



THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION  
IS SOLICITING PROPOSALS FOR:

## **NONPOINT SOURCE POLLUTION MANAGEMENT PROGRAM**

2023 Grant Funding Opportunity (GFO)

OPENING DATE & TIME: December 8, 2023 @ 8:00 AM PST

DEADLINE FOR SUBMISSION: February 14, 2024 @ 5:00 PM PST

## **A. INTRODUCTION**

Nonpoint source pollution is the primary cause of water quality impairments throughout Nevada and the nation. Nonpoint source (NPS) pollution, unlike pollution from industrial and sewage treatment plants, comes from many diffuse sources (See NAC 445A.309). NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, streams, wetlands, and ground water.

In recent years, the U.S. Environmental Protection Agency (USEPA) has increased the NPS Program's focus to improve water quality across the nation and have impaired waters removed from the 303(d)-listings. EPA emphasizes the development and implementation of Total Maximum Daily Loads (TMDLs) and Watershed-Based Plans to help solve water quality problems at the watershed level. Implementing these plans is the focus of the 319(h) program. Information on the National NPS Program is available online at: [Polluted Runoff: Nonpoint-source-pollution.](#)

## **B. FUNDING DESCRIPTION**

The NPS Branch within the Nevada Division of Environmental Protection's (NDEP) Bureau of Water Quality Planning (BWQP) is now soliciting proposals for the implementation of on-the-ground projects that provide a direct water quality benefit or coordinated efforts that lead to watershed plans that will allow activities to protect waters from nonpoint source pollution (in accordance with [EPA Guidelines for States and Territories](#)). The overall explicit aim of Nevada's program is to restore impaired waters, improve water quality across the state and remove impaired waters from Nevada's 303(d) listing. Nevada's 2020 303(d) Impaired Waters List is available online at: [Nevada 2020-2022 Water Quality Integrated Report](#).

On-the-ground implementation projects must be proposed and completed within the framework of Watershed Based Plans (WBPs). WBPs presently accepted by the EPA include those for Lake Tahoe Basin, Las Vegas Wash, and the Carson River Basin ([Online access to these Watershed Plans](#)). Importantly, these plans contain the nine essential elements required by EPA to effectively identify goals of integrated and coordinated resource management efforts to protect and improve the beneficial uses of a watershed's surface waters (<https://www.epa.gov/nps/resources-watershed-planning>). Thus, watershed plans are integral to the process of identifying and selecting projects that will be effective in utilizing federal funding to tangibly address goals and objectives of the national 319(h) program.

For areas where the nine elements of watershed-based plans are not in place and alternative plans are not applicable, potential applicants are encouraged to propose activities that will lead to identifying existing elements and developing those elements that are needed to have a complete WBP. By doing so, implementation efforts can be funded in the future.

For proposed projects in areas for which a nine-element WBP does not yet exist or does not address the current aquatic resource concerns, applicants may propose to rely on an alternative watershed-based plan instead of plans involving the full nine elements. Alternative plans can be used only in four specific circumstances. Namely for protecting high quality waters, reducing health risks associated with NPS pollution, reducing

impairments not directly related to NPS pollution (e.g. Dam removal) or for isolated and small NPS situations. Alternative plans must be approved by U.S. EPA prior to implementation. Applicants should plan to consult with BWQP NPS staff to determine why an alternative plan, rather than a full WBP, would be sufficient to guide project implementation.

Selected proposals will be awarded federal funds made available to Nevada under the Clean Water Act Section 319(h). Selected proposals will be administered by the BWQP Nonpoint Source Pollution Management Program (NPS Program).

- 1. Due Date:** Proposals will be accepted for consideration until 5 p.m. February 14, 2024.
- 2. How much funding is available to subgrantees?** Up to \$900,000 may be available to be awarded for both on-the-ground implementation projects as well as program funding for the development of Watershed Based Plans. BWQP anticipates a minimum of \$287,000 of federal funding will be spent on implementation projects. Although BWQP prioritizes the use of federal funding for on-the-ground implementation projects (in watersheds with approved WBPs or alternatives) efforts to identify and establish nine element WBPs where these do not yet exist is a major emphasis. A range of both small and large projects can be supported and can address NPS pollution across the entire State.
- 3. Who is eligible?** The following agencies and organizations are eligible to apply for and receive 319(h) funds:
  - a.** Federal, State, local, and tribal governments.
  - b.** Interstate and intrastate public agencies.
  - c.** Public and private nonprofit organizations (501c3 organizations).
  - d.** Educational institutions (public institutions that are not-for-profit institutions that are barred from lobbying).
- 4. What activities are eligible?** The following activities qualify for funding under this GFO:
  - a.** Special projects that meet one or more of the State's NPS program priorities- including the development of elements needed to create sound Watershed Based Plans accepted by EPA.
  - b.** Activities that will directly lead to the establishment of nine element Watershed Based Plans or detailed implementation plans for work needed under a WBP.
  - c.** Implementation of Best Management Practices (BMPs) that reduce nonpoint source pollution loads (i.e. on-the-ground Implementation Projects).
  - d.** Demonstration of new and innovative BMP technologies or other NPS control measures that reduce nonpoint source pollution loads.
  - e.** Assistance and training to landowners to implement practices that reduce nonpoint source pollution loads (training activities tied to implementation).

- f.** NPS pollution prevention activities (including [Low Impact Development](#)) that are NOT specifically implementing a draft or final National Pollutant Discharge Elimination System (NPDES) permit (e.g. Stormwater MS4 Phase I or Phase II Stormwater Permit).

This list is not exhaustive of all possible activities that could be eligible. Proponents are encouraged to contact NPS program officers and/or the NPS Branch Supervisor if there are further questions regarding eligibility.

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(cfritsen@ndep.nv.gov)

- 5.** Program elements of special interest (that can be included in proposed projects). This list of *elements of special interest* is intended to highlight some possible project activities that may be relevant to planned work and could be useful to develop and highlight when appropriate (it is not intended to be, nor shall it be interpreted as a directive for their inclusion in any proposal).

- a.** Projects supporting the development and updating of local watershed-based plans.
- b.** Activities targeting improvements in small hydrologic units (USGS HUC12) explicitly associated with water body impairments as designated in the [2020-2022 303\(d\) listing](#).
- c.** Development of novel coordinated approaches that facilitate implementation and enhancement of environmental NPS mitigation efforts (e.g. coordinated restoration and conservation easement development).
- d.** Projects that improve water quality in Disadvantaged Communities (NAC 445A.675245 “Disadvantaged community” defined. ([NRS 445A.270](#), [445A.860](#)) “Disadvantaged community” means an area in which the median household income is less than 80 percent of the state median household income).
- e.** Projects addressing increased NPS pollutant loadings associated with wildfires and extreme storm events.
- f.** Projects addressing harmful algal bloom (HAB), prevention and mitigation efforts.
- g.** Activities that reduce internal nutrient loading to reservoirs and lakes (which could also reduce HABs or improve water quality of the waterbodies and/or downstream waters).
- h.** Activities that may also protect drinking water sources or provide additional added benefits beyond NPS reductions.
- i.** Project outcomes that, in addition to addressing NPS pollution, may also have an added benefit of helping mitigate climate change impacts. Examples of co-benefits could include soil health projects that could also increase water supply, groundwater recharge, carbon sequestration, enhancements to instream flows, decreased dust and soil losses, or decreased risk of catastrophic wildfire.

- j. Outreach and education (formal or informal) elements that are explicitly tied to implementation projects with measurable load reductions.
  - k. On-the-ground implementation projects that incorporate Low Impact Development (LID) techniques.
  - l. Riparian restoration projects that expand floodplains, stabilize streambanks, and develop native or adapted riparian plant species that are appropriate for the soils and hydrology of the project location.
6. What activities are not eligible? The following do not qualify for 319(h) funding under this GFO:
- a. Activities related to specific requirements of a draft or final NPDES permit.
  - b. Ambient monitoring or monitoring to determine if a waterbody is impaired.
  - c. General planning, assessment, or research activities.
  - d. General education programs and activities not tied to implementation activities.

### **C. PROPOSAL SUBMITTAL AND SELECTION PROCESS**

1. Proposal Submittal. Proposals must be received no later than 5:00 P.M. PST on February 14, 2024. Electronic submittal of the application is required, unless a determination of hardship is made by NPS Program staff, in which case submittals by US Mail received by the deadline will be accepted. Project proponents are required to use the [Grant Proposal E-Form Application](#) via email, with qualified exceptions only in case of hardship.

Brief descriptions of sections required in the E-form application for projects are provided herein. More detailed requirements are contained in the E-form application instructions and E-form:

- a. Project Summary- A brief description of the problem and work to be performed along with information regarding submitting institutions, contact information, location(s) of work and a short fiscal summary.
- b. Scope of Work (SOW)- A succinct description of the NPS issue addressed and the tasks to accomplish targeted goals of NPS pollution reductions.
  - i. The SOW must identify the watershed-based plan (WBP) guiding the proposed project (for implementation proposals),
  - ii. The SOW must demonstrate adequate technical design and a description of long-term operation and maintenance plans for which the applicant is responsible. The plans should demonstrate resiliency or adaptive measure that may be necessary to withstand extreme environmental conditions (e.g., drought, 100-year storm events, etc.) for implementation projects, or recognize the necessity to account for environmental variability in planning efforts.

- iii. The SOW must document that the proposed project is not implementing a NPDES permit (if applicable).
- c. Project Deliverables and self-monitoring and assessment plan - Proposals need to articulate measurable outcomes (i.e., Load Reductions for implementation activities) and project deliverables and the means that will be used to evaluate the project's successes.
- d. Project Schedule (e.g. with task milestones and deliverables)- activities should not last more than two to three years in duration. Funding of activities past one year for awards intended to be longer than one year will be subject to satisfactory progress and availability of funding.
- e. Anticipated Challenges and Practical Alternative Solutions.
- f. Budget and budget justification (Salaries/Wages, Operating Costs, Travel)- the project budget shall include task-specific costs and how federal and/or match funds are applied. The budget and budget justification must identify the amount requested from BWQP, Cash Match and In-kind Match (value of donated goods and services).
- g. Letters of Commitment- Commitment letters must recognize and commit to the partnership and the roles defined in proposal application. Moreover, these letters shall recognize the level of match commitments. General letters of support from non-participatory people or organizations are not allowed.
- h. Results of Prior Support (if applicable)- Refer to application instructions.
- i. Current and Pending Support- Refer to application instructions.
- j. References/citations shall be provided for referenced works as applicable.

More specific details on the requirements for these proposal items can be found within the application instructions. Further questions regarding the submittal requirements can also be directed to the NPS Pollution Branch (contact information given below and on the NDEP-BWQP [grant announcement webpage](#)).

2. Implementation Proposal Evaluation. The Proposal Review Committee aims to review proposals during the spring of 2024. Allocation of available funds will be competitively determined by the Proposal Review Committee, with the anticipated selection of intended awardees by June 2024. The following criteria will be considered in evaluating and ranking the submitted implementation proposals:

- a. Water Quality Benefit (25%). The proposal must clearly describe how the project will contribute to the restoration or protection of Nevada's waters impacted by nonpoint sources of pollution. Withing this context, additional consideration for prioritization will be given to projects that:
  - i. Include measures or components addressing extreme factors such as 100-year flood events and changing ecosystems- which may include mitigation or relevant adaptative management practices, or
  - ii. Address urban runoff issues using Low Impact Development techniques where not required by a NPDES permit.

- iii. Provide enhanced and robust plans to estimate or measure reduction in nonpoint source pollutant loads.
  - iv. Provide water quality benefits to watersheds and/or disadvantaged communities that have not yet benefitted from 319(h) resources.
- b. Assessment (10%). The proposal clearly defines milestones, success measures, and associated processes to assess meeting the project's goals and objectives.
- c. Maintenance (15%). The proposal clearly describes the proponent's methods and abilities to operate and maintain the project and its outcomes beyond the initial years where the funding is awarded.
- d. Partner Coordination (10%). The proposal clearly defines the level of commitment from partnering agencies/organizations and outlines the material, logistical, and financial responsibilities of each. The roles and responsibilities of partnering agencies and organizations are to be clearly documented and recognized in the required Letters of Commitment. Again, general letters of support from non-participatory people or organizations are not allowed.
- e. Cost Effectiveness (10%). The proposal minimizes administrative, overhead and indirect costs, and equipment purchases. See Grant Proposal E-form Instructions for details regarding allowable indirect cost calculation methods. Proposed activities significantly exceeding the non-federal match requirement of 50% of the total project cost could also be viewed as a benefit to the overall program. Contact NPS personnel for appropriate guidance if the proposed work could possibly fall into this category.
- f. Permitting (10%). As permitting is a requirement for many proposed projects, the proposal should identify all needed permits in the narrative, budget and schedule, and must demonstrate the ability to obtain all required, local, state and federal permits. The plans and ability to obtain such permits will be evaluated.
- g. Added Value Aspects to the Work (10%). Examples could include: increased water supply, groundwater recharge, carbon sequestration, enhancements to instream flows, decreased dust and soil losses, decreased risk of catastrophic wildfire, reduced extreme waterbody temperature fluctuations or conditions that promote toxic algal blooms. Other co-benefits may be possible and can be highlighted in the proposal narrative.
- h. Quality and Completeness of the Proposal (10%). Applicants **must** adhere to the detailed GFO and application instructions to be considered compliant. Noncompliant proposals may be returned without consideration.
- i. Outreach. Outreach or education efforts are optional. If included in the proposed efforts, the plans will be evaluated and will be considered in the final rankings of applications regarding the ability of outreach /education activities to enhance stakeholder's commitments to address NPS pollution associated with the implementation project and in the associated watershed. NOTE: BWQP maintains final editing authority for all curricula paid for with grant funds.
- j. Past Performance. If applicable, the performance of the applicant on previous NPS awards (e.g., timeliness and accuracy of submitted reports

and invoices, adherence to BWQP budget and reporting templates, fulfillment of contractual obligations, etc.) will be considered in the final rankings of applications.

**3. Planning Proposal Evaluation.** Successful planning proposals will provide detailed steps that will be taken for the identification and/or development of all nine elements in Watershed Based Plans. The following criteria will be considered in evaluating and ranking submitted proposals for watershed-based planning and development efforts:

- a.** The proposal clearly explains steps to be taken to identify nonpoint source water quality issue and plans to identify critical source areas for the watershed in question (15%).
- b.** The proposal explains the approach(s) that will be taken to estimate pollutant load reductions needed to improve water quality (15%).
- c.** Participants have been identified, are local to the watershed and are committed to completing the plan (15%).
- d.** The proposal clearly defines the levels of commitment from cooperating agencies and outlines the roles and responsibilities of each (if applicable, +/-15%).
- e.** Cost Effectiveness. The proposal minimizes administrative, overhead and indirect costs, and equipment purchases. See Grant Proposal E-form Instructions for details regarding allowable indirect cost calculation methods (15%).
- f.** The overall planning effort closely adheres to the minimum elements included in nine element WBP for threatened or impaired watersheds summarized below (40%):
  - 1. Identify causes and sources of pollution.
  - 2. Estimate pollutant loading into the watershed and the expected load reductions (note: a key consideration is identifying critical source areas).
  - 3. Describe management measures that will achieve load reductions in targeted critical areas.
  - 4. Estimate amounts of technical and financial assistance and the relevant authorities needed to implement the plan.
  - 5. Develop an informative/education component.
  - 6. Develop a project schedule.
  - 7. Describe the interim, measurable milestones.
  - 8. Identify indicators to measure progress.
  - 9. Develop a monitoring component.

Note: WBP's are only viewed as being complete when all 9 elements are identified and are accepted by EPA. Clear plans for the completion of these elements will be given highest priority.



Ranking of proposals (implementation and planning) are to be completed by a review committee and final decisions regarding granting subawards are subject to review by NDEP Administration and EPA.

4. Award Notification & Contract Development. The Proposal Review Committee and selecting authorities seeks to notify proposers of proposal status by May 2024 and intended award recipients by June 1, 2024. Intended recipients of grant awards will be contacted by NPS Program staff to discuss development of a Subgrant Agreement (contract) necessary for final awarding of federal funds. Note: subgrant agreements can require one to three months to execute- depending upon the complexity and ability of subgrantee's to complete required approval processes (including updates to any project milestones and permitting conditions that may be necessary).

#### **D. IMPORTANT CONSIDERATIONS FOR APPLICANTS**

1. Contractual Agreement (Subgrant Agreement). Applicants approved for 319(h) funding must enter into a legal contract with the State of Nevada. The contract forms, which include specific NDEP terms and conditions, were developed and approved by the State of Nevada and the NDEP Administrator. Applicants must be willing to accept—without revision—the language and conditions contained in the contract forms. Copies of these forms are available upon request.
2. Reimbursable Funds. 319(h) funds are available only on a reimbursable basis. Therefore, applicants must have the ability to pay for project expenses upfront and then request reimbursement from BWQP by submitting invoices with proof of payment of expenses on a quarterly basis.
3. Permits. Applicants are responsible for obtaining all applicable federal, state, and local permits within project timeframes. If applicable, be sure to allow sufficient time and funds to obtain the permits required for the project. See Attachment A for more information.
4. Liability Insurance. Additional liability insurance requirements are imposed on independent contractors and/or subcontractors. If the project includes hiring an independent contractor (i.e., consulting firm or private business) to complete all or a portion of the proposed work, please contact the NPS Program staff for additional information.
5. If applicants are seeking resources for activities that could be viewed as a portion of a larger project, the portion funded with NPS grant funds to achieve environmental benefits- independently of other components of the larger project- is desirable. Alternatively, if the resources from the NPS program fulfill a distinct benefit to a larger effort and the total effort's outcomes could be considered as an added-value aspect of the work please contact NPS personnel before proposal development (the accomplishments associated with NPS grant funds should be

clearly distinguished from accomplishments associated with other leveraged funds, so that BWQP can track and assess project commitments).

6. Reporting Requirements (Quarterly and Final Reports). Grantees will be required to submit quarterly reports during the project duration and a final report for approval. Final report preparation costs may be included in the project budget, but in this case, final report related expenditures must be completed prior to a contract's expiration to be reimbursed. Draft final reports will be due before the end of the grant expiration date to allow sufficient time for staff review, as well as time to make final corrections, as needed. Failure to submit a final report on time may result in a delay in final payment.

Final reports nominally contain an overview of project results pertaining to the goals, objectives and deliverables as stated in the subaward agreement. Final reports also will include information relevant to the completed activities. Common information contained in final reports include the following:

- Data and/or products produced during the grant period (publications, programs, etc..).
- Estimates of pollutant load reductions, along with descriptions of how estimates were derived (for implementation projects).
- A description of the challenges and/or barriers encountered during project implementation and the actions taken to overcome these obstacles.
- Recommendations for future related activities.

To sign up for announcements related to Nevada's Nonpoint Source Pollution Program (including future information on Grant Funding Opportunities) please go to the [NPS Grant webpage](#) and select the "Get Notices" button located in the lower right hand corner- then select the "to Nonpoint Source Pollution Management Program" from the dropdown menu.

Please contact Christian H. Fritsen at (775)-687-9558 or via email at [cfritsen@ndep.nv.gov](mailto:cfritsen@ndep.nv.gov) if you have any questions concerning the proposal application, or if you would like to discuss project ideas, and/or project eligibility. Note that the Proposal Review Committee may contact you for additional information and/or to request a site visit.

## **ATTACHMENT A**

### Permit Requirements for Implementation Projects

Permit applications may require fees and/or surveys (e.g., cultural resources surveys, Threatened & Endangered Species surveys, etc.). The costs associated with applying for required permits may be included in the project budget. The project proponent must provide NPS Program staff with copies of the permit application(s) and/or issued permit(s).

Required permits may include (but are not limited to):

1. The CWA Section 404 Permit for discharge and/or fill activities affecting waters of the US, administered by the U.S. Army Corps of Engineers (USACE). Additional information regarding USACE's permitting requirements is available at:

<http://www.spk.usace.army.mil/Missions/Regulatory/Permitting.aspx>

The Section 404 permit application and instructions may be downloaded at:

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>

You may also contact the Nevada Regulatory Office at 775-784-5304, or [SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)

2. The Temporary Permit for Working in Waterways and/or Construction Stormwater Permit administered by NDEP's Bureau of Water Pollution Control (BWPC). Additional information regarding BWPC's permitting programs is available at:

<https://ndep.nv.gov/water/water-pollution-control/permitting/temporary-discharge-working-in-waterway>

<https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/construction-sites-greater-than-1-acre>

You may also contact BWPC at 775-687-9418.

3. The CWA Section 401 Water Quality Certification administered by NDEP's Bureau of Water Quality Planning (BWQP). Through this program, BWQP certifies whether the proposed activity will or will not violate State or federal water quality standards. Additional information regarding BWQP's program is available at:

<https://ndep.nv.gov/water/rivers-streams-lakes/401-certification>

You may also contact BWQP at 775-687-9444, or [ndep401@ndep.nv.gov](mailto:ndep401@ndep.nv.gov)

## **ATTACHMENT B:**

### Additional Resources:

1. Nevada's GIS Integrated Report Mapping tool- [2020-2022 NV IR Report](#)
2. Watershed-Based Planning Resources-
  - a. Handbook: <https://www.epa.gov/nps/handbook-developing-watershed-plans-restore-and-protect-our-waters>
  - b. [Critical Source Area Identification and BMP Selection: Supplement to Watershed planning Handbook](#)
  - c. Recovery Potential Screening (RPS) tool-  
<https://www.epa.gov/rps/downloadable-rps-tools-comparing-watersheds#Statewide>
3. Pollutant Load Estimation tool (PLET): <https://www.epa.gov/nps/plet>
4. [How's My Waterway?](#)
5. Nevada [Water Quality Data Warehouse Viewer](#)
6. WSIO <https://www.epa.gov/wsio/download-and-use-wsio-tool>
7. USGS: Hydrologic Unit Code (HUC) Watershed tool:  
[https://water.usgs.gov/wsc/map\\_index.html](https://water.usgs.gov/wsc/map_index.html)
8. EPA WATERS Geoviewer: <https://www.epa.gov/waterdata/waters-geoviewer>
9. BMP Manual References

Nevada Department of Transportation: <https://www.dot.nv.gov/doing-business/about-ndot/ndot-divisions/stormwater/resources-documents>

Las Vegas Valley:  
[https://gustfront.ccrfcd.org/pdf\\_arch1/npdes/LVV%20Construction%20Site%20BMP%20Guidance%20Manual\\_Jan%202009.pdf](https://gustfront.ccrfcd.org/pdf_arch1/npdes/LVV%20Construction%20Site%20BMP%20Guidance%20Manual_Jan%202009.pdf)

Tahoe Basin: <https://tahoebmp.org/bmphandbook.aspx>
10. Natural Resource and Conservation Service (NRCS): Conservation Practice Standards- <https://www.nrcs.usda.gov/resources/guides-and-instructions/conservation-practice-standards>
11. NRCS - Field Office Technical Guide for Nevada  
<https://efotg.sc.egov.usda.gov/#/state/NV/documents>