



Policy 3.2.5 – Cooperative Landowner Incentive Program Guidelines

East Multnomah Soil & Water Conservation District

2/8/16

<u>APPROVED ON AND BY:</u>	February 8, 2016 EMSWCD Board of Directors
<u>POLICY STATEMENT:</u>	The guidelines below are intended to ensure that the East Multnomah Soil & Water Conservation District (EMSWCD) applies consistency, fairness, and transparency in the implementation of the Cooperative Landowner Incentive Program (CLIP). CLIP applicants and EMSWCD’s board, committees, and staff must follow the guidelines set forth below in points 1 – 6.
<u>DEFINITIONS:</u>	<p><u>Commercial Properties:</u> Properties used primarily or solely for business (for-profit) purposes that are not directly involved with the implementation of working land activities.</p> <p><u>Conservation Plan:</u> A plan developed for a specific property using standards developed by EMSWCD or a plan developed under USDA Natural Resource Conservation Service standards.</p> <p><u>Equity Priority Zone:</u> An area in which 50% of households within a census block earn \$45,000/year or less. \$45,000 is based on HUD low-income housing limits for a family of four and represents 60% of the regional median family income (MFI).</p> <p><u>Residential Properties:</u> Properties used primarily or solely for private dwellings and that are not directly involved with the implementation of working land activities.</p> <p><u>Rural Areas:</u> All areas of Multnomah County lying east of the Urban Growth Boundary.</p> <p><u>Urban Areas:</u> All areas of Multnomah County lying west of the Urban Growth Boundary and east of the Willamette River centerline.</p> <p><u>Working Lands:</u> Properties used primarily or solely for agriculture, the rearing of horses or livestock, and/or forestry.</p>
<u>ATTACHMENTS:</u>	Appendix 1: List of Conservation Practices Appendix 2: Project Checklist

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1. PROGRAM OVERVIEW

The East Multnomah Soil & Water Conservation District's (EMSWCD's) Cooperative Landowner Incentive Program (CLIP) advances the mission of the EMSWCD by providing **technical and financial assistance** to private landowners and land managers to carry out on-the-ground conservation work. The goals of CLIP are to:

- Improve water quality and quantity.
- Improve soil health and prevent erosion.
- Improve and protect natural habitats.
- Increase the ecological and/or environmental sustainability of agriculture.

Technical assistance provided through CLIP is focused on identifying and addressing substantial natural resource concerns on private property. The connection between natural resource concerns and technical assistance in planning and implementing the project are key elements of the program. EMSWCD does not accept unsolicited applications for funding from CLIP.

2. APPLICANT ELEGIBILITY

- 2.1. **Applicant Status:** Landowners/managers must be individual property owners, duly authorized and appointed property managers (such as individual property managers, lessees, or homeowner associations), non-profit organizations, or commercial enterprises.
- 2.2. **Consultation:** Landowners/managers must be engaged with EMSWCD staff in a consultative process to determine needed conservation practices on the property.
- 2.3. **Capacity to Complete:** Landowners/managers must be capable of overseeing and completing the proposed conservation project either directly or indirectly through contractors.
- 2.4. **Request to Submit:** Because unsolicited CLIP cost-share applications are not accepted by EMSWCD, landowners/managers must first receive a request from EMSWCD staff to complete and submit a CLIP cost-share funding application to EMSWCD.
- 2.5. **Signatories:** Landowners/managers must sign the CLIP cost-share application form (if the property is managed by someone other than the landowner, both the owner/lessee and the manager must sign the application).
- 2.6. **Signage:** Landowners/managers must agree to allow an EMSWCD sign to be installed and maintained at a publicly-visible location on the property for the life of the installed conservation practice(s).
- 2.7. **Site Visits:** Landowners/managers must agree to allow annual site visits by EMSWCD staff for the life of the installed conservation practice(s).



3. PROPERTY ELIGIBILITY

- 3.1. **Ownership:** Properties must be owned by a private entity; and
- 3.2. **Location:** Properties must be within the EMSWCD's service area (all areas within Multnomah county east of the Willamette River centerline); and
- 3.3. **Land Use:** Properties used solely or primarily as working lands (i.e., agriculture, horse and/or livestock rearing, and/or forestry) are inherently eligible.

If properties are solely or primarily used for residential or commercial purposes not directly related to the implementation of working lands activities, they must:

- Include or be located within 300 feet of a stream, river, or wetland; and/or
- Include or be located within 300 feet of a 'high conservation value' natural area¹; and/or
- Connect to a system that discharges untreated stormwater directly into a stream or waterway; and/or
- In addition to the above, if the property is a private, multi-family housing complex, it must be within an EMSWCD equity priority zone².

4. PROJECT ELIGIBILITY

While not strictly an eligibility requirement, projects that are identified in an approved conservation plan (developed with the assistance of EMSWCD or the Natural Resources Conservation Service) will receive prioritization over projects that are not identified in an approved conservation plan.

- 4.1. **Affected Resources:** To be eligible for CLIP assistance, projects must address one or more of the following:
 - Soil erosion;
 - Soil health;
 - Water quality;
 - Water use (on working agricultural or range lands only);
 - Natural habitat (including fish passage); and/or
 - Watershed health.

For residential or commercial properties (i.e., non-working lands), the project must also:

- Improve wildlife habitat on a parcel at least ½-acre in size; and/or
- Provide volume reduction of stormwater runoff totaling at least 50,000 gallons/year.

For multi-family housing complexes:

- If the project includes mixed edible and native gardens, the gardens must be at least 500 square feet.

¹ Eligible natural areas are considered to have 'high conservation value' within the Outdoor Recreation and Conservation Areas (ORCA) data set. EMSWCD staff will help interested applicants determine if their property is located within 300 feet of an ORCA parcel.

² Equity priority zones are determined by comparing geographic distribution of low income households, communities of color, and resident access to natural areas. EMSWCD staff will help interested applicants determine if their property is located within an equity priority zone.



- 4.2. **Conservation Practices:** Projects must implement one or more EMSWCD-approved on-the-ground conservation practices that address one or more important natural resource concerns (see Appendix 1).
- 4.3. **Project Time-frame:** All projects approved for CLIP cost-share must be completed within one-year.
- 4.4. **Limitations on On-going Activities:** Projects that consist solely of long term, continual, and/or year-to-year management, maintenance, and/or implementation of on-going activities, such as weed control and cover cropping, shall not be available for cost-share assistance. In special circumstances, EMSWCD may, at its sole discretion, offer cost-share for projects that assist with initiation of long-term management activities. Once any project transitions into a maintenance phase, it is no longer eligible for cost-share.
- 4.5. **Limitations on Required Actions:** CLIP cost-share is not available for legally or regulatorily-required actions.

5. CLIP PROCESS

The Board of Directors considers completed CLIP applications on a first come, first served basis. Priority and preference may be given to: 1) projects identified within approved conservation plans; 2) projects located within sub-basins with known degraded natural ecosystems, such as impaired water bodies; and 3) projects that include low or mixed-income housing located within equity priority zones.

Applicant/property/project eligibility, approval/denial of requests, and dollar amounts awarded will be decided at the sole discretion of the EMSWCD's Board of Directors. Most applicants will receive notice regarding approval or denial of the requested funding approximately one month after applications are completed and submitted to EMSWCD.

The process to be evaluated for and applying for CLIP funding is as follows:

- 5.1. **Initial Request:** Interested landowners/managers request technical assistance from EMSWCD by calling, emailing, or mailing EMSWCD. EMSWCD staff may also initiate first contact with landowners/managers.
- 5.2. **Landowner/Manager Contact:** EMSWCD technical staff will then contact the interested landowner/manager by phone or email to inquire about their technical needs. Initial information requested at this time will include, but will not be limited to:
 - Landowner/manager name, daytime phone number, and email address.
 - Location of the property.
 - Description of the property, land uses (e.g., crops, pasture, forestry, and residential), and significant natural resource features (e.g., streams, creeks, ponds, ditches, wetlands, and forestlands).
 - Description of the issues and/or problems to be addressed.
 - Description of any prior funding, services, or technical assistance provided by EMSWCD related to the landowner/manager, property, and project.
- 5.3. **Site Visit Establishment:** If the property appears to be eligible for CLIP assistance, EMSWCD staff will arrange a site visit with the landowner/manager.
- 5.4. **Initial Site Visit(s):** During one or more subsequent site visits, the landowner/manager and EMSWCD staff shall review the landowner's/manager's concerns about the property. EMSWCD staff shall provide initial ideas regarding the concerns, may identify additional



opportunities to improve other areas of the property, and will discuss conservation planning options. Staff shall use a standardized set of questions to obtain information from the landowner/manager about the property and the potential project.

- 5.5. **CLIP Team Meeting:** EMSWCD staff will then consult with the EMSWCD internal CLIP Team to further consider property eligibility, full scope of potential services, project eligibility, and potential for the project to meet applicable criteria. If the property is eligible for CLIP assistance, EMSWCD staff will arrange another site visit with the landowner/manager.
- 5.6. **Follow-up Site Visits & Planning:** At the subsequent site visit, the landowner/manager and EMSWCD staff shall discuss EMSWCD's ideas to address the initial concerns of the landowner/manager and additional opportunities identified by EMSWCD. If the landowner/manager is receptive to the ideas and to collaborating with EMSWCD on the project, EMSWCD staff will work with the landowner/manager to develop a conservation plan (if applicable), further scope the specific project to be addressed, and develop a project design.
- 5.7. **Plan/Project Review & Submission Invitation:** Upon successful completion and mutual satisfaction of the landowner/manager and EMSWCD staff of the conservation plan (if applicable) and project design, EMSWCD staff will review the project design with the EMSWCD internal CLIP Team. If the project meets all applicable criteria, EMSWCD staff will invite the landowner/manager to complete and submit a CLIP Cost-Share Application.
- 5.8. **Application Completion:** EMSWCD staff will assist the landowner/manager in completing the CLIP Cost-Share Application.
- 5.9. **Application Submission:** Upon completion of the CLIP Cost-Share Application, the landowner/manager shall submit the application to the EMSWCD for formal evaluation.
- 5.10. **Application Review & Submission to the Board:** The EMSWCD internal CLIP Team shall review the application and request additional information, clarification, and/or modification from the landowner/manager if needed. If no additional information, clarification, and/or modification are needed, the application will be forwarded to the EMSWCD Executive Director for placement on the EMSWCD's Board of Directors meeting agenda at the next available opportunity.
- 5.11. **Board Meeting & Decision:** EMSWCD staff will notify the landowner/manager of the date, time, and location of the Board of Directors meeting during which the project will be considered. While the Board of Directors typically discusses the project in the absence of the landowner/manager, the landowner/manager may be asked to address the Board of Directors regarding the project.
- 5.12. **Cooperative Agreement:** If the project is approved for funding (see Funding Conditions and Process below), the project description, funding arrangement, and project implementation agreement will be formalized in a written Cooperative Agreement that will include a description of the landowner/manager responsibilities, the EMSWCD's responsibilities, and the procedure for requesting payments. EMSWCD staff shall prepare the Cooperative Agreement and send it to the landowner/manager for their review and signature.
- 5.13. **Project Implementation:** Upon return of the signed Cooperative Agreement to EMSWCD, EMSWCD staff will work with the landowner/manager who will implement the project. The



landowner/manager must agree to allow EMSWCD staff to monitor and give consultative guidance during implementation of the project.

- 5.14. **Signage Installation:** EMSWCD staff will ensure an EMSWCD CLIP sign is installed and maintained at a publicly-visible and legal location on the property for the life of the conservation practice(s) implemented through the project.
- 5.15. **Project Inspection & Release of Funding:** Once the project is complete, EMSWCD staff will inspect the project so that (final) cost-share funding can be released to the landowner/manager.
- 5.16. **Annual Inspections:** EMSWCD staff will make annual inspections of the project to monitor the condition and performance of the conservation practice(s) put in place. Any issues or problems with the conservation practice(s) will be identified and discussed during inspections.

6. FUNDING CONSIDERATIONS AND PROCESS

- 6.1. **Signatories:** If the CLIP project is approved by the EMSWCD Board of Directors, the landowner and land manager (if relevant) must both sign the Cooperative Agreement.
- 6.2. **Cost-Share Rate:** EMSWCD will reimburse the landowner/manager at the cost-share rate of 50% of the total allowable cost for the installation of approved conservation practices, up to the amount awarded for reimbursement by the EMSWCD as indicated in the Cooperative Agreement. In special circumstances, EMSWCD may, at its sole discretion, award a higher or lower cost-share rate.
- 6.3. **Cost-Share Maximum:** The amount awarded for reimbursement will be determined by the EMSWCD. The total maximum amount that can be awarded for reimbursement is \$7,500 per CLIP project. Projects may, however, be awarded an amount less than this. In special circumstances, the EMSWCD may, at its sole discretion, award a higher level of funding.
- 6.4. **Landowner/Manager Contributions:** The landowner/manager will normally be required to contribute 50% of the cost of the project. The landowner's/manager's cost-share may include cash, in-kind contributions (such as unpaid labor and donated materials), funding from outside sources, or a combination thereof. Note, however, that any work that takes place –and expenses that are incurred—before the Cooperative Agreement is signed will not be reimbursed and will not count toward the landowner's/manager's contributions.
- 6.5. **Reimbursements:** Payment will be made by the EMSWCD on a reimbursement basis. The project budget is an estimate of anticipated expenses and in-kind contributions. The reimbursement will not exceed the awarded cost share amount even if the cost of the project is higher than anticipated. All reimbursable expenses and in-kind contributions must be documented (e.g., copies of bills/receipts). In special circumstances, payments prior to work being completed may be approved.
- 6.6. **Reimbursable Expenses:** Project-related costs that are subject to reimbursement include:
 - Permits;
 - Engineering/design costs;
 - Materials;
 - Labor;
 - Transportation; and
 - Rental/use of tools and equipment necessary for installation of a practice.



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- 6.7. **Payment Request and Timing:** Payment may be requested once the conservation practice(s) are installed and the project passes inspection by the EMSWCD staff. Payment requests should be forwarded from the landowner/manager to the lead EMSWCD staff. After the lead EMSWCD staff approves for funding, the EMSWCD Grants Program Manager shall review for contractual compliance and, if compliant, shall approve for funding. The lead staff program supervisor and/or executive director (depending on amount requested) shall then make the final approval for funding.
- 6.8. **Reportable Income:** Payments totaling \$600 or more in a calendar year may be considered by the IRS to be reportable income. Landowner/managers who receive EMSWCD funding will be required to complete an IRS W-9 form. If landowners/managers are paid over \$600 in a given calendar year, the EMSWCD will report the income to the landowner/manager and to the IRS on a 1099-MISC form. Landowners/manager should consult a tax advisor regarding whether project-related expenses may be included as deductions on tax returns to offset this income.

All CLIP-related inquiries and materials should be sent to:

Contact: EMSWCD CLIP
Phone: 503-222-7645
Email: CLIP@emswcd.org
Address: East Multnomah SWCD
5211 N Williams Ave.
Portland, OR 97217



Appendix 1: Examples of Conservation Practices

[Other practices may be considered based on the needs of the site.]

<p>Soil erosion</p> <ul style="list-style-type: none"> • Cover planting between rows of winter harvested crops • Farm road redesign and repair • Field borders and filter strips with perennial vegetation • Grassed waterways • Bioswales • Natural streambank erosion control/ stabilization (rip-rap and other ‘grey’ engineered solutions are normally not funded) 	<p>Water use/conservation</p> <ul style="list-style-type: none"> • Farm building gutters • Irrigation efficiencies/scheduling *** • Roof water harvesting (under limited circumstances only, usually in association with working lands irrigation projects within rural areas)
<p>Soil health</p> <ul style="list-style-type: none"> • Conversion to no-till and/or contour farming • Livestock heavy use areas • Nutrient management 	<p>Natural habitat/fauna protection and restoration</p> <ul style="list-style-type: none"> • Culvert repair/replacement/improvement • Fish screen or bypass device • Fish/wildlife habitat structures • Hedgerows and pollinator habitat • Naturescaping **** • Pesticide reduction • Riparian restoration (i.e., planting of native vegetation and noxious weed control)
<p>Urban water quality and stormwater management *</p> <ul style="list-style-type: none"> • Edible landscapes ** • Impervious pavement removal or retrofit • Protection or enhancement of the tree canopy • Rain gardens and bioswales 	<p>Rural water quality</p> <ul style="list-style-type: none"> • Livestock exclusion fencing • Livestock watering facility (removed from sensitive areas) • Manure composting and/or storage facility • Nutrient management • Pond redesign and/or removal • Septic system inspection and improvement (normally staged, with the second stage being contingent upon the outcome of the first stage)
<p>* Limited to residential and commercial properties. ** Limited to multi-family housing complexes. *** Limited to working lands. **** Limited to HOA common areas.</p>	



Appendix 2: Project Checklist

2.0	Applicant Eligibility	Yes	No-Go
2.1	Landowners/managers must be individual property owners, duly authorized and appointed property managers (such as individual property managers, lessees, or homeowner associations), non-profit organizations, or commercial enterprises.		
2.2	Landowner/manager is engaged with EMSWCD staff in a consultative process to determine needed conservation practices on the property.	Staff contacted	
		Information received	
		Site visit(s) made	
		Project agreed to	
2.3	Landowner/manager is capable of overseeing and completing the proposed conservation project either directly or indirectly (e.g., through contractors).		
2.4	Landowner/manager received a request from EMSWCD staff to complete and submit a CLIP Cost-Share Funding Application to EMSWCD.		
2.5	If the property is managed by a land manager/lessee, both the landowner and the land manager signed the application form and agreed to sign the Cooperative Agreement.		
2.6	Landowner/manager agreed to allow an EMSWCD sign to be placed at a publicly-visible location on the property for the life of the conservation practice(s).		
2.7	Landowner/manager agreed to allow annual site visits by EMSWCD staff for the life of the conservation practice(s).		
3.0	Property Eligibility	Yes	No-Go
3.1	The property is owned by a private entity.		
3.2	The property is within the EMSWCD’s service area.		
3.3	<input type="checkbox"/> The property is primarily or solely used as working lands. OR		
	If the property is primarily or solely used for residential or commercial purposes, one or more below must apply (check all that apply): <input type="checkbox"/> Includes or is located within 300 feet of a stream, river, or wetland. <input type="checkbox"/> Is within 300 feet of a ‘high conservation value’ natural area. <input type="checkbox"/> Connects to a system that discharges untreated stormwater directly into a stream or waterway. <input type="checkbox"/> In addition to the above, if the property is a private multi-family housing complex of at least 6 rental units, it is located within an ‘Equity Priority Zone.’		



4.0	Project Eligibility	Yes	No-Go
4.1	<p>Projects on working lands must substantially improve one or more of the following (check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Soil erosion <input type="checkbox"/> Soil quality <input type="checkbox"/> Water quality <input type="checkbox"/> Water use (on working lands only) <input type="checkbox"/> Natural habitat (including fish passage) <input type="checkbox"/> Watershed health <p>OR</p> <p>Projects on residential or commercial properties must provide one or more of the following (check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Improves wildlife habitat on a parcel at least ½-acre in size. <input type="checkbox"/> Provides volume reduction of stormwater runoff totaling at least 50,000 gallons/year. <p>AND</p> <p>For multi-family housing complexes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> If the project installs of mixed edible and native gardens, the affected surface area must be at least 500 square feet. 		
4.2	Project implements one or more EMSWCD-approved on-the-ground conservation practices that address one or more important natural resource concerns.		
4.3	Projects can be completed within one-year.		
4.4	Project does not consist solely of long term, continual, and/or year-to-year management, maintenance, and/or implementation of on-going activities.		
4.5	Project is not legally or regulatorily-required.		



CLIP Cost-Share Review and Decision Process

East Multnomah Soil and Water Conservation District

1/24/2018

Step	Date/Timeframe	Action	Responsible Party	Responsibilities
1	At landowner/manager discretion	Initial contact and site review	CLIP Project Lead	<ul style="list-style-type: none"> Contact with landowner/manager made. Initial site review made.
2	Project-dependent; could be a week; could be several months	Initial determination, application and notification	CLIP Project Lead	<ul style="list-style-type: none"> Initial determination of CLIP appropriateness made. Application completed by landowner in collaboration with CLIP Project Lead. Email CLIP Team regarding application; include description, urgency, complexity, and \$ estimate.
3	Within ~1 week of previous step	Team review and second determination	CLIP Team	<ul style="list-style-type: none"> Schedule and hold CLIP Team meeting. CLIP Team meets, discusses, identifies questions/concerns, makes second determination of appropriateness.
4	~1 week	Applicant follow up	CLIP Project Lead	<ul style="list-style-type: none"> Follow up with applicants on any questions or additional information; collate responses. If initial team determinations are in question; check back with team.
5	Within 1 week of CLIP Team meeting	Informal ED notification	Any relevant CLIP Team member	<ul style="list-style-type: none"> CLIP Lead or UL/RL Program Supervisor notifies ED of pending CLIP project; noting any divergences from policies and/or routine projects. ED lets staff know if there are initial concerns or desire to meet with CLIP Team regarding project.
6	As soon as possible after previous step	Committee notification	CLIP Team Lead	<ul style="list-style-type: none"> Send application(s) via email with summary information and initial determination(s) to CLIP Committee (and ED).
7	1 week	Committee review	CLIP Committee	<ul style="list-style-type: none"> Review application(s); identify red flags, concerns, and questions. Determine if full Board needs to review any or all applications. Provide response to CLIP Team Lead within one week. <p><u>Note:</u> Committee review is optional. The review period provides committee members an opportunity to review and provide input before a decision by the ED is made. Presumption is that the ED will make a decision on a project-by-project basis. If ED identifies unresolvable issues, the application can be denied. If there is significant divergence from CLIP policies and ED believes approval is still warranted, ED will put the application on the next Board agenda. Regardless of the aforementioned, if the Committee believes something</p>



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				needs to be discussed or the full Board should review prior to the ED decision, one or more committee members should indicate as such.
8	Within ~1 week of previous step	Committee follow up	CLIP Team Lead/ CLIP Project Lead	<ul style="list-style-type: none">• Receives committee input; forwards to project lead.• If resolvable, forwards to ED for decision.• If diverges from policy, issues are not resolvable, and/or committee requested a full Board review, notifies ED as such.
9	~3 days	ED approval or Board scheduling	ED	<ul style="list-style-type: none">• Determines if Board review is needed; in the event the full Board needs to review one or more applications, the application(s) will be taken to the next full Board meeting for discussion.• If Board review not needed, ED approves or declines applications; sends back to CLIP Project Lead for applicant notification.
10	As soon as possible after previous step	Applicant notifications	CLIP Project Lead	<ul style="list-style-type: none">• Prepares notification and contracts for signature.
11	As soon as possible after previous step	Contracting	CLIP Project Lead	<ul style="list-style-type: none">• Assures CLIP contract is signed by appropriate staff with signature authority.
12	Project-dependent	Project management	CLIP Project Lead	<ul style="list-style-type: none">• Sends notification to CLIP applicant(s) and manages project with landowner/manager.