



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

Request for Proposals: FY2020 Section 319 Subawards

Project Application Deadline: November 27, 2020

October 27, 2020

Dear Nonpoint Source Management Partner:

Ohio EPA is soliciting proposals for subgrants awarded under provisions of Section 319(h) of the Clean Water Act. These will be awarded to for projects that restore Ohio streams, reduce nonpoint source pollutants such as nutrients, sediment and bacteria, improve stream and riparian habitat and/or reverse the impacts of stream hydromodification. These subgrants may provide 100% of the total project cost and have a maximum 3-year term. Local participants are not required to provide match through cash and/or in-kind services. (Ohio is providing necessary match through state-funded projects.)

Based on previous year's federal funding, we anticipate having \$2.5 million available for project funding. Grants will be selected and agreements with applicants entered beginning in late fall 2020 or early winter 2021 and will be in effect for three (3) years. Applications will be recommended for funding based on eligibility and their rank of score of review criteria.

Ultimately improving local water quality and reducing impairment in Ohio's surface water resources must be the focus of these proposed implementation projects. Those that anticipate reducing nutrients, eliminating impairments, or restoring impaired stream segments and wetlands are of a higher priority than general NPS pollution prevention projects. Projects may also address nonpoint source pollution threats to high quality waters.

Proposed projects must be identified within an approved 9-element HUC-12 nonpoint source implementation strategy (NPS-IS). Watersheds with approved plans and information regarding plan development can be found at the link below:

<http://www.epa.state.oh.us/dsw/nps/index.aspx#1789310196-current-list-of-watersheds-with-approved-9-element-nonpoint-source-implementation-strategies>.

Eligible applicants include the following:

- Local municipalities, counties and townships
- County and municipal park districts
- Soil & water conservation districts
- 501(c)(3) nonprofit conservation and watershed organizations
- Land managing state agencies¹

¹ Projects must be consistent with an agency's core mission. School districts are not eligible to apply directly for Section 319(h) subawards; however, a local government may apply to complete projects on publicly accessible school grounds with permission and support from the school.

Applicants may apply for varying amounts (depending upon the project costs) of Section 319 grant funds for a 3-year period.

Section 319 grant applications must be submitted to Ohio EPA by the **close of business November 27, 2020** and must be complete to be considered for funding. Applications received after this date will not be considered. Please read the attached Request for Proposals for more information on the requirements and eligible projects. Please email application materials to:

- John Mathews, NPS Program Manager: john.mathews@epa.ohio.gov; and
- Rick Wilson, NPS Program Environmental Specialist 3: rick.wilson@epa.ohio.gov

All applications will be reviewed for completeness, technical merit and adherence to the 1987 Amendments to the Clean Water Act, USEPA Section 319(h) Program Guidance, and FY2020 Request for Proposals criteria. After a comprehensive review, applications will be ranked by their scores and recommendations for funding made to the director of Ohio EPA. Projects selected by Ohio EPA's director will be recommended to USEPA for funding.

The application form can be found at <http://www.epa.ohio.gov/dsw/nps/index.aspx>. For further assistance, please contact Rick Wilson, 614-644-2032 or rick.wilson@epa.ohio.gov.

We appreciate your interest in Section 319 subawards and look forward to working with you to help Ohio meet important water quality goals.

Sincerely,

Brian W Hall

Brian Hall, Assistant Chief
Division of Surface Water

Attachments

Attachment 1: FY2021 Section 319 Subaward Request for Proposals

Ohio EPA is soliciting proposals for subgrants awarded under provisions of Section 319(h) of the Clean Water Act. Subgrants will be awarded for the implementation of projects that restore Ohio streams, reduce nonpoint source pollutants such as nutrients, sediment and bacteria, improve stream and riparian habitat or reverse the impacts of stream hydromodification or impairment.

Subawards will be available for up to one hundred percent (100%) of total project cost. Eligible projects will have a maximum 3-year term. While there is no specific funding limit within each project category, project costs must be justified within the application and must be reasonable for the extent of work that is proposed. Generally, Section 319 subawards for projects have ranged between \$50,000 to \$300,000.

Eligible Applicants: The following may apply for grant funding awarded under Section 319:

- Local municipalities, counties and townships
- County and municipal park districts
- Soil & water conservation districts
- 501(c)(3) nonprofit conservation and watershed organizations
- Land managing state agencies²

Schools and school districts are not eligible to apply directly for Section 319 subawards; however, a local government may apply to complete projects on publicly accessible school grounds with permission and support from the school.

To be eligible, applicants must demonstrate that they have the management capacity and authority to implement the proposed project and the ability to establish and maintain partnerships to ensure the project implementation as well as the long-term operation and maintenance or management of projects.

Eligible Projects: Subgrants are for implementation-oriented projects of watershed-based plans, and the water quality improvement and nonpoint source management projects eligible for funding under Section 319 are limited to:

- Stream restoration using natural channel design methodology and/or lowhead dam removal
- Highly targeted nutrient and sediment reduction projects in a single HUC-12 watershed
- Riparian restoration using bioengineering and/or green methodology
- Wetland restoration
- Inland lake management and restoration (public lakes only)
- Acid mine drainage abatement projects
- Storm water management projects

Proposed projects must be consistent with Ohio's approved Nonpoint Source Management Plan and identified within an approved 9-element HUC-12 nonpoint source implementation strategy (NPS-IS). Watersheds with NPS-IS plans and relevant information can be found at the link below:

<http://www.epa.state.oh.us/dsw/nps/index.aspx#1789310196-current-list-of-watersheds-with-approved-9-element-nonpoint-source-implementation-strategies>.

² Projects must be consistent with an agency's core mission and the bulk of funds must be used for water quality improvement projects.

Applications will be selected for funding recommendations based on their eligibility and their rank of score of review criteria. Awards are dependent upon the amounts and timing of the final FFY2021 USEPA budget approved by Congress and the allocation awarded to Ohio. Grants are expected to be awarded to applicants in early spring 2021 and will be in effect for 3 years.

Eligible applicants (proposals) not selected in the initial award, may choose to remain eligible through this year's funding cycle. These applications (meeting eligibility criteria and ranked sufficiently high) may be pre-approved for funding as it becomes available. Please note, these may need a shorter implementation period than 3 years but will have the advantage of not having to wait a full year in order to apply for Section 319 funding.

Funding Priorities: Improving water quality in Ohio streams and lakes that are impaired by nutrients, sediments and other nonpoint sources of pollution continues to be a focus for Section 319(h) grant funding. Projects that measurably reduce nutrients, eliminate impairments, or restore impaired stream segments will receive more favorable consideration than general NPS pollution prevention projects.

Project applications meeting the following criteria receive higher priority:

1. Nutrient reduction projects within the Western Lake Erie Basin or other priority watersheds
2. Project will generate measurable water quality benefits
3. A demonstrated capacity and track record administering federal grant funds
4. Applicant has successfully completed Ohio EPA subawards
5. A readiness to proceed in implementation is shown in the application
6. Watershed exhibits a reasonable likelihood of restorability
7. Wetland restoration especially when using Lake Erie tributary dredge sediments
8. Projects that enhance (***but do not duplicate***) previously funded nonpoint source projects
9. Projects consistent with Ohio's nutrient initiatives (Western Lake Erie Basin, Ohio Nutrient Reduction Strategy, Ohio Domestic Action Plan, and Mississippi River/Gulf of Mexico Hypoxia Task Force)
10. Projects tied to ancillary implementation activities adjacent to the proposed project site that extend, expand, or increase BMP implementation activity, and fulfil goals and objectives described in the non-point source implementation strategy (NPS-IS) for the watershed
11. Applications dominated by project implementation costs (e.g. construction and BMP installation) rather than those associated with administrative, design, easements, outreach, travel, etc

Grant Amounts and Local Match

Applicants may apply for varying amounts (depending upon the local project costs) in federal Section 319 grant funds for a 3-year period. Although there is no maximum amount of funding that may be requested, most proposals (historically) have been below \$300,000. There is no local match requirement.

Applicants may apply for more than one type of implementation project within a single grant application; however, grant sponsors may submit only one (1) application per HUC-8 watershed.

Project Specific Educational and Outreach Requirements

Applications for Section 319 subawards must include project-specific educational and public outreach activities (including signage) describing how the successes of the project will be communicated

throughout the community. *Costs associated with project-specific educational and outreach activities are eligible for grant funding but may not exceed ten percent (10%) of total project costs.*

Environmental Monitoring

Ohio EPA will conduct the project-appropriate environmental monitoring for all funded sub-grant projects using staff from the Division of Surface Water's Ecological Assessment Section or by a contract provider. Due to the implementation focus of these subgrants, no sub-grant funding may be used by applicants for water quality monitoring or water quality research activities.

Application Deadline & Review Procedures

Grant applications must be complete and received by Ohio EPA by the **close of business November 27, 2020** to be considered for funding.

Please submit the completed application in both **Microsoft Word (doc or docx)** format and **Adobe Acrobat (PDF)** with an applicant signature; and any attachment documents. Completed applications must be e-mailed to:

- John Mathews, NPS Program Manager: john.mathews@epa.ohio.gov; and
- Rick Wilson, NPS Program Environmental Specialist 3: rick.wilson@epa.ohio.gov

All applications will be reviewed for completeness, technical merit and adherence to the 1987 Amendments to the Clean Water Act, USEPA Section 319(h) Program Guidance, and FY2021 Request for Proposals criteria. Complete applications will undergo a comprehensive review using criteria designed to evaluate and score the environmental benefits likely to be achieved. Projects will also be evaluated using technical criteria appropriate to the specific type of proposed project and to ensure that the project is addressing a nonpoint source problem effectively. After review, applications will be ranked by their scores and recommendations for funding made to the Ohio EPA Chief of Surface Water and the Director of Ohio EPA. Projects selected by Ohio EPA will be recommended to USEPA Region 5 for funding. Successful applicants will be required to execute a formal grant agreement and adhere to all requirements of the Section 319(h) implementation subawards program.

Application Materials and Technical Assistance

Applications are available at the Ohio EPA, Division of Surface Water homepage located at <http://www.epa.ohio.gov/dsw/nps/index.aspx>. For further questions or needed assistance, please contact Rick Wilson, rick.wilson@epa.ohio.gov.

General Section 319 Implementation Subawards Guidelines

When preparing your application for Section 319 implementation grant funding, please note that federal grant guidelines **EXCLUDE** the following situations:

1. Private individuals and/or for-profit businesses are not eligible to apply directly for Section 319 funding under Ohio's program. *However private businesses MAY participate in public-private project specific partnerships.*
2. Nutrient and/or manure management or agricultural run-off control from regulated (permitted) livestock feeding operations are not eligible for grant funding.
3. Costs associated with complying with storm water permit requirements (e.g. Phase 1, Phase 2 MS4 or Construction General) are not eligible for funding under Section 319 and these funds may

not be used to pay for best management practices (BMPs) or “end-of-pipe treatments” which either are required or anticipated to be required under an NPDES permit.

4. Perpetual easements or easements lasting for at least the useful life of the installed conservation practice are required for conservation installations done on private property. Section 319(h) funds cannot reimburse property owners for property value lost due to an easement, but certain administrative costs associated with creating the easement may be eligible for funding.

Land purchases are ineligible under Section 319(h) implementation program funding. However, this limitation does not apply to the acquisition of conservation easements when the original landowner retains title to the property.

5. Research and monitoring activities are not allowable.

Example Projects

The following types of projects are eligible for FY2021 Section 319 subawards in watersheds that have an approved 9-element (or equivalent) watershed implementation strategy in place at the time of application:

1. Sediment, Nutrient and Other Nonpoint Source Pollutant Reduction Projects

When implemented effectively, creative and highly targeted projects using sediment and nutrient specific management practices may be effective at reducing or preventing these types of NPS pollutants from entering surface waters. *During the FY2021 grant cycle, Ohio EPA is particularly interested in funding innovative projects that will reduce sediment and nutrient losses within tributaries to the Western Lake Erie Basin (WLEB) or other priority watersheds (e.g. Hypoxia Task Force high nutrient watersheds).* These projects must be implemented in a single HUC-12 watershed and must employ more than one type of agricultural sediment and/or nutrient reduction practices in identified critical areas of known impairment. Practices being encouraged include:

- Drain water management such as controlled drainage, saturated buffers, retention basins
- Sediment control projects
- Drainage water management projects to reduce sediment or nutrient rich runoff
- Innovative edge of field drainage controls and treatment practices—such as saturated buffers, runoff retention areas, basins and/or wetlands
- Livestock exclusion and manure management projects
- Riparian re-vegetation and/or protection projects
- Conservation Planning identifying needed implementation practices

General limitations for sediment and nutrient reduction projects include:

- Grant-funded agricultural management practices must be selected from the Ohio USDA-NRCS list of conservation practices standards except for innovative practices such as saturated buffers, wetland treatment areas, riparian water retention, two-stage ditches and reuse systems and others
- Personnel costs to administer the project may not exceed 10% of grant requested (e.g., administration of a local cost-share program)
- Cost-share with landowners is encouraged, and subgrants may not exceed amounts actual costs required to install or implement practices.

Consistent with federal grant guidelines, Section 319(h) grant funds may not be used to replace and/or expand an existing EQIP (or other farm-bill funded) initiative within the same subwatershed for which a grant project is proposed. Section 319 grant funds may not be used for the purchase of agricultural equipment.

Eligible applicants may apply for federal 319(h) funding to implement sediment and nutrient reduction projects in only one 12-digit HUC per grant cycle.

2. Stream Restoration, Riparian Restoration and/or Dam Removal/Modification Projects

Ohio EPA is also interested in stream restoration or projects, such as removing dams or levees that re-establish ecological function, morphology, floodplain connectivity, channel stability and natural flows are proven to generate measurable improvements in aquatic life use attainment.

Eligible stream channel restoration/reconstruction projects must use natural channel design methods; non-armored bio-engineered stream bank stabilization; low-head dam removal and/or modification; instream habitat restoration; invasive species removal and/or other projects that restore natural stream and/or riparian ecology, morphology and/or flow. Stream restoration may only be completed in intermittent and/or perennial waterways. Applicants must include in their proposal the QHEI baseline score before the project and the QHEI target that is expected following completion of the stream restoration project.

Projects will receive a higher score when conducted on public property where public access is permitted. If being done on private property (or property not owned by the project sponsor) restored areas must be protected with conservation easements and/or another riparian protection measure and the landowner must commit to keep the project site protected for a period not less than 10 years. Easements must be acquired consistent with provisions of Ohio Revised Code Section 5301.67(A).

Logjam removal, riparian tree removal, rip-rap and/or stream “cleaning or dipping” are NOT eligible for funding. Projects that are the result of an enforcement order and/or are required as mitigation under regulatory programs such as Section 401 permits are NOT eligible for funding.

3. Wetland Restoration and/or Re-naturalization

Restoring wetlands that are hydrologically connected to surface waters is important for the effective filtering of nonpoint source pollutants such as sediments and nutrients. Section 319 funding is available to help restore and protect naturally occurring wetland areas. Ohio EPA is particularly interested in funding projects that restore previous wetland areas that are degraded through invasive species domination and/or existing land uses such as farming, mowing, draining or other activities. Coastal wetland restoration projects within the Lake Erie watershed (and especially any that are making beneficial use of Lake Erie tributary dredge materials) are among our highest priorities for the FY2020 grant funding cycle. *Constructed wetlands in areas where wetlands never previously existed are not eligible for grant funding.*

Applicants must provide a baseline ORAM score (Ohio Rapid Assessment Method) for the “wetland” area that is being restored. Applicants must also include an expected (or target) ORAM score that the restored wetland is likely to achieve two years after project completion.

Eligible activities:

- Removing invasive plants such as honeysuckle, phragmites, & purple loosestrife
- Conducting surveys and any necessary design and permitting work
- Installing control structures, small water control dikes/structures (not in floodplains)

- Earthmoving necessary for wetland restoration
- Planting of native wetland plant, shrub and tree species (include planting plan)
- Installing interpretive trail signs, project specific signs and/or kiosks.
- Other activities necessary to complete the wetland restoration

Wetland restoration projects that are completed must protect restored areas with easements or other protective measures for a period of at least 10 years.

4. Acid Mine Drainage Abatement Projects

When conducted consistent with an approved acid mine drainage abatement and treatment (AMDAT) plan, acid mine drainage (AMD) abatement projects have shown measurable progress with significantly reducing or eliminating metals such as iron, sediment and other NPS pollutants from mining-impaired water bodies. Only those watersheds with approved AMDAT plans are eligible for Section 319 grant funded AMD abatement projects since USEPA has determined that approved AMDATS are functionally equivalent to a 9-element watershed plan.

Proposals requesting grant funds for a single project in which 319 funds provide the majority of support will receive more favorable consideration than a project in which section 319 grant funds are a rather small portion of a much larger reclamation project.

Construction projects designed to address AMD abatement must demonstrate the following at the time of application: a completed characterization of the problem; general permission from all applicable landowners; preliminary cost estimates; and, a conceptual design for treatment as well as an outreach and public information plan. Examples of projects that have been previously funded:

- Limestone channels and leach beds
- Wetland AMD treatment systems and areas
- Stream capture projects
- Lime dosing systems (with a commitment of local operation and maintenance beyond grant)
- Small Acid Mine Drainage source elimination and reclamation projects

5. Inland Lake Management Projects

Inland Lake Management project subawards are available to applicants interested in implementing projects that will measurably improve lake water quality in and around recreation areas. Projects proposed to be completed on inland lakes used as a public raw drinking water supply will receive additional review points. *Grant funding is NOT available for private lakes and/or those such as lakes owned by Homeowner Associations, housing developments and/or private campgrounds.*

Applicants may apply for Section 319 grant funding to implement eligible projects and practices such as the following:

- Green lakeshore stabilization projects (no rip-rap) to reduce sediment loadings
- Channel aeration equipment to address anoxic conditions and eliminate fish kills
- Limited scale alum treatment projects designed to inactivate nutrients
- Alum dosing units designed to reduce tributary nutrient loadings
- Lake water circulators and/or other devices to reduce blue-green algae blooms
- Upstream forebays or constructed wetlands to capture incoming NPS pollutants

6) **Storm Water Management Projects***

Example of eligible projects are listed below:

- Installing bioretention islands and/or vegetated retention structures such as or large infiltration planting areas
- Installing passive “treatment trains” that combine multiple BMPs such as pocket wetlands, bioretention areas and others to treat storm water flows prior to discharging in a stream
- Retrofit of pre-2003 peak discharge storm water basins and facilities to increase water quality function and downstream channel protection by modifying basin outlets and configurations
- Constructing storm water treatment wetlands
- Other practices designed to demonstrate innovative management of storm water flows

All projects must be included in an approved 9-element Nonpoint Source Implementation Strategy (NPS-IS).

*Section 319 grant funding may not be used to implement any activities required under storm water permits or as mitigation for other permits such as those issued under Section 401 of the Clean Water Act.

ATTACHMENT 2: Nine Program Elements that All Projects Must Meet

The following information is condensed from 2003 USEPA Guidance for Watershed Action Plans.* All Section 319 implementation grant projects are required by federal 319(h) grant guidelines to meet each of the following nine elements:

1. An identification of the causes and sources or groups of similar sources that must be controlled to achieve the load reductions estimated.
2. An estimate of the load reductions expected for the management measures described.
3. A description of the NPS management measures that must be implemented to achieve the load reductions estimates and identification (using a map or a description) of the critical areas in which those measures are required.
4. An estimate of the amount of financial assistance needed.
5. An information/education component that will be used to enhance public understanding of the project and encourage their early and continued participation.
6. A schedule for implementing the NPS management measures that is reasonably expeditious.
7. A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.
8. A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made toward attaining water quality standards.
9. A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the (established) criteria. (Projects will meet this element by virtue of Ohio EPA performing statewide 319 project monitoring during FFY2020).

* These nine program elements also form the basis of Ohio's watershed plan endorsement criteria. For more guidance, see https://www.epa.gov/sites/production/files/2015-12/documents/watershed_mgmnt_quick_guide.pdf.