



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

Request for Proposals: FFY2022 Section 319 Subawards

Project Application Deadlines: July 6, 2022

May 31, 2022

Dear Local Partner:

Ohio EPA is requesting proposals for subgrants to be awarded under provisions of Section 319(h) of the Clean Water Act for federal fiscal years (FFY) 2022 and earlier. While the bulk of 2022 funding has been allocated, approximately \$500,000 will be available this calendar year for additional implementation projects restoring Ohio streams and wetlands, reducing nonpoint source pollutants such as nutrients, sediment and bacteria, retaining runoff, improving stream and riparian habitat and improving stream services in channels affected by hydromodification. Some portion of this funding will be available to provide technical assistance in a targeted manner that actively designs facilitates development of ready-to-implement multiple projects as the deliverables. These grants may provide 60 to 100% of the total project cost.

These projects should improve local water quality and reduce impairment in Ohio's and downstream surface water resources. Projects that reduce nutrients, eliminate impairments, and fully or partially restore impaired streams and wetlands are the priority rather than generalized NPS pollution prevention projects. These may also address nonpoint source pollution threats to high quality waters.

Regarding timing, projects will be selected with Ohio EPA and USEPA approval and should allow agreements to be entered with applicants with this summer. All project agreements will be in effect for a maximum of three (3) years. Selections are recommended for funding based on having eligibility and their ranking in the review criteria that consists of factors such as the ability to administer a subgrant, the pollution reduction, runoff capture or treatment, environmental benefits, cost benefits of the project for reducing water resource impairment or lifting quality or attainment.

Proposed projects must be identified within an approved 9-element HUC-12 nonpoint source implementation strategy (NPS-IS). A list and interactive map of watersheds with approved plans as well as and information regarding plan development can be found at this link:

<https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/approved-nine-element-nonpoint-source-implementation-strategies-in-ohio>

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

Applicants may apply for different amounts (based upon the project costs) of Section 319 grant funds for a 3-year period, but typically grant amounts have ranged between \$40,000 to \$360,000. Please read the attached request-for-proposals (RFP) for more information on the requirements and eligible projects.

Applications must be received by the **close of business July 6, 2022**. Applications received after this date will not be considered for this offering. Please email application and 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

After a comprehensive review, applications will be ranked and recommendations made for funding made to the director of Ohio EPA and those selected will be recommended to USEPA for approval for funding.

You can find the application form at <https://epa.ohio.gov/divisions-and-offices/surface-water/financial-assistance/319-grants>. If you need further assistance or have questions about this, please contact Rick Wilson (614-644-2032 or rick.wilson@epa.ohio.gov). We appreciate your interest in this program and look forward to partnering with you to meet Ohio's important water quality and nonpoint source pollution reduction goals.

Sincerely,

Tiffani Kavalec, Chief
Division of Surface Water

Attachments

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.

Attachment 1: FFY2022/FFY2023 Section 319 Subaward Request for Proposals

Ohio EPA is soliciting proposals for subgrants to be awarded under provisions of Section 319(h) of the Clean Water Act. These will be awarded for implementation of projects that restore Ohio streams and water resources, reduce nonpoint source pollutants such as nutrients, sediment and bacteria, improve stream and riparian habitat or reverse the impacts of stream hydromodification or impairment. Projects that measurably reduce nutrients, eliminate impairments, or restore impaired stream segments will receive more favorable consideration than general NPS pollution prevention projects

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 been ranged from \$50,000 to \$330,000 of federal funding. Though total project budgets may be larger depending on local contributions and commitments.

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.

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 and the long-term operation and maintenance or management of projects.

Eligible Projects: Subgrants are for implementation projects developed within watershed-based plans (known as 9-Element plans or also as Nonpoint Source Implementation Strategies), 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 and floodplain restoration
- Stormwater management projects
- Inland lake management and restoration (public lakes only)
- Acid mine drainage abatement projects
- Regional technical assistance to facilitate, develop, or design ready-to-implement nonpoint source projects that would be eligible for this funding

Proposals 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).

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

Watersheds with NPS-IS plans and relevant information can be found at the link below:

<https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/approved-nine-element-nonpoint-source-implementation-strategies-in-ohio>.

Applications are recommended for funding based on their eligibility and their rank of score of review criteria. Awards are dependent upon the amounts and timing of the final FFY2022 or FFY2023 USEPA budget approved by Congress and the allocation awarded to Ohio. Subgrants agreements will be entered as possible after federal awards are announced and will be in effect for 3 years.

Projects that perform the following will receive higher priority:

1. Reducing nutrient within the Western Lake Erie Basin or other priority watersheds
2. Exhibiting likelihood of measurable water quality or resource benefits
3. Demonstrating capacity and track record administering federal grant funds
4. Exhibiting successful completion of other Ohio EPA subawards
5. Showing a readiness to proceed in implementation
6. Targeting watersheds with a reasonable likelihood of restorability
7. Wetland restoration especially when using Lake Erie tributary dredge sediments
8. Expanding on previously funded nonpoint source projects
9. Showing understanding and consistency 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. Showing connection to other 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. Stressing project implementation (e.g. construction and BMP installation) rather than administrative, design, easements, outreach, travel or ancillary costs.

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 have been below \$350,000, though total project costs including other contributions have been significantly higher. While local match is not required due to the use of state of Ohio funded projects as match to federal funds, significant local match will contribute to a higher ranking of a proposal.

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 subgrant projects using staff from the Division of Surface Water's Ecological Assessment Section or by a contract provider. Where additional monitoring measures may be needed to assess environmental gains, please describe this in the application. Due to the implementation focus of these subgrants, subgrant funding may not 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 July 1, 2022**.

Please submit the completed application form in the **Microsoft Word format** and in **Adobe Acrobat PDF format** with an applicant signature, and any attachment documents. Completed applications must be emailed to:

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

Applications will be reviewed for eligibility, completeness, technical merit and adherence to the 1987 Amendments to the Clean Water Act, USEPA Section 319(h) Program Guidance, and FFY2022 Request for Proposals criteria.

Complete applications will undergo a comprehensive review using criteria 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 Chief of the Division 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 <https://epa.ohio.gov/divisions-and-offices/surface-water/financial-assistance/319-grants>. For further questions or needed assistance, please contact Rick Wilson, rick.wilson@epa.ohio.gov.

General Section 319 Implementation Subawards Guidelines

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 they may participate in public-private project specific partnerships with an eligible applicant.
2. Nutrient and/or manure management or agricultural run-off control from regulated (permitted) livestock feeding operations.
3. Costs associated with complying with stormwater permit requirements (such as Municipal Separate Storm Sewer System (MS4) or Construction General Permits) are not eligible 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. Environmental covenants 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 may not be used to reimburse for property value lost due to an easement, but administrative and legal costs associated with creating the easement may be eligible for funding.
Land purchases are ineligible under Section 319(h) implementation program funding.
5. Research and monitoring activities are not allowable.

Eligible Projects

The following types of projects are eligible for 2022 Section 319 subawards in watersheds that have an approved 9-element (or equivalent) watershed implementation strategy in place at the time of selection:

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

Implemented well, highly targeted projects using sediment and nutrient reduction practices should effectively reduce or prevent these NPS pollutants from entering surface waters. *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 such as the Great Miami, Scioto or Little Miami Watersheds (e.g., Hypoxia Task Force high nutrient watersheds).*

These projects must be implemented in a single HUC-12 watershed and should employ more than one type of agricultural sediment and/or nutrient reduction practice in identified critical areas of known impairment. Practices being encouraged include:

- Drainage water management such as controlled drainage, saturated buffers, retention basins
- Sediment control projects
- Drainage water management projects to capture, recycle or nutrient rich runoff
- Innovative edge of field drainage controls and treatment practices—such as saturated buffers, runoff retention areas, basins and/or wetlands
- Riparian re-vegetation and/or protection projects
- Self-formed or two-stage ditches

General limitations for sediment and nutrient reduction projects:

- 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 the 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, Riparian or Floodplain Restoration; Dam Removal/Modification Projects

Ohio EPA is interested in stream restoration or projects that reduce impairment or generate measurable improvements in stream services and aquatic life use attainment. Examples may also include removing levees, establishing more natural floodplain flow and water quality process that re-establish ecological function, morphology, floodplain connectivity, channel stability and natural flows.

Eligible stream restoration/reconstruction projects include restoration using natural channel design methods without whole bank armoring; low-head dam removal and/or modification; in-stream habitat restoration; improving floodplain flow access, sustainable floodplain wetlands, hydro-modified channels, 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. Where stream restoration is applied, applicants must, in their proposal, include the QHEI baseline score before the project and the QHEI target that is expected following completion of the stream restoration project. Practices eligible include:

- Stream Restoration using natural channel design concepts
- Dam Removal
- Levee removal or set-back to increase floodplain and water quality services substantially
- Floodplain restoration or re-establishment of floodplain wetlands
- Lift of hydro-modified channels or entrenched stream systems

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), areas must be protected with environmental covenants. Easements must be acquired consistent with provisions of Ohio Revised Code Section 5301.67(A).

Logjam removal, riparian tree removal, riprap 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:

- Conducting surveys and any necessary design and permitting work
- Removing invasive plants such as honeysuckle, phragmites, & purple loosestrife
- 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 environmental covenants or other protective measures.

4. Stormwater Management Projects

Implementation projects that reduce the effects of nonpoint source pollution or impairment caused by urban stormwater or channels that are down cut by stormwater sources are eligible provided they are not activities required under stormwater permits or as mitigation for other permits such as those issued under Section 401 of the Clean Water Act. These are especially encouraged where watershed wide analysis or facility analysis has occurred that has identified the most cost-effective methods of reducing impairment or encouraging recovery of receiving streams.

Example of eligible projects are listed below:

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

Note that costs associated with complying with stormwater permit requirements (e.g. MS4) are not eligible. 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.

5. 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.

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

6. 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:

- Bioengineered lakeshore stabilization projects to reduce sediment loadings
- Constructed wetlands to capture incoming NPS pollutants
- Other projects consistent with goals and objectives in a HUC-12 NPS-IS (9-Element Plan) to address recreational use, and public water supply use impairment.

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 FFY2022).

* These nine program elements also form the basis of Ohio's watershed plan endorsement criteria. For more guidance, see <https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/approved-nine-element-nonpoint-source-implementation-strategies-in-ohio> and https://www.epa.gov/sites/production/files/2015-12/documents/watershed_mgmnt_quick_guide.pdf.