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CHAPTER 695
OREGON WATERSHED ENHANCEMENT BOARD

FILING CAPTION: Establishes administrative rules for the Focused Investment Partnership grant program.

EFFECTIVE DATE: 02/02/2018

AGENCY APPROVED DATE: 01/31/2018

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RULES:
695-047-0010, 695-047-0020, 695-047-0030, 695-047-0040, 695-047-0050, 695-047-0060, 695-047-0070, 695-047-0080, 695-047-0090, 695-047-0100, 695-047-0110, 695-047-0120, 695-047-0130, 695-047-0140

ADOPT: 695-047-0010

RULE TITLE: Purpose

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes purpose of Focused Investment Partnership grant program rules.

RULE TEXT:
The Board shall provide grants, as funds are available, for Focused Investment Partnership initiatives that address Board-identified priorities of significance to the state through either Implementation grants or Development grants.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0020

RULE TITLE: Definitions

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Provides definitions of terms contained in the Focused Investment Partnership grant program rules.

RULE TEXT:

(1) “Focused Investment Partnership” means an OWEB investment that addresses a Board-identified priority of significance to the state, achieves clear and measurable ecological outcomes, uses integrated and results-oriented approaches as identified through a strategic action plan, and is implemented by a high-performing partnership.

(2) “Focused Investment Partnership Development” means an initiative with an existing partnership that is pursuing enhancement of that partnership, development of a strategic action plan and community engagement in support of the strategic action plan.

(3) “Focused Investment Partnership Implementation” means an initiative with an existing strategic action plan that is ready for implementation by a high-performing partnership.

(4) “Initiative” means the program that the partnership will pursue with Focused Investment Partnership funding.

(5) “Strategic Action Plan” is the long term conservation strategy of a partnership. Plans will include all components identified by OWEB as a part of the application process.

(6) “High-Performing Partnership” means a collaborating group of organizations with an existing governance structure that includes a formal decision making process resulting in an effective performance history.

(7) “Core Partners” are the partners identified in the proposal that will bring substantial capacity to a partnership and will lead the implementation effort.

(8) “Measurable Ecological Outcomes” means quantifiable long-term ecological effects resulting from a series of conservation actions.

(9) “Expert Review Team” means a team of designated personnel with statewide knowledge and interdisciplinary expertise drawn from agencies represented on the Board and other entities as appropriate to evaluate Focused Investment Partnership Implementation proposals and Development applications.

(10) ”Technical Review Team” means a team of designated personnel with regional knowledge and interdisciplinary expertise drawn from agencies represented on the Board and other entities to evaluate Focused Investment Partnership Implementation project-level grant applications.

(11) “Work Plan” means the proposed actions of the partnership in each biennium of the Initiative. Focused Investment Partnership Implementation partnerships will submit to OWEB an updated work plan in advance of each new biennium.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0030

RULE TITLE: Board-identified Priorities

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Establishes process for the Board to determine ecological priorities for the Focused Investment Partnership grant program.

RULE TEXT:
At least every five years, the Board shall approve ecological priorities of significance to the State to be addressed by Focused Investment Partnerships Initiatives. Ecological priorities shall be determined with public input and scientific rigor, and shall include maps and narrative describing the desired ecological outcomes for eligible Focused Investment Partnership Initiative activities.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0040

RULE TITLE: Eligibility

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes eligibility for Focused Investment Partnership grants.

RULE TEXT:

(1) The Board shall only consider a Focused Investment Partnership Implementation Initiative proposal that:

(a) Addresses a Board-identified priority of significance to the state; and

(b) Is to be implemented by a high-performing partnership.

(2) The Board shall only consider a Focused Investment Partnership Development Initiative application that:

(a) Addresses a Board-identified priority of significance to the state; and

(b) Is to be implemented by an existing partnership.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0050

RULE TITLE: Focused Investment Partnership Implementation Proposal and Focused Investment Partnership Development Application Requirements

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes the application requirements for Focused Investment Partnership Development and Implementation Initiative grants.

RULE TEXT:

(1) Focused Investment Partnership Implementation Initiative proposals shall:

(a) Be submitted on the most current form using the process prescribed by the Board; and

(b) Demonstrate that 25% match is sought, and shall be expended within the scope and geography of the Initiative application.

(2) Focused Investment Partnership Development Initiative applications shall:

(a) Be submitted on the most current form using the process prescribed by the Board; and

(b) Demonstrate that 25% match is sought.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0060

RULE TITLE: Evaluation Criteria

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Provides the criteria that Focused Investment Implementation proposals and Development grant applications will be evaluated on.

RULE TEXT:

(1) Focused Investment Partnership Implementation proposals shall be evaluated on:

(a) The extent to which the initiative addresses a Board-identified priority;

(b) The capacity to partner, engage the community, and catalyze additional investments applied to activities within the initiative geography;

(c) The performance history and composition of the partnership;

(d) The extent to which the proposed approach will make progress toward measureable ecological outcomes;

(e) The ability to track progress towards proposed outcomes;

(f) The scientific basis and planning tools that support the proposed Initiative; and

(g) The extent to which the allocation of funds across proposed grant types will support the achievement of the proposed ecological outcomes.

(2) Focused Investment Partnership Development applications shall be evaluated on:

(a) The extent to which the initiative addresses a Board-identified priority;

(b) The capacity to partner, engage the community, and catalyze additional investments within the initiative geography; and

(c) The performance history and composition of the partnership.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0070

RULE TITLE: Focused Investment Partnership Initiative Expert Review Process

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes the process for expert review of Focused Investment Partnership Implementation proposals and Focused Investment Partnership Development applications.

RULE TEXT:

The Board shall convene expert review teams to evaluate Focused Investment Partnership Implementation proposals and Development applications according to criteria described in OAR 695-047-0060. Expert review teams shall evaluate each application based on the information provided and deliver recommendations to OWEB staff. The results of the expert review process, including evaluations, shall be provided to applicants and the Board.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0080

RULE TITLE: Focused Investment Partnership Initiative Funding Recommendation Process

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes funding recommendation process for Focused Investment Partnership Implementation Initiative proposals and Focused Investment Partnership Development Initiative grant applications.

RULE TEXT:

(1) For Focused Investment Partnership Implementation Initiatives:

(a) OWEB staff shall review the recommendations from each expert review team and make a funding recommendation to a Board subcommittee. The OWEB staff recommendation shall be provided to applicants and the Board.

(b) The Board subcommittee shall interview core partners proposing an Implementation Initiative.

(c) The Board subcommittee shall review OWEB staff recommendations, and the results of the interview of the core partners, and make a funding recommendation to the Board.

(2) For Focused Investment Partnership Development Initiatives, OWEB staff shall review the recommendations from each expert review team and make a funding recommendation to the Board. This recommendation shall also be provided to applicants.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0090

RULE TITLE: Board Funding Decision

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes process for OWEB Board awarding Focused Investment Partnership Implementation Initiative proposals and Focused Investment Partnership Development Initiative grant applications.

RULE TEXT:

(1) For Focused Investment Partnership Implementation Initiatives:

(a) The Board may fund an Initiative in whole or in part.

(b) The Board shall award funds on a biennial basis. Subject to Board evaluation and future appropriations, the Board seeks investment for up to six years for each Initiative. A biennial award will not exceed $4 million and the full six-year award will not exceed $12 million.

(2) For Focused Investment Partnership Development Initiatives the Board may fund an Initiative in whole or in part.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0100

RULE TITLE: Focused Investment Partnership Implementation Initiative Partnership Agreement

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes the partnership agreement between OWEB and partners involved in a Focused Investment Partnership Implementation Initiative.

RULE TEXT:

(1) For Focused Investment Partnership Implementation Initiatives, a partnership agreement shall be executed between OWEB and core partners that shall stipulate the terms of the initiative.

(2) The agreement shall include at a minimum: points of contact, purpose of initiative, scope of initiative, process for submitting project-level grant applications, review process, funding conditions, roles and responsibilities of signatories, and methodology to address any potential changes in composition of the core partnership.

(3) Only organizations that are signatory to the partnership agreement are eligible to apply for project level grants.

(4) Projects in the defined geographic area of the Initiative, and focused on the programs and actions identified in the Initiative's proposal, are ineligible for the grant types listed in OAR 695-047-0110(8) that are offered outside of the Focused Investment Partnership program.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0110

RULE TITLE: Focused Investment Partnership Implementation Initiative Project-level Grant Process

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes the process for project-level applications to be submitted and evaluated for Focused Investment Partnership Implementation Initiatives.

RULE TEXT:
(1) The core partners of a Focused Investment Implementation Initiative shall select projects to implement the Initiative.
(2) Project applications shall be submitted on current forms on a schedule determined by the partnership and OWEB staff.
(3) Project applications shall include a matching contribution from other non-Board program funds or in-kind services, notwithstanding OAR 695-005-0030(3).
(4) Following consultation with the partnership about expertise that is relevant to the Implementation Initiative's focus, a technical review team shall be convened by OWEB. Technical review team members shall have appropriate expertise in the Focused Investment Partnership Initiative subject matter and geography.
(5) The technical review team shall meet to evaluate project-level applications according to the project's compatibility with the Initiative's proposal and relevant evaluation criteria established in OAR Chapter 695. Representatives of the partnership shall be provided an opportunity to meet with the technical review team during the project evaluation to provide context for proposed projects.
(6) OWEB staff shall provide the technical review team evaluations to the applicant. Applicants and staff shall address review team comments through an amendment or other agreed upon process.
(7) Notwithstanding 695-005-0060(2) and (8) initiatives require 25% match, reported at the Initiative-level for the biennium. Each project within the initiative also requires match. Prior to disbursement of Board funds for a project the grantee must provide proof that the matching contribution has been secured for the project. Initiatives that do not meet the required 25% match by the end of the biennium will not be awarded subsequent Implementation Initiative funding.
(8) Grant types for Focused Investment Implementation Initiatives are Restoration (OAR 695-010), Stakeholder Engagement (OAR 695-015), Monitoring (OAR 695-025), Technical Assistance (OAR 695-030), Land Acquisition (OAR 695-045), and Water Lease and Transfer (OAR 695-046).

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0120

RULE TITLE: Distribution of Funds

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes the process for how funds will be distributed for Focused Investment Partnership Implementation and Development Initiatives.

RULE TEXT:
(1) Focused Investment Partnership Development Initiative funds shall be distributed through grant agreements executed in accordance with OAR 695-005-0050 and 695-005-0060.
(2) Focused Investment Partnership Implementation Initiative funds shall be distributed through project-level grant agreements through a process described in the partnership agreement described in OAR 695-047-0100.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0130

RULE TITLE: Reporting

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes reporting process for Focused Investment Partnership Implementation and Development Initiatives.

RULE TEXT:
(1) Reporting for Focused Investment Partnership Development Initiatives shall be in accordance with OAR chapter 695, division-005.
(2) Focused Investment Partnership Implementation Initiatives shall report to OWEB staff through a collaboratively established process and timeline.
(3) Reporting for project-level grants shall be determined in each project grant agreement.
(4) At the end of each biennium, the Focused Investment Implementation Initiative partnerships shall report the following to the Board:
(a) Demonstrated 25% secured match for the Initiative for the biennium plus any additional investments generated by the Initiative.
(b) Initiative progress for the biennium
(c) Updated work plan and budget proposed for the next biennium
(d) Any proposed changes to the geography, scope, or partners of the Initiative.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969

ADOPT: 695-047-0140

RULE TITLE: Waiver and Periodic Review of Rules

NOTICE FILED DATE: 11/29/2017

RULE SUMMARY: Describes process for rule waivers and states that the Focused Investment Partnership grant program rules will be be periodically reviewed by the Board.

RULE TEXT:

The Director may waive the requirements of Division 47 unless required by statute, when doing so will result in more efficient or effective implementation of the Board's Focused Investment Partnership grant program. Any waiver must be in writing and included in the grant file to which the waiver applies. Any waiver of the requirements of Division 47 will be reported to the Board at the next Board meeting. The administrative rules for Focused Investment Partnership grants shall be periodically reviewed by the Board and revised as necessary and appropriate.

STATUTORY/OTHER AUTHORITY: ORS 541.906

STATUTES/OTHER IMPLEMENTED: ORS 541.890-541.969