

**Vermont Agency of Natural Resources
Department of Environmental Conservation (DEC)**

Request for Nonpoint Source Pollution Reduction Project Proposals

Issue date: January 9, 2006

Request

With federal fiscal year 2006 funding about to be provided to Vermont by the US Environmental Protection Agency (EPA) under authority of Section 319 of the federal Clean Water Act, the Department of Environmental Conservation is pleased to be able to seek project proposals from governmental agencies or non-profit organizations. Interest is with implementation project proposals that will result in the control, management and reduction of water pollution arising from certain priority nonpoint source discharges.

Background & Goal of Request

Congress enacted Section 319 of the Clean Water Act in 1987 establishing a national program to control and abate nonpoint sources of water pollution. Under Section 319, each state was to address nonpoint source (NPS) pollution¹ by developing a NPS assessment report and by adopting management programs to control NPS pollution. These were to be followed by implementation of management programs.

Congress appropriated Section 319 grant funds for the first time in federal fiscal year 1990. In federal fiscal year (FFY)1999 and arising from the federal Clean Water Action Plan, Section 319 was authorized to receive a significant increase in funding. The increase in funds, referred to as Section 319 incremental funds, have been made available to Vermont since 2000 through 2005.² Incremental funds will be available to Vermont again in 2006. Section 319 funds have been applied throughout Vermont to assist in a wide variety of NPS projects and activities.

The goal of this Request for Proposals (RFP) under 2006 Section 319 incremental funding is to support restoration or implementation activities located in watersheds that are impaired or threatened by NPS pollution and that are addressed either by an EPA-approved Total Maximum Daily Load (TMDL) or by an Agency of Natural Resources basin plan. Riparian area protection continues to be a priority activity. There is also considerable interest by DEC and EPA in documenting improvement to water quality as a result of 319-funded projects. The total amount of grant funds available under this RFP will be determined based on the 2006 award made to DEC.

Eligible & Ineligible Projects/Activities

Eligible types of NPS management/implementation activities fall into six general categories and include:

- demonstration** - projects that accelerate the adoption of new or innovative NPS controls or technology;
- watershed resource restoration** - projects that protect and restore wetlands, rivers and streams, lakes and ponds, riparian areas and related aquatic habitats;
- enforcement** - regulatory or non-regulatory programs for enforcement of NPS controls;

¹ According to EPA, NPS pollution is caused by rainfall or snowmelt which carries man-made or natural pollutants into surface or ground water or wetlands. Atmospheric deposition and hydrologic modification are also sources of nonpoint pollution.

² Award of Section 319 incremental funds since 2000 was also made possible as a result of EPA approval of the Enhanced Vermont Nonpoint Source Management Program (October 1999).

technical/financial assistance - projects that provide assistance (e.g. education, training, technology transfer) with the implementation of NPS controls;

monitoring - projects that assess the affect of NPS implementation projects on surface or ground water.

watershed-based planning – in the absence of either an EPA-approved TMDL or a basin plan recently adopted by the Agency of Natural Resources, efforts that produce a plan containing, but not limited to, the 9 required components designed to reduce NPS pollutant loadings that are contributing to water quality threats and/or impairments. The nine required components are described in an attached work plan format.

Ineligible types of activities that are not allowed under this RFP include:

- financial assistance to individuals;
- NPS research or general assessment;
- in-lake treatment (e.g. sediment removal, alum treatment, aquatic plant treatment, aeration); and,
- stormwater controls specifically required by a NPDES stormwater permit.

Requirements

Proposed NPS implementation projects need to be developed and undertaken in a comprehensive manner. To assist NPS project proponents identify, design and apply effective measures on a competitive basis, DEC has prepared a work plan format. It is highly recommended that interested project proponents submit proposals that are consistent with the attached work plan format.

The Department recommends that applicants document and provide non-federal match for all NPS activities funded under this program.³

Estimated Cost

Respondents should provide project costs in sufficient detail in order that an accurate evaluation of the proposal can be made by a review panel. Respondents are encouraged to submit proposals which do not request greater than \$50,000 in 319 funding. Proposals which exceed that amount may be submitted but should be presented as multi-year projects with an indication of annual grant needs.

Evaluation Criteria

Vermont DEC is primarily seeking proposals that restore or improve water quality conditions. Proposals will be reviewed/evaluated against the following criteria:

- * Does the proposal include reasonable, measurable goals for water quality improvement or related environmental benefit and a method for evaluating environmental results of the project?
- * Are the project methods feasible, practical, cost effective?
- * Does the proposal include local support, participation and commitment? Does the proposal include any cash and/or in-kind services that can be considered as non-federal match? Does the proposal include interagency participation and commitment?
- * Has the applicant demonstrated appropriate expertise or experience including successful completion of previous projects?
- * Does the proposal address one or more of the following 2006 Vermont DEC priorities?
 - Control of NPS phosphorus in watersheds tributary to Lake Champlain or Lake Memphremagog.

³ Section 319 funds represent 60% of a project (for example, a 319 grant of \$100 has a 40% non-federal match amount equal to approximately \$67). Eligible forms of non-federal match are cash or in-kind services or a combination of both.

- Protection and restoration of shoreland, streambank and riparian areas consistent with findings from ANR-adopted assessment protocols.
 - Improvement of stormwater management within the Lake Champlain drainage from developed areas or areas undergoing development.
- * Does the proposal help implement an EPA-approved TMDL? If the proposal does not help implement a TMDL, does the proposal help restore a year 2004 Section 303d listed water⁴ addressed by a basin plan adopted by the Agency of Natural Resources or by some other watershed plan?
- * Does the proposal include or commit to calculating or estimating nutrient or sediment loading reduction as a result of the project?

Successful respondents selected to receive FFY2006 Section 319 NPS grant funds will be subject to the terms of a performance-based grant agreement. Pending finalization of the 2006 federal budget and following full execution of an EPA funding award to Vermont, DEC will notify successful applicants of a 319 grant award. The typical format and general conditions of a DEC performance-based grant agreement can be found on the Water Quality Division's web page (go to www.vtwaterquality.org, then click on "grants").

The award of grant funds by DEC will be contingent upon the recipient providing certificates of insurance showing certain minimum coverages are in effect for workers compensation, general liability and property damage, contractual liability and automotive liability. It is expected that grant recipients will maintain current certificates of insurance on file with the State through the term of the grant agreement.

Proposal Due Date

One original and twelve (12) copies of the proposal are due at the office of the Water Quality Division in Waterbury by the close of business on Friday, February 24, 2006. **Electronic submittals of the proposal (i.e. facsimile, e-mail, diskette) will not be accepted.**

Completed proposals or questions regarding this RFP can be directed to Rick Hopkins with the Water Quality Division of DEC at the following address:

Building 10 North, Second Floor
103 South Main Street
Waterbury, VT 05671-0408
Phone: 802-241-3769
FAX: 802-241-3287
Email: rick.hopkins@state.vt.us

⁴ Contact the Vermont Water Quality Division (802-241-3770) for listing explanation and further assistance. The Year 2004 303d List of Waters can also be found by visiting the Division's web site: <http://www.vtwaterquality.org/planning/303dlist.pdf>.