



THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
IS SOLICITING PROPOSALS FOR:

**NONPOINT SOURCE POLLUTION
MANAGEMENT PROGRAM
319(h) GRANTS**

319(h) 2022 Grant Funding Opportunity (GFO)

OPENING DATE & TIME: Monday, August 15, 2022 @ 8:00 AM

DEADLINE FOR SUBMISSION: Friday, September 23, 2022 @ 5:00 PM

This GFO document consists of 8 pages.

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 303(d)-listed waters, emphasizing the development and implementation of Total Maximum Daily Loads (TMDLs) and Watershed-Based Plans to help solve water quality problems at the watershed level. Information on the National NPS Program is available online at: [Polluted Runoff: Nonpoint-source-pollution](#). Nevada's 2020 303(d) Impaired Waters List is available online at: [Nevada 2020-2022 Water Quality Integrated Report](#).

FUNDING DESCRIPTION

The Nevada Division of Environmental Protection (NDEP) seeks proposals for projects and programs to reduce nonpoint sources of pollution within the state. Selected proposals will be awarded federal funds available under Section 319(h) of the Clean Water Act (CWA). Selected proposals will be administered by the Nevada Nonpoint Source Pollution Management Program (NPS Program). Proposals will be accepted for consideration until 5 p.m., Friday, September 23, 2022.

- 1.** How much funding is available to subgrantees? Approximately \$900,000 dollars in federal grant funds is available. Approximately 80% of the funding allocated to subgrantees is available to be applied toward TMDL or Watershed-Based Plan implementation projects. Requirements for Priority Watersheds are as follows:
 - a.** Lake Tahoe Basin Projects — must implement components of the Lake Tahoe TMDL Implementation Plan.
 - b.** Las Vegas Wash Projects — must implement components of the Las Vegas Wash Comprehensive Adaptive Management Plan.
 - c.** Carson River Basin Projects — must implement components of the Carson River Adaptive Stewardship Plan.
 - d.** Truckee River Watershed Projects — must implement components of the Integrated Source Water and 319(h) Watershed Protection Plan for the Truckee River.

2. 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; and
 - d. Educational institutions.

3. What activities are eligible? The following activities qualify for 319(h) funding under this particular GFO:
 - a. Direct implementation of Best Management Practices (BMPs) or demonstration of new and innovative BMP technologies;
 - b. Training and/or technical assistance to landowners regarding BMP installation and/or maintenance;
 - c. Monitoring to measure effectiveness of the proposed project;
 - d. Education to raise the level of public awareness about NPS pollution and its effect on water quality;
 - e. Stormwater pollution prevention activities (including [Low Impact Development](#)) that are not specifically required by a draft or final National Pollutant Discharge Elimination System (NPDES), Phase I or Phase II Stormwater permit; and
 - f. Special projects that meet one or more of the State priorities identified on Page 5 (Section 3.b.)

4. What activities are not eligible? The following do not qualify for 319(h) funding under this particular GFO:
 - a. General planning, assessment, or research activities;
 - b. Activities related to specific requirements of a draft or final NPDES Phase I or Phase II Stormwater permit; and
 - c. Ambient monitoring or monitoring to determine if a waterbody is impaired.

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 for your review.

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 NDEP by submitting invoices with proof of payment of expenses on a quarterly basis.
3. Riparian Restoration Projects. Riparian restoration projects that promote the expansion of floodplain should utilize strategies such as terracing at bankfull (at the 1-3 year flow) to dissipate energy and minimize the use of rock rip rap to stabilize banks. Bioengineering stabilization techniques are preferable over hardscaping of channel banks.
4. 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 your project. See Attachment A for more information.
5. Liability Insurance. Additional liability insurance requirements are imposed on independent contractors and/or subcontractors. If you anticipate 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 (see contact info on Page 7).
6. Final Report. The grantee may be required by contract to submit a detailed final report to NDEP 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. Otherwise, if required, final reports must be submitted to NDEP within 90 days of contract expiration.

PROPOSAL SUBMITTAL AND SELECTION PROCESS

1. Proposal Submittal. Proposals must be received no later than 5:00 pm PST on Friday, September 23, 2022. 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 and submit the 319(h) [Grant Proposal E-Form Application](#) via email, with qualified exceptions only in case of hardship.

- 2. Proposal Presentation.** Project proponents will be given an opportunity to present their proposal to the Proposal Review Committee either in person at NDEP's Carson City office, via conference call, or via virtual meeting platform. Limitations to in-person presentations due to the status of COVID-19 situations will be evaluated before presentations are scheduled, and applicants will be notified. Eligible applicants will be contacted regarding times and dates for presentations. A presentation is NOT required for a proposal to be fully considered; however, it is recommended that proponents consider giving a presentation, as it gives the Proposal Review Committee an opportunity to ask questions.

- 3. Proposal Evaluation.** The Proposal Review Committee will review proposals during the period from September 26 through October 28, 2022. Allocation of available funds will be competitively determined by the Proposal Review Committee. The following criteria will be considered in evaluating and ranking the submitted proposals:
 - a. Water Quality Benefit.** The proposal must clearly describe how the project will contribute to the restoration, enhancement, or preservation of the ecological integrity of Nevada's waters. Priority will be given to projects that estimate a measurable reduction in nonpoint source pollutant load and indicate how the reduction will be measured and reported.

 - b. State Priority.** State priorities are described in the Funding Description section. Additionally, the NPS Program is interested in supporting the following types of projects:
 - i. Projects that will result in a measurable and reportable reduction in nonpoint source pollutant load;
 - ii. Proposals that fund projects involving one or more Conservation District(s);
 - iii. Projects with multiple partners whose roles and responsibilities are clearly defined;
 - iv. Projects that incorporate Low Impact Development (LID) techniques;
 - v. Projects that address urban runoff issues not required by a NPDES Phase I or Phase II permit;
 - vi. Projects that significantly exceed the non-federal match requirement of 50% of the total project cost;
 - vii. Projects that include measures or practices that protect drinking water sources; and
 - viii. Projects that support local watershed-based plan development efforts.

- c.** Interagency Coordination. The proposal clearly defines level of commitment from partnering agencies/organizations and outlines the responsibilities of each. Roles and responsibilities of partnering agencies and organizations should be documented in Letters of Commitment submitted in the proposal application package.
- d.** Assessment. The proposal clearly defines milestones, success measures, and associated process to assess progress toward meeting project goals and objectives.
- e.** Maintenance. If applicable, the proposal clearly describes the proponent's methods, willingness, and ability to maintain the project over its design life.
- f.** Environmental Education Outreach Proposals. Environmental Education Outreach proposals are encouraged but not required to use principles of "logic modeling" to demonstrate outcome-oriented projects, particularly if the applicant has not previously received 319(h) grant funding. An effective logic model includes program planning, identifying target audience(s), methods to implement and disseminate activities, and provide measures of success. Other appropriate education planning tools may be utilized in lieu of a logic model. Be specific about efforts to educate the public and, if appropriate, the transfer of technology skills and abilities to this audience and measures to demonstrate the effectiveness of the project.

If applicable, the proposal curriculum should align with Nevada Next Generation Science Education centered on relevant experiences, problem-solving and critical thinking processes related to watershed education and water quality concerns. STEM education emphasizes the natural interconnectedness of science, technology, engineering, and mathematics and their connection to other disciplines. Proposals with curriculum may contain a provision for peer review of content by experts with appropriate educational backgrounds. NDEP maintains final editing authority for all curricula paid for with 319(h) funds.

- g.** 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.
- h.** Past Performance. If applicable, the performance of the applicant on previous 319(h) contracts (e.g., timeliness and accuracy of submitted reports and invoices, fulfillment of contractual obligations, etc.) will be considered.

- i. Quality and Completeness of the Proposal. Applicants must adhere to the detailed 319(h) GFO and application instructions. The quality of the proposal is considered a reflection of the quality of work that will be performed by the grantee.
4. Award Notification & Contract Development. The Proposal Review Committee will notify grant award recipients after October 31, 2022. Recipients of grant awards will be contacted by NPS Program staff to discuss development of a Subgrant Agreement (contract) including a detailed project budget and scope of work. Subgrant Agreements typically require one to three months time to execute depending upon project complexity and Subgrantee's required review and approval processes.

Please contact Jason Kuchnicki at (775)-687-9450 or via email at kuchnicki@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

2. The Temporary Permit for Working in Waterways 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>

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