State-listed species?
- 6. Benefits to fish.** Will the project provide, restore or enhance important fisheries habitat?
- 7. Benefits to coastal-dependent or migratory birds.** Will the project provide, restore, or enhance important habitat for coastal-dependent or migratory birds?

- 8. Prevent or reduce contamination.** Will the project prevent or reduce input of contaminants to the coastal wetlands and associated coastal waters that are already contaminated?
- 9. Catalyst for future conservation.** Will the project leverage other ongoing coastal wetlands conservation efforts in an area or provide additional impetus for conservation?
- 10. Partners in conservation.** Will the project receive financial support, including in-kind match, from private, local or other Federal interests?
- 11. Federal share reduced.** Does the application significantly reduce the Federal share by providing more than the required match amount? (Only cash above the required match applies.)
- 12. Education/outreach program or wildlife-oriented recreation.** Is the project designed to increase environmental awareness and develop support for coastal wetlands conservation?  
Does it provide recreational opportunities that are consistent with the conservation goals of the site?
- 13. Other factors.** Do any other factors, not covered in the previous criteria, make this project or site particularly unique and valuable?
  - Describe how the proposed project addresses climate change concerns, how it will be affected by climate change impacts, and include references to any relevant plans and models.
  - Provide any information regarding how the proposed project supports the 50 State Report for the America's Great Outdoors Initiative and/or the Department of the Interior River Initiative.

## B. Review and Selection Process

Project selection is a three-step process: application acceptance, application ranking, and application selection.

1. Application acceptance - The Regional WSFR Offices determine agency eligibility and whether applications are complete, substantial, and contain only activities that are eligible. Applications that are ineligible are returned to the State agency. Revision and resubmission of returned applications is allowable up until the identified deadline for application submittals.
2. Application ranking - Once an application is accepted by the Regional WSFR Office, they forward the application to Division of Habitat and Resource Conservation, who coordinates an internal, cross-programmatic review of all accepted applications by a National Review Panel.
3. Application selection - The National Review Panel scores and ranks all accepted applications and provides the Director of the Fish and Wildlife Service with a list of recommended projects for funding. The final list of awards is determined by the Director of the U.S. Fish and Wildlife Service. The awards will be announced in



December 2013 or January 2014. Successful applicants will receive a letter informing them that their application was awarded funding and the amount of the award.

**VI. Award Administration Information**

A. Award Notices

Successful applicants will receive a letter informing them that their application was awarded funding, the amount of the award, and the remaining process needed to complete the grant award. The Service will also publish on its website a national press release announcing the awards.

B. Administrative and National Policy Requirements

When a project is awarded funding, compliance with all applicable Federal laws, regulations, and policies, including environmental laws such as the Endangered Species Act, and applicable executive orders must be satisfied before the Service can approve an award and make funding available.

In accordance with the Federal Funding Accountability and Transparency Act (FFATA) of 2006, eligible State agencies, as prime recipients, must register with the Central Contractor Registration (CCR) at <http://www.sam.gov>. Eligible State agencies and sub-award recipients must also obtain a Data Universal Numbering System (DUNS) number through <http://fedgov.dnb.com/webform>.

All financial assistance awards are subject to Federal financial administration requirements. The Regional WSFR Offices will work with applicants to ensure that all financial arrangements comply with these requirements.

To find out more about the rules, including administrative requirements and cost principles, you can review them on the WSFR Toolkit (<http://wsfrprograms.fws.gov/Subpages/ToolkitFiles/toolkit.pdf>).

The rules that apply to different recipients are detailed here:

| <b>Table 1. Federal Financial Administrative Guidance</b>                                       |  |
|---|--|
| Categories of Recipients  | Specific Rules and Guidance  |
| Individuals, private firms, and non-profits excluded from coverage under OMB Circular No. A-122 | - Federal Acquisition Subpart 31.2<br>- 43 CFR 18 (New Restrictions on Lobbying)<br>- 48 CFR 31 (Contracts with Commercial Organizations)                                |
| Non-profit organizations covered under OMB Circular No. A-122                                   | - 43 CFR 18 (New Restrictions on Lobbying)<br>- 2 CFR 215 (Administrative Requirements for Grants)<br>- 2 CFR 230 (Cost Principles)<br>- OMB Circular No. A-133 (Audits) |

|  |  |
|--|--|
| Educational Institutions (even if part of a State or local government)   | - 43 CFR 18 (New Restrictions on Lobbying)<br>- 2 CFR 220 (Cost Principles)<br>- 2 CFR 215 (Administrative Requirements for Grants)  |
| OMB Circular No. A-133 (Audits)<br>States, local governments and Tribes -43 CFR 12 (Administrative and Audit Requirements and Cost Principles for Assistance Programs) | - 43 CFR 18 (New Restrictions on Lobbying)<br>- 2 CFR 225 (Cost Principles)<br>- OMB Circular No. A-102 (Grants and Cooperative Agreements)<br>- OMB Circular No. A-133 (Audits) |

### C. Reporting

Reporting requirements include retention and access requirements that are specified in 43 CFR 12.82. Additional details regarding new requirements, guidance, consequences, etc. are available in the document “Interim Guidance for Financial and Performance Reporting,” located at <http://wsfrprograms.fws.gov/subpages/toolkitfiles/intgdrpt.pdf>.

### VII. Agency Contacts

The National Coastal Wetlands Conservation Grant Program is administered jointly by the Divisions of Wildlife and Sport Fish Restoration and Fisheries and Habitat Conservation. National level program information can be obtained by contacting:

Chris Darnell  
U.S. Fish and Wildlife Service  
The Refuge System - Division of Habitat and Resource Conservation MS 730  
4401 North Fairfax Drive  
Arlington, VA 22203  
703-358-2236  
Chris\_Darnell@fws.gov

or

Christy Vigfusson  
U.S. Fish and Wildlife Service  
Wildlife and Sport Fish Restoration Program  
WSFR-4020  
4401 North Fairfax Drive  
Arlington, VA 22203  
703-358-1748  
Christy\_Vigfusson@fws.gov

**For project specific information and application details, contact your Regional WSFR Office:**

| <b>Coastal States by Fish and Wildlife Service Region</b>   | <b>Regional Contact Information</b>  |
|---|--|
| American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Hawaii, Oregon, and Washington                    | Heather Hollis<br>U.S. Fish and Wildlife Service, Region 1<br>Wildlife and Sport Fish Restoration Program<br>Eastside Federal Complex<br>911 NE 11 <sup>th</sup> Avenue<br>Portland, OR 97232-4181<br>503-231-6233 |
| Texas   | Susan MacMullin<br>U.S. Fish and Wildlife Service, Region 2<br>Wildlife and Sport Fish Restoration Program<br>P.O. Box 1306<br>500 Gold Avenue, SW, Suite #9019<br>Albuquerque, NM 87103<br>505-248-7476           |
| Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin  | Paul Glander<br>U.S. Fish and Wildlife Service, Region 3<br>Wildlife and Sport Fish Restoration Program<br>5600 American Blvd. West, Suite 990<br>Bloomington, MN 55437-1458<br>612-713-5130                       |
| Alabama, Florida, Georgia, Mississippi, North Carolina, Puerto Rico, South Carolina, and the Virgin Islands           | Scott White<br>U.S. Fish and Wildlife Service, Region 4<br>Wildlife and Sport Fish Restoration Program<br>1875 Century Boulevard, Suite 240<br>Atlanta, GA 30345-3319<br>404-679-7113                              |
| Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia | Colleen Sculley<br>U.S. Fish and Wildlife Service, Region 5<br>Wildlife and Sport Fish Restoration Program<br>300 Westgate Center Drive<br>Hadley, MA 01035-9589<br>413-253-8508                                   |
| Alaska  | Cliff Schleusner<br>U.S. Fish and Wildlife Service, Region 7<br>Wildlife and Sport Fish Restoration Program<br>1011 East Tudor Road, MS 261<br>Anchorage, AK 99503<br>907-786-3631                                 |

|            |   |
|------------|---|
| California | Bart Prose<br>U.S. Fish and Wildlife Service, Region 8<br>Wildlife and Sport Fish Restoration Program<br>2800 Cottage Way Room W-1729<br>Sacramento, CA 95825<br>916-978-6152 |
|------------|---|

**VIII. Other Information**

The Federal government is not bound to fund any project until the Service Regional WSFR representative has approved the award.

OMB Control Number 1018-0109, Expiration date Sept. 30, 2015

PAPERWORK REDUCTION ACT STATEMENT: The Paperwork Reduction Act requires us to tell you why we are collecting this information, how we will use it, and whether or not you have to respond. We will use the information that we collect to evaluate applications submitted to acquire funding for National Coastal Wetland Conservation Grant Program funds. Your response is required to receive funding. A Federal agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB Control Number. We estimate that it will take an average of 40 hours to complete the application. The average estimated annual burden associated with writing and submitting required performance reports is 6 hours. You may send comments concerning the burden estimates or any aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042-PDM, Arlington, VA 22203.

**Clarification of Select Ranking Criteria in 50 CFR 84.32 and  
General Program Questions**

Sections of this attachment have been revised for FY 2014 – please read

The purpose of this attachment is to provide clarification of certain criteria in [Title 50 of the Code of Federal Regulations, Part 84](#). General questions are listed first, followed by questions specific to ranking criteria.

**General Questions:**

**Are lands used for match purposes used in calculating points for ranking criteria?**

Yes. Because lands that are used for match purposes are part of the project area, reviewers consider both lands being proposed for acquisition/restoration with grant funds and lands proposed for contribution as match when assigning points for ranking criteria. Therefore, information on both parcels proposed for acquisition/restoration and match parcels should be described in adequate detail for each ranking criteria so reviewers can make informed scoring decisions.

**Does land used for all of or part of the non-Federal cost share need to be necessary and reasonable?**

Yes. All non-Federal cost share must be necessary and reasonable to achieving project objectives, land acquisition included. Please explain how the match parcel(s) relate to the overall project and remember to detail information about the match parcel for all ranking criteria.

**If a project includes a conservation easement, what information about the conservation easement is helpful for reviewers?**

Applicants should describe the general terms of the conservation easement, including the length of the conservation easement, who will hold the conservation easement, allowable and prohibited uses, and plans for long-term monitoring and stewardship of the easement. This information helps reviewers understand the conservation benefit(s) of the conservation easement.

**Who holds title to land acquired under this program or contributed as match?**

Title to real property acquired under a grant or subgrant or contributed as match will vest upon acquisition in the grantee or subgrantee, respectively, as directed by 43 CFR 12.71 and 43 CFR 12.64.

**Should applicants include letters of support that are not financial commitment letters or those detailing scientific information specific to a project?**

Given the volume of material reviewers must read, letters of general support for a project should not be included in the application package. However, it is required to include letters of financial commitment from third-party sources.

**What are “total costs” in 50 CFR 84, including 84.21(f), 84.32(a)(11), and 84.46?**

“Total costs” are the costs to complete a project, including the total amount of funds requested from the NCWCGP and the non-Federal share. It does not include other Federal funds or nonmatching funds.

For example, if total costs of a project are \$1,333,334, the maximum Federal share (National Coastal Wetlands Conservation Grant Program request) would be either \$1,000,000 (75%) or \$666,667 (50%), depending on whether or not the State has a designated fund (see definition of fund in 50 CFR 84.11).

**Does “maximum Federal share” under 50 CFR 84, including 84.32 (a)(11) and 84.46 (h), refer to the maximum percentage of Federal dollars of the project costs, i.e., 75% or 50%, or the maximum grant amount from the NCWCGP, i.e., \$1 million?**

“Maximum Federal share” refers to the percentage, i.e., 75% or 50%, of Federal dollars of the project costs, not the maximum grant amount from the NCWCGP, i.e., \$1 million. For example, if total project costs are \$1,333,334, the maximum Federal share would be either \$1,000,000 (75%) or \$666,667 (50%), depending on whether or not the State has a designated fund. If the applicant only provides the minimum non-Federal share (25% or 50% of total project costs), no points will be awarded for reducing the Federal share (50 CFR 84.32 (a)(11), Criterion 11).

**What changes are allowed to an application after its submission?**

Applications submitted to the Service for consideration in the national competition must be in final format by the due date specified in the Request for Applications. The only application changes that will be accepted after the due date are those that will not impact the project scoring or project scope, such as small corrective or clarifying statements. Regional Office and/or Washington Office representatives may also request that the applicant make modifications to an application after the due date to correct inconsistencies within an application or change any other error that would cause the National Review Panel difficulty in accurately assessing the application during review. If an application contains ineligible activities, the entire application is ineligible.

### **Who determines if an application is eligible?**

Service Regional WSFR personnel determine whether an application is eligible and whether we should consider it for ranking by the National Review Panel. If Regional personnel have questions regarding the eligibility of a project, they are encouraged to consult with the Service National WSFR Office.

Service National WSFR Office will reexamine the application's eligibility if questions arise. If deemed ineligible, we will not consider the application for funding.

### **50 CFR 84.32 (a)(1) (Criterion 1):**

#### **Must a score of 7 be given for all applications that result in over 50% of the project area conserving, restoring, or protecting decreasing coastal wetlands types?**

Yes. Applications that document that over 50% of the project area will be, upon project completion, decreasing coastal wetlands types will receive the full 7 points. You may find specific guidance on how reviewers score this criterion at 50 CFR 84.32 (a)(1).

#### **Should a graduated scale be used to further delineate applications?**

The program regulations in 50 CFR 84.32 (a)(1) provide guidance on the use of intermediate scores (i.e., less than 7 points) for projects that document that, upon project completion, a minimum of 50% of the project area will be a combination of decreasing and stable types of wetlands, and for projects that are less than 50% wetlands.

### **50 CFR 84.32 (a)(2) (Criterion 2):**

#### **What qualifies as a maritime forest?**

A thorough description of what is considered to be a maritime forest for the purpose of the National Coastal Wetlands Conservation Grant program is found in the program regulations in the Definitions section, 50 CFR 84.11.

#### **How will this criterion be scored?**

In order to receive the maximum 7 points for this criterion, the project must significantly benefit maritime forests which meet the following descriptions: 1) are located on coastal barriers (see definition of "Coastal barrier" in 50 CFR 84.11) along the mainland coast from Delaware to Texas, and 2) are broad-leaved forests. Examples of maritime forests are primarily characterized by a closed canopy of various combinations of live oak, upland laurel oak, pignut hickory, southern magnolia, sugarberry, and cabbage palm.



Intermediate scores of less than 7 points are acceptable (1) for applications in which the significance of the benefit to maritime forests is unclear, or (2) for applications in which it is unclear if the forests meet the strict definition of maritime forest.

**50 CFR 84.32 (a)(5, 6, 7) (Criteria 5, 6, and 7):**

**What information should I include about threatened and endangered species, fish, and coastal dependent or migratory birds in responses to ranking criteria 5, 6, and 7?**

You should include the information requested in the ranking criteria. It is important to also note if species have been observed within the project boundary or only in the general vicinity. It is suggested that applicants supply this information in table format. The column headings can include: common name, scientific name, status (Federally listing, delisted within the last 5 years, State listing, etc.), observed within project boundary, habitat type provided, restored, or enhanced (nesting, breeding, feeding, nursery areas), etc. See ranking criteria language for additional information.

**50 CFR 84.32 (a)(10) (Criterion 10):**

**Do non-Federal partners' financial contributions need to be included on the SF-424 as match to receive points for this criterion?**

Yes, to be considered a non-Federal partner for this criterion, the application must receive financial support, including in-kind match, from a third-party that is listed as non-Federal match on the SF-424. You must document all third-party matching funds, those supplied by organizations or individuals other than the State applicant, with a signed letter of financial commitment from an authorized representative of the match provider. The letter of financial commitment must detail the amount of matching funds or value of donated land and/or services. The State is responsible for ensuring the full amount of the non-Federal match as listed on the SF-424. All of these items must be contained in the application by the due date.

Please note that if a third-party provides match, and the letter of financial commitment is missing and/or late, the match will not count, and the application may be ineligible.

**Can applications receive points for more than one State agency's participation in a proposed project?**

In general, applications will only receive credit for one State agency. The exception to this practice will occur when an application includes multiple States. In these instances, the application may receive points for each additional State that is participating in the proposed project.

**What documentation is required to receive points for this criterion for non-Federal partners?**

A signed letter of financial commitment of matching funds or in-kind match from an authorized representative of any third-party match provider or partner(s) must accompany the application to receive points. Applicants are ultimately accountable for third-party commitments of financial support.

**What documentation is required to receive points for this criterion for Federal partners?**

A signed letter committing project involvement that is necessary and reasonable to completing the project objectives from an authorized representative of the Federal partner(s) must accompany the application to receive points. Project involvement that is not necessary or reasonable to complete the project objectives will not be counted as a partner for this criterion.

**50 CFR 84.32 (a)(11) (Criterion 11):**

**Can in-kind services or contributions be used as the required State match?**

Yes. In-kind services can be used for the entire portion of the State's required cost share (i.e., 25% or 50%). However, the applicant will not receive points for this ranking criterion.

**Can in-kind services or contributions, including bargain land sale, be used to score points for this criterion?**

No. We only consider cash contributions that exceed the required match when scoring points for Criterion 11. Cash is a liquid asset and can be tracked easily through audit procedures and also serves as a proxy for the State's commitment towards a project. Federal regulations and guidance clearly identify a landowner's acceptance of a reduced price for his or her property as an in-kind service or contribution, not cash. As such, so-called "bargain sales" cannot be used to receive points for decreasing the Federal share.

**Can the in-kind contribution of a landowner accepting an offer below market value for his property be used for the required State match?**

Yes. The in-kind contribution of a landowner accepting a reduced price for his property can be used as part of or all of the State's required cost share of 25% or 50%.

**50 CFR 84.32(b)(4) (Additional considerations):**

**Please clarify the ‘provides lands as part of the State matching share’.**

The purpose of this tie-breaking factor is to consider applications which include the donation of lands owned by a third party as part of the overall project. Such donations increase the overall acreage of land managed by the State agency, increasing the likelihood that the land will be managed to conserve the natural resources and increase the management options for the grant property.



# Oregon

John A. Kitzhaber, MD, Governor

## Oregon Watershed Enhancement Board

775 Summer Street NE, Suite 360

Salem, OR 97301-1290

(503) 986-0178

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[www.oregon.gov/OWEB](http://www.oregon.gov/OWEB)



May 28, 2013

## MEMORANDUM

**TO:** Oregon Watershed Enhancement Board

**FROM:** Meta Loftsgaarden, Deputy Director

**SUBJECT: Agenda Item F-1: Coastal Wetlands – Waite Ranch Application  
June 11-12, 2013 OWEB Board Meeting**

### I. Introduction

OWEB staff request the Board recommend the agency submit an application for a U.S. Fish and Wildlife Service (USFWS) Coastal Wetlands (CW) Grant for restoration work on the previously acquired Waite Ranch property, sponsored by both the Siuslaw Watershed Council and McKenzie River Trust.

### II. Background on the Coastal Wetlands Grant Process through OWEB

OWEB is designated as a state agency authorized to submit applications for the USFWS CW program. Applications can only be submitted by a state agency. Any agency submitting a grant application for federal funding must receive legislative approval to both submit the application and to receive funds if the grant is successful.

In early 2013, staff worked to revise the internal processes for OWEB to request legislative approval to submit for and receive federal CW grants. Under this new process, project sponsors need to notify OWEB of their interest by March 15 each year. Staff also determined that, because OWEB is the submitting agency, the local sponsor also should request funds from OWEB as match. This request provides the staff nexus for working on the project. Once notification is complete and OWEB concurs that the general concept fits with the agency's mission and confirms that the sponsors will request OWEB match, the applicant provides a draft application to OWEB for the CW grant at the same time they submit their OWEB grant application requesting state Lottery funds (this year, applications were due on April 22).

Once the application is received, OWEB's new process utilizes a subset of the regional review team (RRT) to review the CW grant to determine if the project contains enough information and has enough likelihood of success to be worthy of submission. The OWEB Board receives the RRT recommendation, along with staff perspective and recommendation about whether the agency should request approval from the legislature to submit an application for federal funds and then submit a grant application to USFWS.

Separately, the OWEB portion of funding will be reviewed through the agency's regular grant processes. If funding is not approved by the Board through the agency's regular grant processes, then staff will not recommend proceeding with receipt of the federal funds because associated match requirements will not have been met.

### **III. Background on the Waite Ranch Coastal Wetlands Proposal and Review Process**

The Waite Ranch proposal will restore tidal wetland function at Waite Ranch, a 217-acre property owned by McKenzie River Trust in the lower Siuslaw River estuary in Lane County, Oregon. Approximately 67 percent of tidal wetlands have undergone major alterations that block or greatly reduce tidal flows. Fully 97 percent of tidal swamp has been lost from the estuary. Restoration of this property has been identified as an important part of estuary-wide efforts to protect and enhance a network of high-quality nursery and out-migration stopover sites for salmonids and habitat for numerous other tidal wetland-dependent fish and wildlife species.

Waite Ranch is currently diked and tide-gated from tidal inundation, and restoration of tidal processes will enable significant amplification of the ecological values at the site, as well as in the larger estuary.

The local sponsors are proposing a mix of CW, NOAA-Fisheries and OWEB funding. Neither OWEB nor NOAA-Fisheries funds are yet secure, but determinations of those funding requests will be made prior to USFWS' final determination of CW funding. The project sponsors are proposing that OWEB funds initially be used for technical assistance, with an OWEB restoration application to follow. The CW funds are proposed to be used for both technical assistance and restoration.

Tom Shafer, OWEB's North Coast Regional Program Representative, selected a qualified subset of the RRT to review the CW proposal. Their review focused on ecological outcomes and project soundness to determine whether or not it is appropriate for OWEB to proceed with application submission and to recommend any changes based on their review. They completed the site visit and review on May 10. The review is provided as Attachment A to this report. Based on that review, the RRT members recommend that OWEB move forward with a grant submission to USFWS, with changes to the draft application as identified in Attachment A. Staff have worked with the local sponsors, and those changes are in the process of being made to the grant application.

### **IV. Recommendation**

Staff recommend the Board approve OWEB's submission of a Coastal Wetlands application to the U.S. Fish and Wildlife Service for \$599,755 for the Waite Ranch Property, with adjustments to the proposal as recommended by the RRT members.

Attachment

A. RRT review of Waite Ranch project

## **Agenda Item F-1: Coastal Wetlands – Waite Ranch Application**

On May 9<sup>th</sup>, six members of the Region 1 Review Team conducted a site visit on the Waite Ranch property owned by the McKenzie River Trust (MRT). Along with the six reviewers were two staff from MRT, two staff from the Siuslaw Watershed Council (Council), the ecological lead for the Waite Advisory Group accompanied by a visiting researcher from Portugal, and a staff member from USFWS.

Plans and maps revised from the previous visit in March were distributed and discussed and the reviewers were pleased to see some of their concerns from the previous visit had been addressed. When on the actual site, the group was joined by one of the project's consulting geologists, along with a staff member from Ecotrust.

Discussion with the consulting geologist provided the reviewers with the background necessary to understand the fundamental issues constraining the restoration options possible for the property. One important fact is that the soils on the property and in the immediate vicinity were extremely unconsolidated, making plans for construction of any heavy structures or protective devices extremely complicated. Waite Ranch was historically tidally influenced marshland, with a few areas of slightly higher ground. Much of its northern boundary was essentially a fully wetted slough, and tidal channels into the Waite property entered and exited from this slough, as well as from the mainstem Siuslaw at the western end of the property. When Highway 126 was built, the roadbed was constructed right down the middle of the slough on top of the same unconsolidated soils as those that form Waite Ranch. The geologist explained that test pits and core samples on the Waite Ranch property showed soil consolidation rates of between 2 and 15 percent. Or, as the geologist put it, the test pits showed the soils are slightly more substantial than Jello. The highway shows clear signs of its roadbed slowly sinking into the unconsolidated soils.

Because the highway and Waite Ranch share a common property line, the safety of the highway has to be factored into any restoration work proposed for the Ranch. Also, ODOT has to be agreeable to any restoration plan developed for the Ranch that could affect its highway. Because of the unconsolidated nature of the underlying soils, the weight of any materials used to protect the highway has to be considered, because there is concern that that the additional weight could cause the highway to slump or otherwise be negatively affected.

### **Recommendations:**

- The reviewers recognized the need to model several options involving the stub dike and highway protection, and thought the proposed technical assistance application could be modified to provide funding for these modeling exercises: 1) shortening the stub dike and building the earthen berm as planned, thereby filling in the existing channel alongside the highway, and rip-rapping the southern side of the berm as necessary for further protection; OR 2) shortening the stub dike, not building the earthen berm, but rip-rapping the south side of the highway roadbed itself and thereby allowing the existing channel alongside the highway to remain wetted. The reviewers strongly recommend the MRT and the Council work together to better engage ODOT as soon as possible so restoration plans are built on solid ground.

- The reviewers noted the current plans for the western portion of the property's dike were indefinite about to what exact elevation the dike would be lowered, and recommended the elevation be at least that of the marshland immediately downstream of the dike. Again, they noted this might need additional modeling since the elevation in the current plan was unspecified.
- The reviewers appreciated the planned location, depth and width of the new channel to be constructed and offered no suggestions for adjustments.
- The reviewers thought the western dike could be lowered (to some yet-to-be-determined specific elevation) all the way from the end of the stub dike to a point roughly one hundred yards upstream of the site of the dock belonging to the landowner across the river (between sites #7 and #8 on the current plan map). This lowering would improve the project's potential restoration benefits. The reviewers recognized that additional modeling of this recommendation would be needed, and once again recommended a portion of the technical assistance funding currently being requested be utilized for that purpose.
- The last portion of the site review concentrated on the remainder of the dike upstream, where it was apparent the geologist's portrayal of the "dike" as a natural river levee was accurate, making thoughts of lowering that levee for possible greater restoration inappropriate.
- The one issue that did arise at that site was the plan to construct a road atop the levee in order to provide access to the cross-river landowner's dock and to the power line poles crossing the river at the dock site. The reviewers remained concerned about the need to maintain the road long term and what that might mean for the height of the levee should supplementation of hardened material to the road remain necessary over time. They would like that issue addressed.
- The reviewer's remaining concern is the lack of a long-term management plan for the water control structures proposed to be installed in the new cross-dike with the intent to keep the construction of the cross-dike from creating a bathtub of the upstream neighbor's property. They recommend the CW grant application provide that management plan.