

**WAC 173-566-310 Ineligible projects and costs.** Costs that are ineligible to receive grant funding under this chapter include, but are not limited to:

- (1) Project elements previously funded by ecology.
- (2) Projects that are otherwise required under statute, rule, ordinance, or court order, except pursuant to this chapter and chapter 90.94 RCW.
- (3) Costs to meet an individual or general National Pollutant Discharge Elimination System (NPDES) permit.
- (4) Staff time not directly related to the project.
- (5) Major and capital equipment purchases without preapproval from ecology.
- (6) Contaminated soils removal or remediation.
- (7) Projects that conflict with other ecology rules, projects, or guidance.
- (8) Aquatic plant control for aesthetic purposes, navigational improvements, or any other reason that does not provide increased streamflow, nor benefit ecological functions or critical stream habitat.
- (9) Bond costs for debt issuance.
- (10) Operation and maintenance costs.
- (11) Bonus or acceleration payments to contractors to meet contractual completion dates for construction.
- (12) Compensation or damages for any claim or injury of any kind arising out of the project, including any personal injury, damage to any kind of real or personal property, or any kind of contractual damages, whether direct, indirect, or consequential.
- (13) Dispute resolution under the grant agreement.
- (14) Office furniture not included in the recipient's indirect rate.
- (15) Operating expenses of local government, such as the salaries and expenses of a mayor, city councilmember, and city attorney.
- (16) Overtime differential paid to employees of a public body to complete administrative or force account work.
- (17) Permit fees not directly required for the completion of the project.
- (18) Professional dues.
- (19) Property purchases without prior approval from ecology.
- (20) Refinance of existing debt.

[Statutory Authority: RCW 90.54.040, 43.21A.080, and chapter 90.94 RCW. WSR 19-14-033 (Order 18-05), § 173-566-310, filed 6/25/19, effective 7/26/19.]