

Washington FY09 WRP Implementation Plan

This bulletin will cover five main areas of program implementation:

1. Update of easement data, plans, budgets and Technical Assistance needs
2. Identification and prioritization of restoration activities
3. Procurement process for restoration activities
4. Application, ranking, and selection for FY09
5. Development of Final Restoration Plans and Budgets
6. Easement Compensation

The new WRP Business Process will have a major impact on how we conduct program activities within the state. Washington has received an FA allocation for first quarter FY 2009. National has directed that 94% of this allocation will be used to fund new enrollments and the remaining 6% for restoration and maintenance of existing enrollments. However, the State Conservationist will make the decision on the final allocation distribution. Several factors will come into play in this decision making process such as state goals for easement/wetland restored acres, number and costs of new applications, costs and schedule of existing restoration activities and TA funds needed to support our workload. In order to make these critical decisions, we need to have accurate and complete data on our existing workload. The information and data requested below will be needed to assist in this decision making process.

Update of easement data, plans and budgets

A spreadsheet listing all easements and agreements is attached. The following information will be provided or verified for each easement or agreement and submitted to the state office by December 31, 2008.

1. Current landowner – Verify and/or update legal name of current landowner
2. Determination of easement status – Enter year restoration completed.
3. Restoration Plan/Operation and Maintenance Plan – All easements with restoration activities still pending will have a current conservation plan document that includes all practices needed to implement the final restoration plan. It is critical that we have final restoration plans for all easements. In addition, if there are operation and maintenance activities needed, these practices should also be planned and scheduled. The practice schedule should be current and should not extend out more than 3 years. If longer than three years, an explanation will be provided. A copy will be submitted to the state office.
4. Monitoring – Enter year of the most recent on-site easement inspection or agreement review.
5. Restoration Budget – All easements with restoration activities still pending or maintenance activities planned will have an updated budget. Budget should match plan and schedule. A copy will be submitted to the state office. Using the attached spreadsheet, enter an estimate of the FA funds needed for all FY09 planned restoration activities for each easement.

6. Technical Assistance Needs – Using the attached spreadsheet, enter an estimate of the direct charge hours needed for each agreement and easement. Estimates should include all field, area and state office level assistance

Identification and prioritization of restoration activities

The information above will be used to determine what restoration activities will be implemented this fiscal year. The State Leadership Team, in consultation with DCs, area and field office staff, will review workload, financial data and staffing availability to determine projects to be initiated this fiscal year.

The following issues will factor into this decision making process:

1. Year of easement – Our current program standard is for completion of restoration activities within three years of easement closing. Restoration that exceeds this timeframe results in a negative rating under the Program Assessment and Rating Tool, which is an evaluation used by the Office of Management and Budget to determine funding for programs. (See <http://www.whitehouse.gov/omb/expectmore/detail/10003016.2005.html> for more information) We will put the highest priority on the oldest easements.
2. Status of current activities – Priority will be given to projects and activities where preliminary work has already been completed such as construction of projects where all needed designs, permits and reviews are complete or the initiation of design work where survey and other data is available.
3. Availability of FA funds –FA funds will be allocated to the states each quarter. After the funds have been allocated we will be able to determine the maximum amount of restoration work for the quarter.
4. Availability of Staff – Availability of staff time at all levels will impact our ability to complete restoration activities. Certain activities and disciplines are critical and typically limited such as cultural resources, engineering and procurement. Workload for field and area staff in WRP and other programs will also limit restoration potential.
5. Performance Goals – State goals for WRP enrollment and wetland restoration will be considered in the allocation of FA and TA funds.

Procurement process for restoration activities

Restoration activities will be pre-approved based on available FA funds. Following approval, field staff can begin making requests for procurement of these products and/or services. No procurement actions will take place for any easement that does not have a current restoration plan and budget.

Procurement through Federal Process – Given the scope and complexity involved with federal contracting, these will be handled on a case by case basis. Procurement requiring federal contracting will be indentified at least 6 months prior to the estimated construction start date. Requests for federal contracts will be submitted to Dave Brown, Assistant State Conservationist-Programs. A joint meeting or teleconference will be scheduled within 14 days of receipt of

request to initiate coordination of financial, technical and administrative actions. Further requirements and timelines will be identified and agreed to at that time.

Procurement through Integrated Acquisitions System (IAS) – All requests for procurement through IAS will be submitted by to Chad Dunnahoo, State WRP Coordinator. All coordination with administrative and financial staff needed to process the request will be handled at the state office level. This process should allow most procurement requests to be processed in less than 30 days. This timeframe should be considered by field staff in their decision on when to submit procurement requests.

The following information will be submitted to the SO:

1. Current restoration plan (should already be in SO case file, if so, no need to submit again)
2. Current budget (should already be in SO case file, if so, no need to submit again)
3. Completed IAS Request Form (attached)
4. Practice designs, specifications, job sheets appropriate for the specific practice, signed by staff with appropriate JAA.
5. Map showing location/layout of practices.

The following process and timeframes will be adhered to:

1. State WRP Coordinator will review request for completeness, check the conformance with existing plan and budget and verify FA fund approval. If there is any question regarding the type of procurement process to be used the State WRP Coordinator will review request with contracting staff. State WRP Coordinator will forward request to SO administrative staff for entry to IAS with Cc to field contact. These actions will be completed within 3 days of receipt of complete request package.
2. SO administrative staff will enter request into IAS within 5 days of receipt. When completed, they will send an email notification to the Area Conservationist for their approval with a Cc to the Sandy Degner-Crusch, Budget Officer.
3. Area Conservationist will approve IAS request within 3 days of receipt and send an email notification to the Budget Officer.
4. The Budget Officer will verify fund availability and provide notification to Ron Joyner, Contract Specialist within 2 days.
5. Contract Specialist will complete IAS procurement process within 14 days and provide notification back to field contact and State WRP Coordinator. If process will take longer than 14 days Contract Specialist will notify State WRP Coordinator.

Procurement through Land Owner Cooperative Agreements and Long Term Contracts – Field office staff is encouraged to use land owner agreements or long term contracts with landowners as the preferred means of accomplishing restoration activities on easements whenever possible. Of the two, long term contracts should be the first choice. The following guidelines will be followed in the development of these agreements/contracts:

1. Long Term Contracts will be developed using standard template contract provisions along with an AD-1155. WA NRCS WRP Payment Schedule rates will be used for all practices. Field offices will submit the following to the State WRP Contact:

- a) Current restoration plan (should already be in SO case file, if so, no need to submit again)
- b) Current budget (should already be in SO case file, if so, no need to submit again)
- c) Completed AD-1155.
- d) Map showing location of contract items
- e) Vendor information (1199) for landowner

State WRP Coordinator will review request for completeness, check the conformance with existing plan and budget and verify the FA fund approval. Budget officer will verify fund availability. Contract will be forwarded to contracting officer for final development within 2 weeks of receipt of complete package. Contracting officer will produce documents for signature within 2 weeks.

2. Land Owner Cooperative Agreements will only be used if unique site conditions exist that precludes the use of the standard payment schedule scenarios and costs. A written justification will be provided to and approved by the ASTC-P prior to initiating an agreement. Cooperative agreements will be developed using an "Actual Cost Not to Exceed a Maximum" basis. In most cases an AM rate will be developed for each contract item. Only actual construction related costs are eligible. No "Technical Assistance" activities will be allowed as eligible costs or matching costs. Complete practice designs will be developed and approved prior to obligation of any agreement to ensure accurate estimates can be made for AM rates and total agreement amount. Average Cost (AC) rate may be used in unique situations where the cost does not match the Payment schedule or the AM rate is not practical. Documentation such as previous bills and at least 2 bids must be provided to justify the cost. Field office staff will submit the following to the State WRP Coordinator:

- a. Current restoration plan (should already be in SO case file, if so, no need to submit again)
- b. Current budget (should already be in SO case file, if so, no need to submit again)
- c. Detailed Agreement budget
- d. Map showing location of contract items
- e. Vendor information (1199) for landowner

State WRP Coordinator will review request for completeness, check the conformance with existing plan and budget and verify the FA fund approval. Budget officer will verify fund availability. Documents will be forwarded to contracting officer for final development within 2 weeks of receipt of complete package. Contracting officer will produce documents for signature within 2 weeks.

Application, ranking, selection for FY09

Applications for WRP are accepted on a continuous basis. Field offices should evaluate eligibility and complete ranking for applications as they are submitted or as field conditions allow. Two cycles of ranking and offers will be utilized. See attached schedule.

All WRP applications will be ranked using the FY09 WRP Ranking Worksheet. (Attached) Ranking will be conducted as part of an on-site evaluation process using an interagency and interdisciplinary team approach. Notification of scheduled ranking field visits will be provided to State WRP Coordinator. Recommended NRCS participants include field office WRP contact, Area WRP contact, Area Biologist and Area Engineer. Other possible NRCS participants include Area Program Liaisons, Area Resource Conservationists, State WRP Coordinator and State Biologists. The US Fish and Wildlife Service is a required participant for all WRP ranking activities. Contacts with USFWS representatives should be made well in advance to ensure their participation. Also, Washington Department of Fish and Wildlife will be provided an invitation to all WRP ranking activities. If you need assistance with USFWS or WDFW agency contacts please contact the State WRP coordinator.

Development of Final Restoration Plans and Budgets

A final restoration plan and budget will be developed for all easements prior to closing. Plans will be submitted to the ASTC-P for review and approval. Plan may be routed to appropriate technical staff for review prior to acceptance.

Easement Compensation

Compensation to the landowner for a conservation easement will be determined by selecting the method below which results in the lowest payment:

- (i) The fair market value of the land using an area-wide market analysis or survey. The market analysis has been completed for Washington. The fair market value for Western Washington is \$3,299 per acre and the fair market value for Eastern Washington is \$2,948 per acre.
- (ii) The amount corresponding to the geographical area rate cap, which is currently set at \$2,500 per acre for counties with the West Area and \$1,500 acre for counties within the East and Central Areas.
- (iii) A written offer submitted by the landowner.

PLEASE NOTE - Washington NRCS will conduct a new market survey for agricultural land values in the state. Results of this market survey may prompt a revision of our geographical rate caps. Any new easement offers made in FY09 will be based on these new values.

TIMELINE & DUE DATES

DATE	ACTION
Nov. 14, 2008 (April 3, 2009)	<p>Application cut off date for the initial round of ranking.</p> <p>Applications must be completed and signed by this date to be considered for this round of ranking.</p>
Dec. 12, 2008 (May 1, 2009)	<p>Deeds and maps due to State Office.</p> <p>For each application received by the cut-off date, provide deed and map with boundary of proposed easement/agreement to the attention of Chad Dunnahoo for initiation of the Environmental Due Diligence/All Appropriate Inquiry and Preliminary Title Search.</p>
December 31, 2008	<p>Submission of Existing Easement and Agreement Information.</p> <ul style="list-style-type: none"> • Completion of Easement/Agreement data spreadsheet • Updated restoration plans • Updated budgets
January 30, 2009 (May 29, 2009)	<p>WRP Ranking Packets due to State Office.</p> <p>For each application received by the cut-off date, provide the following materials, in a WRP ranking packet, to the attention of Chad Dunnahoo:</p> <ul style="list-style-type: none"> • WRP application • WRP Ranking Worksheets (attached) • letter from the NRCS field person to the STC that the proposed applicant and acreage are eligible for WRP • verification from FSA of HEL/WC and AGI compliance • copy of the landowner's deed (and Incorporation Papers, if applicable) • estimated easement/agreement acres • preliminary restoration plan with estimated restoration costs • plan map, soils map and soils descriptions • wetlands map that corresponds to wetlands types listed on the ranking worksheet • Environmental Evaluation form • preliminary certificate of inspection and possession (attached) • AAI Worksheet 3 (attached) • written easement offer price from landowner if applicable • name of NRCS Field Office employee who is the designated contact for the project
February 17, 2009 (June 9, 2009)	<p>Meeting to review and rank applications.</p> <p>An interdisciplinary team will review all applications and ranking packets at the State Office and select applications for funding. Area Conservationists are encouraged to invite area or field office staff to participate in person or by teleconference.</p>

February 20, 2009 (July 10, 2009)	Offer Agreement to Purchase is sent to selected applicants by State Office. Applicant must respond within 10 days.
March 16, 2009 (July 31, 2009)	Applicant response to Offer Agreement due along with 1199. Request for funding sent by State Office to NHQ, based on accepted offers.
March 31, 2009 (August 7, 2009)	Funds are obligated and selected applicants are notified by State Office.