

# Chapter 352-76 WAC

## CLEAN VESSEL PROGRAM FUNDING

### WAC

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**WAC 352-76-010 What is the purpose of clean vessel program funding?** The purpose of this program is to provide funds for the purchase, construction, and renovation of boat sewage disposal facilities and to provide funds for boater environmental education activities. Funding for this program will come from federal and state funds. This chapter establishes the procedures by which state parks will award funds for clean vessel projects and the conditions related to the use of the funds.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-010, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-010, filed 6/13/94, effective 7/14/94.]

**WAC 352-76-020 How are the words and phrases used in this chapter?** (1) "Boat sewage disposal facility" means a mechanical or static device, fixed or portable, generally stationed on a dock, pier, float, barge, vessel or other location convenient to boaters, designed to remove sewage waste from recreational vessels, including pumpouts, dump stations, and floating restrooms.

(2) "Boater" means any person on a recreational vessel on waters of the state of Washington.

(3) "Commission" means the Washington state parks and recreation commission.

(4) "Director" means the director of the Washington state parks and recreation commission or designee.

(5) "Plan" is the comprehensive plan for boat sewage disposal for Washington state.

(6) "Recreational vessel" means a watercraft manufactured for operation, or operated, primarily for pleasure. This term includes any watercraft leased, rented, or chartered to another for the latter's pleasure.

(7) "State parks" means the operating arm of the Washington state parks and recreation commission, which is responsible for implementation of commission programs established pursuant to statute or policy.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-020, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-020, filed 6/13/94, effective 7/14/94.]

**WAC 352-76-030 Who is eligible for clean vessel program funding?** Owner(s) of public, tribal or private marinas, boat launches, state, local or municipal park districts, boater destination sites, marine service enterprises,

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schools, public agencies, nonprofit or not-for-profit organizations, and boating and environmental organizations are eligible to apply for the funds.

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**WAC 352-76-040 What activities are eligible for clean vessel program funding?** (1) The director will select those activities that are eligible for funding from the following list and publish them in the current application package:

(a) Construction/renovation of boat sewage disposal facilities used solely by boaters.

(b) Any activity necessary to hold and transport sewage to sewage treatment plants, such as holding tanks, piping, and haulage costs.

(c) Any activity necessary to get sewage treatment plants to accept sewage, such as installing bleed-in facilities.

(d) Any education/information project to educate/inform boaters about environmental pollution problems including those resulting from sewage discharges from recreational vessels or other boater practices, to inform them of the location of pumpout and dump stations, and to encourage environmentally responsible behavior.

(2) The following activities are ineligible:

(a) Activities that do not provide public benefits.

(b) Enforcement activities.

(c) Construction/renovation of upland restroom facilities.

(d) Construction/renovation, operation and maintenance of on-site sewage treatment plants, such as package treatment plants and septic systems, and of municipal sewage treatment plants for primary and secondary treatment unless approved by U.S. Fish and Wildlife Service.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-040, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-040, filed 6/13/94, effective 7/14/94.]

**WAC 352-76-050 Are there any limitations on the availability and use of funds?** (1) The director may establish limitations on the availability and use of clean vessel program funds for a funding application period when the director believes that doing so would assist the commission in providing for an efficient network of boater sewage disposal facilities or specific environmental education projects. Any limitations shall be defined in the current application package. The director shall establish such limitations only after considering the following:

(a) Consistency with the plan.

(b) Availability of funds.

(2) The director may determine that applicants be required to make a matching contribution to be eligible for funding.

(3) The director may limit the amount of funding available for any element(s) of a project.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-050, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-050, filed 6/13/94, effective 7/14/94.]

#### **WAC 352-76-060 How does one apply for funding?**

In order to be considered for receipt of a boat sewage disposal or educational grant, an eligible applicant must complete and submit an application form provided by state parks following the instructions provided in the form.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-060, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-060, filed 6/13/94, effective 7/14/94.]

**WAC 352-76-070 What criteria will be used to evaluate applications?** The following criteria are used to evaluate applications:

(1) For boat sewage disposal facility applications:

(a) Proposals that provide for public/private partnerships;

(b) Proposals that provide for innovative ways to increase the availability and use of boat sewage disposal facilities;

(c) Proposals that benefit the waters most likely to be affected by the discharge of sewage from vessels;

(d) Proposals in areas with a high vessel/boat sewage disposal facility ratio;

(e) Proposals which show consideration for the economics of installation or implementation to provide greatest cost benefit ratio, e.g., where private parties put in more than the minimum amount;

(f) Proposals which contribute to the statewide network of facilities or programs in terms of proximity to existing facilities and geographic balance;

(g) Proposals which demonstrate their compatibility with the plan.

(2) For education or information applications:

(a) Proposals which encourage sound environmental practices through changing boater behavior;

(b) Proposals which target sensitive areas as defined in the plan;

(c) Proposals which encourage community involvement;

(d) Proposals targeted to areas of high boater use;

(e) Proposals which demonstrate innovative approaches to education or information;

(f) Proposals which provide for public/private partnerships.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-070, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-070, filed 6/13/94, effective 7/14/94.]

**WAC 352-76-075 How will projects be selected for funding?** (1) Applications will be reviewed by state parks staff to determine eligibility and will be evaluated against the criteria in this chapter.

(2) Staff will consult with and consider the recommendations of the boating environmental committee of the state parks boating safety council and will present final recommendations to the director.

(3) The director shall make the final decision on funding a project.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-075, filed 3/10/98, effective 4/10/98.]

**WAC 352-76-080 What conditions are placed on the use of funds?** The following conditions apply to the use of the funds:

(1) Project contract. For every funded project a contract must be executed by the director on behalf of the commission and by the funding recipient. Generally, the funding recipient will not be reimbursed for costs incurred prior to the execution of the contract by both parties.

(2) Technical standards. The funding recipient for boat sewage disposal facilities shall ensure that design and installation of the facilities are in accordance with the technical standards provided by state parks.

(3) Signage.

(a) Boat sewage disposal facilities. A national symbol provided by state parks shall be installed to be clearly visible to direct boaters entering the boat sewage disposal facility. Appropriate information shall be provided indicating fees, restrictions, hours of operation, operating instructions, and a contact name and telephone number if the facility is inoperable.

(b) Educational/information projects. Signage must be appropriate to local conditions and address local environmental needs. The clean vessel symbol provided by state parks shall be used in all signage.

(4) Public access. All recreational vessels must have access to boat sewage disposal facilities funded under this grant program. Facilities shall be operated, maintained, and continue to be reasonably accessible to all recreational vessels for the full period of their useful life.

(5) Operation and maintenance. All facilities funded under this program shall be operated and maintained by the funding recipient for the full period of their useful life. All structures and related assets are to be used for their stated purpose.

(6) Reporting requirements. The funding recipient shall submit the reports required by state parks as directed in the funding contract.

(7) Compliance with state and federal laws, regulations, and policies. In accepting project funding, the funding recipient must agree to and certify compliance with all applicable federal and state laws, regulations and policies.

(8) Accountability. Funding recipients shall maintain accurate accounting records on the expenditure of project funds, provide state parks with these records consistent with the agreement or upon request, and permit state parks to audit the use of funds in accordance with generally accepted audit practices and standards. State parks reserves the right to terminate its participation in any project which fails to perform according to the requirements of this chapter.

(9) Fees charged. A maximum five-dollar fee may be charged, with no justification, for use of boat sewage disposal facilities constructed, operated or maintained with grant funds. If higher fees are charged, they must be justified and approved by the director prior to charging a higher fee. Proceeds shall be retained, accounted for, and used by the operator to defray operation and maintenance costs as long as the

facility is needed and it serves its intended purpose. The maximum fee shall be evaluated for inflation as determined by the director.

[Statutory Authority: RCW 88.12.235. 98-07-021, § 352-76-080, filed 3/10/98, effective 4/10/98. Statutory Authority: RCW 88.12.325. 94-13-082, § 352-76-080, filed 6/13/94, effective 7/14/94.]