Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 31, 2012

Dear Nonpoint Source Management Partner:

We are pleased to announce that Ohio EPA, in concert with other state water quality partners, is soliciting proposals for grants awarded under Section 319(h) of the Clean Water Act. Ohio has established a goal of 80 percent aquatic life use attainment for Ohio waters. Consistent with this goal, the Section 319(h) Grant Program is designed to provide financial assistance for projects that eliminate or reduce water quality impairments caused by nonpoint source (NPS) pollution.

Based on anticipated reductions in federal funding, approximately $3 million will be available for Section 319(h) grant funding during Federal Fiscal Year (FFY) 2013. The actual amount depends upon the final FFY 2013 U.S. EPA budget approved by Congress and the allocation awarded to Ohio by U.S. EPA.

Priority Funding

Section 319(h) grant funding is targeted to Ohio waters where NPS pollution is a significant cause of aquatic life use impairments. Projects that eliminate such impairments and/or restore impaired waters will score significantly higher in the review process and receive more favorable consideration than general NPS pollution prevention projects. Projects identified in completed Total Maximum Daily Load (TMDL) reports and state-endorsed watershed plans that eliminate impairments and/or restore impaired waters will receive higher consideration than projects submitted from other watersheds. We do not anticipate funding any projects from watersheds that do not have an endorsed watershed plan, and/or approved TMDLs; however, Ohio EPA's director may elect to fund demonstration projects in such watersheds when doing so may result in the elimination of impairments and/or advancement of NPS management capacity. All proposed projects must be implemented consistent with the nine required program elements listed in **Attachment 1** of this RFP.

Grant Amounts and Local Matching Requirements

Applicants may apply for varying amounts (depending upon activity) up to a maximum of $250,000 in federal Section 319(h) grant funds for a three-year period. **The required local share of project costs is 40%** – in other words, 40 percent of the total project costs MUST be provided as local match. *For example: if **total** project costs equal $200,000, then no more than $120,000 may be federal 319(h) grant funds.*

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The following is a table identifying required match amounts for various levels of grant funds requested:

Federal Amount	Required 40% Match	Total Project Costs
$50,000	**$33,333**	**$83,333**
$100,000	**$66,667**	**$125,000**
$150,000	**$100,000**	**$250,000**
$200,000	**$133,333**	**$333,333**
$250,000	**$166,667**	**$416,667**

Applicants may apply for several types of projects within a single grant application; **however, TOTAL** Section 319(h) grant funding requests may not exceed $250,000 in total federal funding. *Grant sponsors may submit only one (1) application per watershed.*

Grant sponsors currently holding two (2) or more active Section 319(h) grants are discouraged from applying for additional funding until such time that existing subgrant projects are complete and closed. As a means of encouraging statewide participation, grant criteria are established to provide additional credit to applicants without active subgrants.

Project Specific Educational and Outreach Requirements

All applications for Section 319(h) grants must include project-specific educational and public outreach activities 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 10 percent of total project costs.***

Environmental Monitoring

Ohio EPA will conduct environmental monitoring associated with all grant funded sub-grant project implementation using staff from the Division of Surface Water's Ecological Assessment Section or by a contract provider. ***No grant funds may be used for water quality monitoring activities.***

Eligible Projects

A sample listing of the types of projects that we are seeking to support with Section 319(h) grant funding follows. We also have included general grant guidelines and limitations that may apply to specific types of projects:

1. Stream Restoration and/or Dam Removal/Modification Projects

Stream restoration or re-naturalization projects that re-establish natural ecology, morphology and flow continue to be highly encouraged. Eligible projects include natural stream channel reconstruction; overwide ditch conversion; levee removal or modification; non-armored stream bank stabilization in areas of known impairment; low-head dam removal and/or modification; in-stream habitat restoration; and/or other projects that restore natural stream ecology, morphology and flow. Stream restoration projects will receive a higher score when restored areas are protected with conservation easements and/or other riparian protection measures. Applicants are eligible to apply for up to $250,000 in federal 319(h) funding to implement these projects.

Projects such as logjam removal are not eligible for funding or for use as local match. Projects proposed under enforcement order or required as mitigation under regulatory programs such as Section 401 permits also are not eligible for funding.

2. Wetland Restoration and/or Renaturalization

The restoration of wetlands that are hydrologically connected to surface waters is important for the effective filtering of nonpoint source pollutants. Section 319(h) subgrant funding is available for local groups to help restore and protect naturally occurring wetland areas. We are particularly interested in funding projects that restore previously existing wetland areas that are being degraded through existing land uses such as farming, mowing or other activities. Up to $250,000 is available for wetland restoration projects that are likely to contribute to improvements in surface water quality. Projects that protect restored areas with conservation easements or other protective measures will receive additional consideration. Wetland restoration projects that include conservation easement protection may request funding for easements through the riparian and wetland protection component of this RFP.

3. Innovative Storm Water Demonstration Projects

Uncontrolled runoff from storm events may be a serious contributor of nonpoint source pollutants to some of Ohio's streams. Many urban areas in Ohio are required to regulate and/or manage storm water flow and do so under storm water permits issued by Ohio EPA. ***(Section 319 grants may not be used to implement any activities required under stormwater permits or as mitigation for other permits such as those issued under section 401 of the Clean Water Act).***

Recent trends in storm water management have identified innovative practices and techniques that are showing increasing promise in the management of storm water. Ohio EPA is interested in promoting these practices by funding local projects that demonstrate these innovative storm water management practices. Applicants may apply for up to **$200,000** in Section 319 grant funding to implement eligible projects and practices such as those listed below:

- Retrofitting public commons or parking areas with permeable pavements.
- Installing small scale green roofs on public buildings.
- Installing bio-filtration islands and/or vegetated retention structures such as large public rain gardens* or large infiltration planting areas.
- Installing passive "treatment trains" that combine multiple BMPs such as pocket wetlands, bio-filtration islands and others to treat storm water flows prior to discharging in a stream.
- Constructing storm water treatment wetlands.
- Installing rainwater harvesting and reuse systems on public buildings or facilities.
- Other practices designed to demonstrate innovative management of storm water flows.

**Section 319 grant funding may not be used for projects such as rain gardens, rain barrels or other stormwater management practices conducted on lands owned by private for-profit businesses and/or individual homeowners.*

4. Inland Lake Management and Restoration

Ohio lakes that are primary recreational areas often show the effects of nonpoint source pollution entering through tributaries in the watershed. Lake protection and restoration project grants are available to applicants interested in implementing projects that will measurably improve lake water quality in and around recreation areas. ***Grant funding is available ONLY for lakes that are publicly owned and accessible to the public.***

Applicants may apply for up to $250,000 in Section 319 grant funding to implement eligible projects and practices such as those listed below:

- Phase 1 Diagnostic-Feasibility Clean Lakes Studies (**$100,000 maximum)**
- Lakeshore stabilization BMPs to reduce sediment loadings.
- Channel aeration to address anoxic conditions and eliminate fish kills.
- Alum treatment demonstration projects designed to inactivate nutrients.
- In-stream alum dosing unit demonstration to reduce tributary nutrient loadings.
- Lake water circulators and/or other devices to reduce blue-green algae blooms.

- Upstream forebays or constructed wetlands designed to capture incoming pollutants and/or sediment.
- Other techniques designed to specifically address identified lake-related recreational, human health, or aquatic health concerns.

5. Agricultural Best Management Practices and Projects

When implemented effectively, creative and highly targeted projects using agricultural BMPs are effective at reducing or preventing NPS pollutants from entering surface waters. During the FFY 2013 grant cycle, Ohio EPA is particularly interested in funding two or three intensive agricultural projects employing multiple management practices in concentrated areas of known impairment. The types of projects being encouraged follow:

- nutrient management projects (must include more than planning);
- sediment control projects (including installation of filter areas);
- controlled drainage projects;
- livestock exclusion and manure management projects;
- conservation crop rotation projects with cover crops; and
- riparian re-vegetation and/or protection projects.

General limitations for the above agricultural BMP projects include:

- Projects must be implemented in a single 12-digit (old 14-digit) HUC subwatershed which is addressed by an endorsed watershed action plan and/or completed TMDL.
- Grant-funded practices must be selected from the Ohio USDA-NRCS list of conservation practices standards.
- Personnel costs may not exceed 15 percent of grant funds requested.
- Cost-share amounts may not exceed 75 percent of actual costs required to install or implement management 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. Neither may 319(h) grant funds be used as cost-share for tillage and/or other agricultural equipment purchases. **Applicants are eligible to apply for up to $250,000 in federal 319(h) funding to implement these types of projects in only one 12-digit HUC per grant cycle.**

6. Acid Mine Drainage Abatement and Abandoned Mine Land Reclamation Projects

When conducted consistent with an approved acid mine drainage abatement (AMD) and treatment plan, AMD abatement and reclamation of abandoned mine land (AML) projects may significantly and permanently reduce or eliminate metals, sediment and other NPS pollutant from mining-impaired water bodies.

Proposals requesting grant funds for a relatively small site-specific 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 project.

Construction projects designed to address AMD abatement or AML reclamation 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.

Applicants are eligible to apply for up to $250,000 in Section 319(h) funding to implement these projects.

7. Riparian Restoration Projects

Riparian areas play vital roles in preventing pollutants from entering surface waters. Tree planting, dike removal or riparian wetland restoration and other projects designed to restore previously impacted riparian forests and floodplains are encouraged, particularly when conducted with additional protective measures such as conservation easement acquisition. Applicants are eligible to apply for up to $125,000 to implement riparian restoration projects.

8. Riparian and Wetland Protection and Conservation Easement Projects

Riparian and wetland protection projects, when wetlands are hydrologically connected to surface waters, may be valuable in protecting the existing quality of surface water from potential NPS pollution threats. Riparian protection projects funded under Section 319(h) must be focused in areas where NPS causes are known to be the primary reason for impairments or threats of impairments. Riparian protection projects also may be focused along high quality streams where the threat of NPS impairments has been identified and localized. Protection projects such as conservation easement acquisition will rank more highly when conducted in conjunction with other restoration activities and/or when conducted on higher quality rivers or streams. Applicants are eligible to apply for no more than $100,000 to implement conservation easement and other riparian protection projects. ***We do not anticipate funding any projects that propose ONLY easement acquisition. Funds for easements may be provided in conjunction with other activities such as stream restoration, etc.***

General Section 319(h) Implementation Grants Guidelines

When preparing your application for Section 319(h) implementation grant funding, the following general guidelines apply:

1. Section 319 grant funding is available to local watershed groups, land conservancies or trusts, nonprofit organizations, units of county, municipal and township governments, park districts and other local land managing agencies, soil and water conservation districts, conservation organizations and others. In limited instances, Section 319(h) grants may be awarded to state agencies with land management responsibilities or state universities. W*e do not anticipate awarding grants to any individuals and/or for-profit organizations during FFY 2013.*

2. Implementation of nutrient management or agricultural run-off control from regulated livestock feeding operations, incentive payments for Conservation Reserve Program (CRP) or Conservation Reserve Enhancement Program (CREP), and/or bonus payments for the adoption of certain long-term conservation practices under CRP or CREP are **not** eligible for Section 319(h) implementation grant funding.

3. Section 319(h) implementation grant 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. Neither FFY 2013 Section 319(h) implementation funds nor local matching funds may be spent on Phase 1 or Phase 2 NPDES storm water compliance efforts.

4. 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. Cost-share (and/or matching credit) may **not** exceed the appraised fair market value of the conservation easement or $25,000 per acre, whichever is the lesser amount. Easements must be acquired consistent with provisions of Ohio Revised Code Section 5301.67(A).

5. Local matching funds are "federalized" upon approval of grant funding. Matching funds may **not** be used for activities or expenditures that would otherwise not be allowable, allocable, or reasonable for federal grant funds under federal grant regulations or guidelines. *For example, land acquisition is not allowable under Section 319(h) grant guidelines; therefore, local matching funds may not be used for land acquisition either*.

6. Section 319(h) project implementation funding may **not** be used to conduct research related activities. However, activities such as sediment studies, hydraulic modeling and other analyses that are required as part of permitting for projects such as dam removal and stream restoration MAY be completed using Section 319(h) grant funds.

7. Costs associated with complying with storm water permit requirements are not eligible for funding under Section 319(h).

8. Grant applicants and implementing agencies must have the proper jurisdiction within a watershed to implement the proposed activities, or propose to subcontract portions of the grant-funded project to the appropriate legal entities for implementation.

9. Project sponsors may subcontract portions of their Section 319(h) or local matching funds for technical or other services associated with implementation of the proposed project. ***Please note: ALL subcontracts exceeding $10,000 (grant funds or local matching funds) require prior formal approval from the Ohio EPA Nonpoint Source Program manager or Section 319 grants administrator.***

Application Deadline & Review Procedures

The deadline for submitting Section 319(h) implementation grant applications is **close of business June 1, 2012.** Applications **must** be complete and received and/or postmarked by the above date to be considered for funding. Applications postmarked (or hand-delivered) after this date will be returned to the applicant without further consideration.

Please submit **three** (3) copies of the complete application with **original** (blue ink) signatures and **one** (1) copy of the application in **Microsoft Word** format on either floppy disk or CD. Completed applications may be mailed or delivered to:

Russ Gibson, NPS Program Manager
Ohio EPA / Division of Surface Water
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

Upon receipt, all Section 319(h) implementation grant applications will be reviewed for completeness, technical merit and adherence to the 1987 Amendments to the Clean Water Act, U.S. EPA Section 319(h) Program Guidance, and FFY 2013 Request for Proposals criteria. Applications found to be administratively complete will undergo a comprehensive review using criteria designed to evaluate and score the following:

1. environmental results likely to be achieved;
2. status of TMDL and/or local watershed planning efforts;
3. applicant's prior performance with Section 319(h) grants;
4. overall effectiveness of the project;
5. feasibility of completing the proposed project in a timely manner;
6. local commitment and matching funds;
7. applicant's capability to administer federal grant funds;

8. project specific educational and outreach activities; and
9. existing environmental quality and restorability of the watershed.

In addition to the above general criteria that are applicable to all applicants, projects also will be evaluated using specific technical criteria developed for the specific type of proposed project.

Upon completion of all reviews, applications will be ranked according to their review scores and recommendations for funding will be developed based upon this ranking. Funding decisions will be made by the director of Ohio EPA and recommended to U.S. EPA Region 5. Recommended subgrant applications will be incorporated into the Ohio Section 319(h) grant application submitted to U.S. EPA. We anticipate that formal grant awards will likely be announced between March and April, 2013. Successful applicants will be required to execute a formal grant agreement and adhere to all requirements of the Section 319(h) implementation grants 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. Applications are also available at Ohio EPA's district offices or by contacting Russ Gibson, NPS Program Manager, at (614) 644-2020.

We appreciate your interest in Section 319(h) grants and look forward to working with you to help Ohio meet important water quality goals. If after reviewing this information you require additional assistance or have questions, please do not hesitate to contact the district NPS environmental specialist in your area.

Sincerely,

George Elmaraghy

George Elmaraghy, P.E., Chief
Division of Surface Water

GAE/rg/jh

Attachments

Attachment 1

Nine Program Elements that All Projects Must Meet

The following information is condensed from 2003 U.S. EPA Guidance for Watershed Action Plans.[1] 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 nonpoint source (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 FFY 2013.)

[1] For the complete text, please refer to http://www.epa.gov/fedrgstr/EPA-WATER/2003/October/Day-23/w26755.htm. These nine program elements also form the basis of Ohio's watershed plan endorsement criteria.