



**Massachusetts NPS Program Quality Assurance Project Plan for
319 Implementation Projects
FFY 2021 – FFY 2026
EPA RFA # 21015
Mass DEP Report Number: CN 538.1**

Massachusetts Department of Environmental Protection
Watershed Planning Program

MassDEP Watershed Planning Program Director:

L. J. Blake 11/12/2020
Laura Blake date

MassDEP QA Officer:

Suzanne H. Flint 11/12/2020
Suzanne Flint date

MassDEP NPS Program Manager:

Matthew Reardon 11/12/2020
Matthew Reardon date

USEPA Region 1 QA Officer:

Bryan Hogan date

USEPA Region 1 Massachusetts NPS Coordinator:

Ian Dombroski date

Prepared By:
Matthew Reardon
MassDEP Division of Watershed Management
8 New Bond Street
Worcester, MA 01608

Table of Contents

I. Distribution List	3
II. Introduction	3
III. Program Objectives and QAPP Applicability	3
IV. Program Organization	4
V. Program Quality Objectives	4
VI. Program Design	5
A. Targeting priority projects	5
B. RFR Process	7
C. Proposal Selection Criteria	7
D. Load Reduction Estimates	8
E. Contract Development and Grant Oversight	8
F. Reports and Deliverables	8
G. Critical Objectives and Criteria	9
VII. Watershed Implementation Projects- BMPs	10
A. BMP Project Design	10
B. BMP Installation Methods	11
C. Installation, Operation and Maintenance of BMPs	11
D. BMP Review and Verification	12
VIII. Documentation, Records and Data Management	13
A. Documentation and Records	13
B. Data Evaluation of Load Reduction Estimates	13
C. GRTS	13
D. Reports to EPA	14
E. Non-Direct Measurements	14
IX. Continuous Improvement	15
A. Program Planning	15
B. Evaluation of Project Success	15
C. Training and Conferences	16
Appendix A. FFY 2021 Request for Responses (as example)	
Appendix B. Proposal Review Sheet	
Appendix C. Suggested Final Report Format for 319-funded projects	

I. Distribution List

The approved Quality Assurance Program Plan (QAPP) will be distributed to the following staff at Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency.

Laura Blake	Program Director – MassDEP Watershed Planning Program
Richard Chase	Environmental Analyst V- MassDEP Watershed Planning Program
Suzanne Flint	Environmental Analyst III - MassDEP Watershed Planning Program
Matthew Reardon	Nonpoint Source Program Manager - MassDEP Watershed Planning Program
Malcolm Harper	319 Program Coordinator - MassDEP Watershed Planning Program
Meghan Selby	604b Program Coordinator - MassDEP Watershed Planning Program
Bryan Hogan	USEPA Region 1 EQA
MaryJo Feuerbach	USEPA Region 1 – Chief, Watershed & Nonpoint Source Management Section
Ian Dombroski-	USEPA Region 1 – Life Scientist, Watersheds & Non-Point Source Management Section

II. Introduction

The purpose of this document is to describe the process used to develop, select, manage, and finalize projects funded under the s.319 Nonpoint Source (NPS) Competitive Grants Program in Massachusetts. In describing this process, quality assurance goals and methods will be established, thus ensuring that the overall program and each non-monitoring project funded under the program will meet or exceed EPA and MassDEP requirements for quality assurance.

III. Program Objectives and QAPP Applicability

The overall objective of the Massachusetts Nonpoint Source Management Program is to prevent, control, or abate nonpoint source pollution (NPS) to lakes, streams, rivers and coastal waters so that beneficial uses of those waters are maintained or improved. MassDEP uses Clean Water Act (CWA) Section 319 grant funds from the Environmental Protection Agency (EPA) to support a variety of NPS projects to help achieve this objective. MassDEP manages use of 319 funds in accordance with EPA’s *Nonpoint Source Program and Grants Guidelines for States and Territories* (April 2013). Section 319 under the CWA allows for programs to support a variety of program priorities. The Massachusetts Nonpoint Source Management Plan for 2020-2024 (<https://www.mass.gov/info-details/final-2020-2024-massachusetts-nonpoint-source-management-program-plan>) (“Plan”) sets forth an integrated strategy to address nonpoint source pollution in Massachusetts. The Plan reflects the current priorities of the Massachusetts Nonpoint Source Program following guidance provided by EPA. Projects selected for funding are consistent with the goals and strategies in the Plan.

MassDEP administers the Nonpoint Source Competitive Grants Program (319) to provide financial assistance to subrecipients (grantees) conduct NPS projects. The goal of NPS projects is implement actions which restore or protect water quality in rivers, lakes or coastal waters. Grantees are required to administer projects according the MassDEP Nonpoint Source Grantee Guidebook.

The QAPP is intended to cover all NPS projects receiving funding under 319 Grants except for projects which undertake water quality monitoring or involve the use or development of models.

In addition, an individual Quality Assurance Project Plan will be developed as part of the project scope of work for each project. Projects that include modeling, water quality sampling, and monitoring as a necessary task will be covered under a separate, stand-alone QAPP that will be developed specifically for each such project, following EPA's QA/R-5 specifications.

IV. Program Organization

MassDEP staff operating under this QAPP work in the Watershed Planning Program's (WPP) Nonpoint Source Program. Other WPP staff, contractors, interns or volunteers may also provide assistance. MassDEP Nonpoint Source staff is responsible for administering the 319 and 604b grant programs. An overview of the current organization structure of the Nonpoint Source Program within WPP is below (Figure 1).

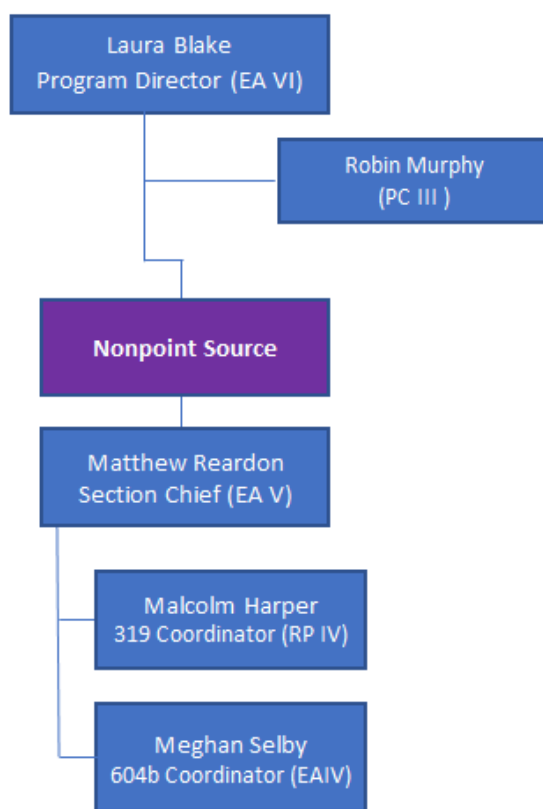


Figure 1: MassDEP WPP Nonpoint Source Program Organizational Chart

V. Program Quality Objectives

The primary goal of the Massachusetts 319 program is to achieve pollutant load reductions that will result in attainment of water quality standards and/or restoration of designated uses in impaired waters. A secondary goal is to protect, enhance, or restore high-priority unimpaired waters. The majority of 319-funded projects focus on implementation work that will install one or more 'best management practices' (BMPs) to address NPS program goals. A variety of resources and procedures exist to ensure

identification of priority problems, selection of effective strategies, focused and cost-effective implementation of solutions, and responsible oversight of public funds. A full description of the State Program goals and objectives can be found in the 2020-2024 Nonpoint Source Program Plan.

Quality assurance planning is a key component of the 319 program. The ubiquitous nature of nonpoint source pollution ensures a virtually limitless number of possible ways to address water quality problems caused by nonpoint source pollution. A focused strategy is required to ensure that the limited available financial, technical, and human resources will be directed toward priority problems and invested in projects that have the highest likelihood of success. This QAPP documents this process by clearly outlining methods used to establish priorities, select priority projects, provide oversight to ensure efficient use of resources, and evaluate success of each 319-funded project proposing to implement measures that will remediate impaired waters. Additionally, this QAPP covers project load reduction modeling required for Grants Reporting and Tracking System (GRTS) reporting.

Use of Secondary Data

Following EPA guidance, if a NPS project depends on the use of secondary data (i.e., data collected by others), then a task in the contract scope of work will require the grantee to specify the methods used to evaluate the quality /validity of the data to determine if the data are acceptable for the purposes of the NPS project (<https://www.epa.gov/quality/epa-new-england-quality-assurance-project-plan-guidance-environmental-projects-using-only>). All such secondary data must be available for review by MassDEP program staff on request.

VI. Program Design

This section outlines procedures for soliciting, selecting, managing, and finalizing 319-funded projects that will implement best management practices to remediate, restore, or protect impaired waters and priority water resources.

A. Targeting priority projects

A Request for Responses (RFR) is generally issued on or about April 1 of each year. The RFR states “Projects funded under this program must address the prevention, control, and abatement of Nonpoint Source Pollution (NPS). Implementation projects funded with watershed project funding must implement a Watershed-Based Plan, and must be comprehensive projects that result in restoration of beneficial uses or achieving or maintaining state water quality standards.” In particular, the Department encourages proposals that will implement Massachusetts’s Total Maximum Daily Load (TMDL) analyses, or that will implement recommendations made in Diagnostic/Feasibility (D/F) or other credible studies for waters that do not meet Massachusetts Water Quality Standards.

A variety of resources are available to assist with identification of priority projects and development of effective strategies:

- The Massachusetts Integrated List of Impaired Waters summarizes the status of water quality impairments identified in Massachusetts’s waterbodies and identifies the pollutant causing the impairment (<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>). A Total Maximum Daily Load (TMDL) analysis is the greatest amount of a pollutant that a waterbody can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial

uses of those waters for drinking, swimming, recreation, and fishing

(<http://mass.gov/dep/water/resources/tmdls.htm>). A TMDL is implemented by specifying how much of that pollutant can come from point, nonpoint, and natural sources. Recommendations offered in TMDL analyses for impaired waterbodies are prioritized for 319-funded implementation work. Other impaired water bodies without TMDLs are also priority work, provided that the proposed project is supported by credible data and a comprehensive strategy that will target the impairment.

- The Massachusetts Nonpoint Source Pollution Management Program Plan presents a strategy for preventing, controlling, and reducing pollution from nonpoint sources to restore, protect and improve the quality of the Commonwealth's waters. The 2020 NPS Plan has been updated to reflect the current priorities of the Massachusetts Nonpoint Source Program, the latest USEPA program guidelines, and MassDEP funding levels staff resources for the five-year period of 2020-2024. Continuing activities and tools include the Recovery Potential Screening Tool, updates to Massachusetts Watershed-Based Planning template, the Massachusetts Clean Water Toolkit, and MassDEP monitoring programs that include both probabilistic and targeted sampling.
- Recovery Potential Screening Tool: The Recovery Potential Screening Tool has been developed with the assistance and support of USEPA. The RPST uses existing data for three indicators (ecological integrity, severity of stressors, and social context) to help prioritize watersheds. The RPST outputs provide a framework to facilitate TMDL and nonpoint source program priorities in considering where best to use limited restoration resources among large numbers of impaired waters and watersheds (<http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/recovery/index.cfm>).
- The Clean Water Toolkit is a comprehensive resource that summarizes BMPs by category and provides links and fact sheets to help project developers identify the most appropriate and practicable BMPs for their project.
- Watershed Based Plans: The Massachusetts Watershed-Based Plan (WBP) strategy was first developed in 2006 in response to EPA guidelines requiring a nine element WBP to support the award of 319 implementation project funds. WBPs guide the user to priority NPS pollution problem areas, and help develop timelines, recommended BMPs, and other key actions to address the goals of the Massachusetts Nonpoint Source Program.

The current WBP uses a template-based, statewide watershed-based approach designed to provide the maximum number of completed nine-element WBPs. Projects selected for funding using 319 watershed project funds will be required to have a completed nine-element WBP to support the funding award.

- Assistance from Program Staff: Prospective applicants for 319 funds are invited to contact program staff for assistance with project development at any time prior to issuance of the RFR. Except for the time period between RFR issuance and proposal submittal, program staff are available by phone, email, or in person to assist with all aspects of project and proposal development. Applicants who apply for grant funding but are not selected are contacted directly and offered the opportunity to hear a critique of their proposal, so that they may resubmit for a subsequent round.

B. RFR Process

MassDEP follows strict procurement guidelines for issuing, receiving, and evaluating proposals (801 CMR 21.00 (<http://www.mass.gov/bb/regs/801021.html>)). Project priorities for each year are spelled out in the Request for Proposals, posted at <https://www.commbuys.com/bso/external/publicBids.sdo> on or about April 1. RFRs remain on <https://www.commbuys.com> past the closing date and can serve as a likely example of future RFRs. The FFY 2021 RFR is attached in Appendix A as an example of the annual solicitation.

C. Proposal Selection Criteria

Proposals are received and logged in with a date stamp. Multiple hard copies of each proposal are required to be submitted as well as a CD of the proposal. Based on CoVID the most recent 319 solicitation also accepted digital submissions via email and this methodology will likely be adopted long term. One copy of each proposal is distributed to each member of a pre-selected inter- and intra-agency review committee comprised of approximately six people. Reviewers are provided with a standard evaluation sheet and asked to review and rank each project. A sample review sheet is provided as Appendix B.

After allowing time for reviewers to evaluate the proposals, the review committee meets to discuss the proposals and synthesize the information into ranking and recommendation. Eligible projects that satisfy program goals and requirements are recommended for funding. In addition to ensuring that watershed project funds will be directed toward priority projects that implement Watershed-Based Plans consistent with NPS program goals, reviewers evaluate whether:

- The project is comprehensive and watershed-based,
- The project has demonstration, outreach, and education value,
- The project is likely to be completed on time and within budget,
- Feasibility issues such as permits and easements have been addressed, and
- The applicant has a track record with this or any other program, and is known for either good or poor performance.

A key question in selecting projects for funding is: What is the capability of the applicant to carry out the proposed work? All proposals must identify the proposed grantee's project manager and any key consultants, and provide documents attesting to the training and capability of those individuals who will carry out the project. A team or individual with a combination of technical skills and project management experience is required, along with adequate administrative ability to ensure timely and accurate reporting and financial management, and technical qualifications to assure accurate and complete data entry into an appropriate pollutant load reduction model. Proposals that do not address the applicant's capacity to effectively carry out and/or supervise the proposed work, or applicants who are known to have performed poorly on other grants, receive poor evaluations and are not likely to receive a recommendation for funding. MassDEP program staff provides formal and informal pre-proposal guidance to help applicants meet requirements for eligible and competitive proposals. When selecting projects, the MassDEP considers the applicant's and or their consultant's (as appropriate) training and capacity to estimate load reductions.

A Procurement Summary is written to describe the review process, summarize the committee evaluations, and make funding recommendations. Only projects that are eligible and meet or exceed the

program requirements are recommended for funding. The procurement summary is reviewed and approved by the Commissioner of MassDEP, the office of the Secretary of the Executive Office of Energy and Environmental Affairs, and the office of the Governor. Once approved, proposed projects are summarized and submitted to EPA via the Annual Workplan in the fall of each year.

D. Load Reduction Estimates

Following the Final Report Format, (Appendix C), Grantees are asked to provide a detailed description of each BMP and an estimate of pollutant load reduction for each BMP based on their own estimates and engineering calculations. The method for achieving the calculation must also be reported.

E. Contract Development and Grant Oversight

Once projects are approved, a Contract Scope of Work is developed by the 319 Program Coordinator, consistent with the project proposal. Where the review committee has made recommendations for changes or amendments to the scope, the changes are drafted by the Program Coordinator and accepted/negotiated with the grantee. Each contract scope of work includes Quality Assurance as Task 1, requiring either compliance with the Programmatic QAPP, or development of or compliance with a QAPP that is unique to the project. Final contracts are packaged with required documents and attachments, signed by the Grantee, and forwarded by the MassDEP Contracts Manager to Boston, where the contract is finalized and signed by the Commissioner of MassDEP or his designee. Contracts for 319 grants are generally for a three year period, and end on June 30.

Once a contract has become final, the Grantee is notified with a Notice To Proceed (NTP). A letter stating the NTP date is prepared and forwarded along with a package of reporting materials. An essential element of this package is the Grantees Guide which spells out reporting and administrative requirements that the Grantee is expected to fulfill.

Problems and changes in scope of work are dealt with on a case-by-case basis, through a process also spelled out in the Grantees Guide. While most projects are able to proceed as planned, occasional difficulties may make it necessary to alter a scope of work, timetable, or deliverable. In negotiating changes, the goal is to stay as close as possible to the original proposal, and to achieve the same pollutant load removal and resource improvement as was originally anticipated.

In addition to filing quarterly progress reports, all grantees must maintain contact with the 319 Program Coordinator by telephone, email, and/or in person. This helps to maintain contact and ensure project results consistent with the proposal and contract scope of work.

F. Reports and Deliverables

Each Grantee completes a Project Final Report that is submitted to EPA and kept on file at MassDEP. A Draft Final Report is expected to be submitted to MassDEP two months prior to the project end date to be reviewed, commented on, and revised in time for the project end date (typically June 30th). Release of project retainage (10% of the contract amount) is contingent on satisfying all grant conditions, including submittal of a satisfactory Final Report and attaining or addressing Disadvantage Minority/Womean-Owned Business Enterprises (DM/WBE) Fair Share goals. The purpose of a Final Report is to summarize how the public funds were utilized to meet the goals of the project, and to serve as a

technology transfer tool for others who may be contemplating similar work. Final Reports also serve as the basis for GRTS reporting to EPA. Final reports are submitted on CD as well as hard copy, and kept available for review at the MassDEP Central Regional Office, 8 New Bond Street in Worcester. A summary of projects (Indicative Summaries) is available at <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality> to facilitate public review of available information. Indicative Summary Reports are updated annually to report on projects from the previous five years, and include an index by year and by watershed of all projects dating back to 1990. A suggested Final Report Format is provided to grantees, and is provided here as Appendix C.

A summary of Grantee Reporting to MassDEP includes:

- Quarterly progress reports
- Quarterly invoices and DM/WBE activity reports
- Draft and final project reports

G. Critical Objectives and Criteria

The overall goal of the 319 Nonpoint Source Competitive Grants Program is to remediate and restore impaired waters and to protect healthy watersheds. The new State NPS Program goals are to:

1. Identify and expand opportunities to accomplish and leverage work by private, state, local, and federal partners;
2. Restore impaired waters, reduce nonpoint source pollutants, and mitigate the effects of climate change;
3. Protect unimpaired/high quality and threatened waters through planning, education, program coordination, and implementation of climate-ready BMPs;
4. Monitor waters for nonpoint source impairments and improvements to prioritize actions, measure success, and increase program efficacy; and,
5. Instill, encourage, and nurture a passion for restoring water quality through education, capacity building, and building new partnerships.

Similarly, objectives toward the 319 NPS program goals include:

- Solicitation and selection of comprehensive, targeted projects
- Formation of a strong partnership with capable project partners/grant recipients
- Effective management of program funds to ensure best management practices are implemented and maintained
- Deriving maximum value from lessons learned from each project, to be applied toward improving future work
- Maximize the reduction of nonpoint source pollutants entering impaired or priority water bodies

The ultimate demonstration of project success would be attainment of water quality standards in a water body as a result of Nonpoint Source program work, resulting in a published 319 Success Story. Ecological restoration and demonstrated water quality improvement are also measures of program success that can be documented in a Success Story.

VII. Watershed Implementation Projects- BMPs

A. BMP Project Design

The remediation strategy proposed for each recommended 319 project must be grounded in currently available information and supported by a Watershed-Based Plan. Use of the MassDEP's WBP online tool will help ensure that applicants address each of the EPA's nine required elements for watershed based planning. The nine elements are found in Appendix C of EPA's Nonpoint Source Program and Grants Guidelines for States and Territories dated April 12, 2013 and generally include:

- a. An identification of the causes of impairment and pollution sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in the Watershed-Based Plan (and to achieve any other watershed goals identified in the Watershed-Based Plan), as discussed in item (b) immediately below.
- b. An estimate of the load reductions expected for the management measures described under paragraph (c) below (recognizing the natural variability and the difficulty in precisely predicting the performance of management measures over time).
- c. A description of the NPS management measures that will need to be implemented to achieve the load reductions estimated under paragraph (b) above (as well as to achieve other watershed goals identified in this Watershed-Based Plan), and an identification (using a map or a description) of the critical areas in which those measures will be needed to implement this plan.
- d. An estimate of the amounts of technical and financial assistance needed associated costs, and/or the sources and authorities that will be relied upon, to implement this plan. As sources of funding, States should consider the use of their Section 319 programs, State Revolving Funds, USDA's Environmental Quality Incentives Program and Conservation Reserve Program, and other relevant Federal, State, local and private funds that may be available to assist in implementing this plan.
- e. An information/education component that will be used to enhance public understanding of the plan and encourage their early and continued participation in selecting, designing, and implementing the NPS management measures that will be implemented.
- f. A schedule for implementing the NPS management measures identified in this plan that is reasonably expeditious.
- g. A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.
- h. A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made towards attaining water quality standards and, if not, the criteria for determining whether this Watershed-Based Plan needs to be revised or, if a NPS TMDL has been established, whether the NPS TMDL needs to be revised.

- i. A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established under item (h) immediately above.

Specific BMPs are developed by the applicants and presented in the project proposals. At the proposal stage, conceptual designs or better are required, and are typically drawn by professional engineers. Conceptual designs are at 30% or more design stage, and must be fully enough developed to allow reviewers to determine project feasibility and to assess whether the proposed BMPs represent an efficient, cost-effective strategy to meet program goals. Plans and maps must be sufficiently detailed to show property lines, resource areas, and watershed location. Where applicable, proposals should also address whether soils will support the proposed BMPs; whether wetlands permits will be required; and if the applicant controls, or can be assured of controlling the property where work will be done.

Once a project is underway, 319 funds are typically used to develop final BMP designs and permits.

Standard contract requirements for the BMP design and implementation task include these deliverables:

- Final design and construction plans for the BMPs as described, submitted for review and comment to the MassDEP project officer prior to construction. Final plans must be reviewed and stamped by a professional engineer prior to review and approval by the MassDEP Project Officer.
- Copies of construction permits and approvals
- Final “as-built” drawings of the installed BMPs.

The MassDEP Project Officer reviews and approves these deliverables to ensure consistency with the project proposal and scope of work. MassDEP does not review and approve the engineering work, which is stipulated to be adequate as evidenced by the required PE stamp.

B. BMP Installation Methods

Following MassDEP approval of BMP designs, the grantee follows through with BMP installation. As part of the BMP design and implementation task of any grant, the following deliverable is also required:

- Certificate/letter from the project engineer, designer, and/or or supplier stating the BMPs have been installed according to approved plans and design specifications.

Certification of installation, combined with the final “as-built” drawings of the BMPs, provides MassDEP and EPA with documentation of BMP installation and assurance of proper design and installation.

C. Installation, Operation and Maintenance of BMPs

The Grantee’s project manager is held responsible for specifying, procuring, inspecting, and accepting goods and services related to the project. By requiring PE-stamped construction plans and a certificate/letter from the designer or supplier stating that the BMPs have been installed according to design specifications (see B1 and B2), MassDEP is assured that appropriate quality control and project oversight have been exercised. Monitoring of quarterly progress reports and occasional site visits by the MassDEP Program Coordinator also support this assurance.

Development and implementation of an Operation and Maintenance Plan is a required task in each BMP implementation project. A final plan must be reviewed and approved by MassDEP. The following is an example of task language and deliverables included in each scope of work for implementation projects:

“The Grantee will develop and implement a long-term overall Operation and Maintenance Plan for all of the facilities installed in this project to ensure that the systems function as designed. The O&M Plan should be consistent with the requirements of Standard 9 of the Massachusetts Stormwater Management Standards and should be in force for the life of the BMPs. The Plan should be developed with input from design engineers, equipment manufacturers, local DPW and natural resources personnel. At minimum, the following elements should be included in the Plan:

- Identification of owners of the BMPs
- Identification of the party or parties responsible for operation and maintenance of the BMPs
- Schedule for inspection and maintenance
- List of routine and non-routine maintenance tasks to be performed.
- Source(s) of funding for long term operation and maintenance of the BMPs, extending for the life of the BMPs.
- A map showing the locations of the BMPs

Deliverables:

- A. A long-term operation and maintenance plan for the facilities installed under this project, as described, submitted to the MassDEP Project Officer for review and approval before finalization.
- B. A technical memo outlining operation and maintenance activities that have commenced since completion of BMP implementation.”

D. BMP Review and Verification

As described above, project proposals include conceptual designs or better for the proposed BMPs. Applicants must also describe the strategy they are proposing and a discussion of why the selected BMPs represent the best approach for maximizing pollutant load removal and achieving program goals. Projects are recommended for funding when the proposed BMPs and strategy are determined by reviewers to represent an efficient, cost-effective strategy that meets program goals.

Once a project has been awarded, the contract scope of work describes the tasks and deliverables to be realized from the project. Through review of quarterly progress reports and close communication with grantees, the 319 Program Coordinator ensures that the work is progressing in accordance with the proposal and contract scope of work. Contract deliverables described above ensure that the BMPs are designed and installed under the supervision of qualified designers and engineers, and verification of installation is provided through the as-built plans and designer certification.

At project completion the MassDEP requires a licensed engineer to stamp designs submitted with the final report, and to provide a written assurance that BMPs were installed as per design specifications. We require grantees to provide the calculations used to generate the pollutant load removal numbers they submit in the final report.

VIII. Documentation, Records and Data Management

A. Documentation and Records

MassDEP maintains a complete file on each active project in the MassDEP Central Regional Office, 8 New Bond Street, Worcester, MA 01606. At this location, the 319 Program Coordinator maintains project-specific paper and electronic files containing, at minimum, original proposals, contract documents, plans, correspondence, progress reports, and draft final reports. Information related to GRTS tracking and pollutant load calculations is kept in separate files, organized by year, at the same location. Separately, the 319 Contracts Manager maintains files with financial tracking and reporting information and maintains the electronic financial records in the Commonwealth's MARS system. Final reports for closed projects are kept in electronic and/or CD format at the Worcester office, with electronic or hard copies of the reports distributed to EPA and the Massachusetts State House Library.

Project-specific files are kept for at least six years as per the [Massachusetts Statewide Records Retention Schedule](#) as updated 2018 or three years from the date when the final financial status report for the grant is accepted by EPA, whichever of these two periods is longer. However, if litigation, claim, negotiation, audit, or other action involving the records was started before the end of the EPA's retention period, the MassDEP will keep project specific records until either the completion of the action and resolution of all issues which arise from it, or until the end of the established retention period, whichever is later.

The 319 Program Coordinator generates a separate file each year for the GRTS entry task for each new project. The Project Final Report is used as the basis for reporting final results of each closed-out project into GRTS. The Annual Workplan is also used to derive budget information. New projects are entered using information contained in project proposals. All proposals and final reports are maintained in electronic format in the office of the 319 Program Coordinator at 8 New Bond Street, Worcester MA 01606.

B. Data Evaluation of Load Reduction Estimates

Following the Final Report Format, (Appendix C), Grantees are asked to provide a detailed description of each BMP and an estimate of pollutant load reduction for each BMP based on their own estimates and engineering calculations. The method for achieving the calculation must also be reported.

Watershed pollutant load reduction estimates are developed and reported as follows:

- During design and/or installation of BMPs at NPS sites, appropriate field measurements are recorded to enable preparation of written estimates of pollutant load reductions.
- For implementation projects, estimates are prepared for all NPS sites, unless there is not an applicable estimation method for a given site.
- Estimates are checked for application of the proper method(s) and the results are summarized in a standard format provided by the MassDEP.

C. GRTS

Procedures used to enter information into GRTS are conducted as per GRTS training, online guidance, and direct instruction from the EPA's Maryjo Feuerbach, Alex Porteous and Ian Dombrowski. The MassDEP 319 Program Coordinator works closely with grantees and their consultants to identify or

confirm use of the appropriate model and proficiency with it to assure a high quality of data before entering pollutant load removal data in GRTS. As pollutant load removal and BMP-related information is received in final reports it is inspected for accuracy and completeness by the MassDEP 319 Program Coordinator. Once approved the MassDEP Program Coordinator will enter the data into GRTS with the assistance of a data entry checklist to ensure all required data entry categories are properly and accurately completed. Once entered the data is then double checked against the approved final reports and GRTS' mandated elements error report to ensure accurate and complete data entry.

The "Snapshot" page, a required component of final reports, certifies that grantees (or their consultants) are following the procedures required to use the model. Final Reports include this statement, signed by the contract signatory: "The estimations in this report were determined using the appropriate estimation model(s) and applied according to the procedures prescribed for the model. To the best of my knowledge these are reasonable estimates using appropriate methods. Documentation is kept on file by the grantee and is available for review by MassDEP/EPA." Documentation of the estimation procedures used for each NPS site are retained in the MassDEP program files. Annually, by February 15, the MassDEP enters the load reduction estimates into EPA's national Grants Reporting and Tracking System (GRTS) according to national NPS Program Guidelines.

D. Reports to EPA

MassDEP's reporting to EPA is partly described below in Non-Direct Measurements (VIII E), and in the GRTS section above (VIII C). In addition, each October, the 319 Program Coordinator prepares and submits to EPA an Annual Report. The Annual Report summarizes the status of all active projects, and is accompanied by Final Reports and closeout letters for each project that was completed that year.

The 319 Program Coordinator develops the Annual Workplan for submittal to US EPA on or around November 1. The Workplan describes how the program will be carried out in the coming year. New projects are included in the Workplan, as are budgets for utilization of s.319 nonpoint source program funds and watershed project funds.

A summary of MassDEP reporting to EPA includes:

- Regular communication with EPA Region 1 Massachusetts Nonpoint Source Coordinator
- Annual Project Status Report
- Annual 319 and Nonpoint Source Workplan

E. Non-Direct Measurements

In the absence of water quality data to document pre- and post-construction water quality conditions, EPA allows the use of modeled data to estimate pollutant load reduction brought about by the project. Grantees are required to provide information to support MassDEP's reporting of mandated EPA GRTS load reductions achieved by each project. Grantees provide estimated quantities of pollutants removed, and the model or method used to derive the estimate. Load reduction estimates for Massachusetts Section 319 projects are developed using models or equations and calculated by the grantee. The MassDEP recommends the Simple Method, developed by the Center for Watershed Protection, and it is frequently used

(<http://www.stormwatercenter.net/monitoring%20and%20assessment/simple%20meth/simple.htm>).

Subgrantees are required to contact MassDEP for review and approval if they plan to use an alternate estimation method.

NPS projects that involve implementation typically implement BMPs at numerous NPS sites within the project watershed. Pollutant load reduction estimates are developed and reported for each BMP, at each NPS site. Grantees are required to provide load reduction estimates along with the model used and calculations for each BMP as part of the project final report. If a specific project utilizes data from models then a project specific QAPP, which describes the use of the model, will be utilized.

IX. Continuous Improvement

A. Program Planning

The Massachusetts Nonpoint Source Program is guided by the EPA- Nonpoint Source Pollution Management Program Plan, The NPS Plan was originally developed in 1989 and approved by the U.S. Environmental Protection Agency (EPA), pursuant to Section 319 of the Clean Water Act (CWA). The Plan was previously revised in 1994, 1999, and 2014. The 2020 NPS Plan has been updated to reflect the current priorities of the Massachusetts NPS Program, the current USEPA program guidelines, funding levels, and staff resources for the five-year period of 2020–2024. Through the update process, the Nonpoint Source Program aims to align our resources to meet current challenges and continually improve.

MassDEP NPS is also guided by the Partnership Performance Agreement (PPA) with EPA. The agreement which is resigned every three years and reviewed annually, describes the tasks MassDEP will and the NPS program specifically will accomplish with EPA funding. The EPA Satisfactory Progress Determination review also provides feedback to gauge the progress in implementing the NPS program.

The NPS program completes both an annual workplan and annual report which provide opportunities for program planning and review. As required by EPA, an annual report is developed which summarizes NPS accomplishments, status of 319 program milestones, water quality improvements (Success Stories) and an overview of current projects and grant expenditures. Additionally, the MassDEP NPS program completes an annual workplan. The annual workplan is MassDEP's implementation strategy to abate Nonpoint Source Pollution (NPS) in Massachusetts. The workplan describes NPS program objectives including goals and milestones, projects selected for funding and an overview of yearly 319 grant finances.

B. Evaluation of Project Success

Each grantee files a Final Report, as previously described. Project Final Reports summarize the work that was done, detail the modeled pollutant load removals achieved by each BMP, make recommendations for follow-up, and discuss lessons learned from the project. Final reports contain photographs and narrative about project results that are used to enhance public and agency understanding of the work that was done, and to promote technology transfer by encouraging others to learn from completed projects. Final Reports also summarize work completed in a format that translates easily into GRTS categories, to expedite reporting to EPA.

The ultimate gauge of project success would be documentation of statistically-significant water quality improvement brought about by the BMPs and practices put into place by the project. Following the Five-Year Watershed Management Approach, the MassDEP monitoring program (seen at <http://www.mass.gov/eea/agencies/massdep/water/watersheds/the-watershed-management-approach.html>) ensures that each watershed is regularly monitored for changes in water quality. The monitoring strategy is based on collection of data to support assessment of basin-wide water quality. In addition, targeted monitoring may be undertaken for the purpose of evaluating conditions in areas of special interest. The MassDEP Watershed Planning Program will maintain a list of special interest subwatersheds where 319 and other nonpoint source funds have been used for implementation work that can be expected to have brought about water quality improvement. This information will be incorporated as feasible into the annual planning process for targeted monitoring.

319 funded projects are expected to bring about water quality improvement that will restore beneficial uses and remediate impairments. In most cases, progress toward this goal is very slow. Ecosystems recover slowly, land use changes continue to increase NPS loads in every watershed, and water quality changes sufficient to de-list an impaired water body must be documented through a rigorous sampling program resulting in robust data. The MassDEP program described above attempts to provide the data needed to demonstrate the effectiveness of the 319 implementation program over time, and ultimately to delist the waters. As an interim measure, while water quality continues to improve, cumulative load reductions brought about by each project are estimated and reported through GRTS each year. Combined with a Project Final Report for each completed project, this represents an interim measure of project success.

C. Training and Conferences

The MassDEP 319 Program Coordinator participates in GRTS training and maintains a library of current information about the reporting and modeling systems in order to ensure timely and accurate reporting and year-to-year consistency with load reduction estimation and reporting results. The NPS section holds monthly meetings to discuss project updates, program planning and to provide for collaboration within the group. The Watershed Planning Program holds an annual all staff meeting on at least a yearly basis where staff members from the five major groups within WPP present updates and information on their priority projects and work.

As funding and travel authorizations allow, NPS staff attend the annual Nonpoint Source Conference hosted by New England Interstate Water Pollution Control Commission (NEIWPCC). This allows program staff to learn from other states and hear about best practices for remediating NPS pollution as well as innovative NPS program approaches. Additionally, NPS staff have also attended national conferences as funding and travel authorizations allow.

Appendix A. FFY 2021 Request for Responses

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET
BOSTON, MASSACHUSETTS 02108

Request for Response (RFR)

FEDERAL FISCAL YEAR 2021 SECTION 319 NONPOINT SOURCE POLLUTION COMPETITIVE GRANT PROGRAM

Agency Document Number:
RFR#: BWR-RFR-FFY2021-319
Bid #: BD-20-1045-BWR00-BWR01-49682

April 2, 2020

1. Request for Responses Table of Contents

Section	Sub-Section	Page
1. Grant Announcement Table of Contents		3
2. Grant Summary	A. Overview and Goals of Grant	3
	B. Procurement Scope and Description	3
	C. Grant Announcement Calendar and Grant Application Deadline	5
	D. Grant Contact information	5
3. Eligibility	A. Eligible Applicants	6
	B. Funding Priorities	6
	C. Eligible Projects/Scope of Work/Project Types	7
	D. Selection Criteria/Evaluation Process	10
	E. Match Requirements	11
4. Procurement and Grant Contract Information	A. Procurement and Grant Contract Information	12
	B. Total Anticipated Duration of Grant Contract(s)	12
	C. Funding Availability, Budgeting Guidelines & Allowable Expenditures	12
	D. Grant Contract Award	13
	E. Applicant Communication with MassDEP and the Commonwealth	13
	F. Grant Announcement Distribution Method	13
	G. Prohibition of Changes to the Grant Announcement/Application	14
	H. Failure to Provide a Complete and Compliant Application	14
	I. Reasonable Accommodation	14
	J. Selection for Award of a Grant Contract	14
	K. Affirmative Action Requirements	14
5. Instructions for Submitting an Application	A. Application Submittal Instructions	16
	B. Requirements for Application Structure and Content	17
6. Terms and Conditions of Grant Contract Award	A. Standard Commonwealth Terms and Conditions	18

Section	Sub-Section	Page
	B. Supplemental Terms and Conditions	18
	C. Additional Requirements	18
	D. 319 RFR Requirements and Conditions	18
7. Definitions		21
8. List of Attachments		22
Attachment A	Application	23
Attachment B	Checklist and Required Response Attachments	30
Attachment C	Affirmative Action Forms and Guidance	32
Attachment D	Supplemental Terms and Conditions	41
Attachment E	Additional Resources and FAQs	46
Attachment F	2021 Priority Segments	59

2. Grant Summary:

A. OVERVIEW AND GOALS OF GRANT: Section 319 (319) of the federal Clean Water Act of 1987 was established as a national program to control nonpoint sources of water pollution. Each year, the Massachusetts Department of Environmental Protection, Bureau of Water Resources (MassDEP or the Department), in conjunction with the EPA, provides 319 funds for projects that address prevention, control, and abatement of nonpoint source (NPS) pollution, and that attain environmental results by restoring beneficial uses and/or meeting or maintaining state water quality standards.

The U.S. EPA defines NPS pollution as that which is "caused by diffuse sources that are not regulated as point sources and are normally associated with precipitation and runoff from the land or percolation." Projects addressing stormwater impacts that are not covered by EPA final National Pollutant Discharge Elimination System (NPDES) stormwater permits are eligible for funding, provided these projects meet all other 319 eligibility guidelines.

B. PROCUREMENT SCOPE AND DESCRIPTION:

The Department announces a Request for Responses (RFR) under the Federal Clean Water Act, Section 319 (319) Nonpoint Source Pollution Competitive Grant Program.

This RFR package contains section 319 response guidelines, eligibility requirements, selection criteria, schedule for response submittal pursuant to this RFR, Affirmative Action/Fair Share requirements, and guidelines for Affirmative Action/Fair Share information that must be included with the proponent's application. Responses not completed or not submitted according to the guidelines set forth in this RFR will be disqualified and will not be considered for funding. Qualified responses will be selected on a competitive basis and recommended to EPA for final approval. All applicants are cautioned that funding for this program is subject to the annual 319 Federal grant award from the United States Environmental Protection Agency (EPA) to the Department.

The Department anticipates that approximately \$1,500,000 of FFY 2021 Federal Funds will be available for disbursement to competitive projects. The Department encourages proposals originating from all Massachusetts watersheds. The project types reflect Department program priorities consistent with federal program guidelines and the 2020-2024 Massachusetts Nonpoint Source Management Program Plan (NPS Plan).

The primary goal of the Massachusetts 319 Nonpoint Source Competitive Grant Program is to meet water quality standards and restore beneficial uses. **Implementation work that addresses water quality impairments listed in Categories 4a, 4c, and 5 of the Massachusetts 2016 Integrated List of Waters continues to be the highest NPS program priority.** Approximately \$1.2 million of the available 319 funds is directed toward these projects.

In addition to implementation projects directly addressing water quality impairments, additional eligible projects include:

- The protection of high quality and unimpaired waters. These Healthy Watersheds projects are allowed under EPA 319 program guidelines (<https://www.epa.gov/nps/319-grant-current-guidance>). Projects that implement climate adaptation, stream stabilization, and pollutant removal BMPs can be also funded.

- Development of regional nonpoint source coordinator initiatives for Worcester and/or Essex Counties.
- Development of agricultural regional nonpoint source coordinators for Berkshire, Franklin, Hampshire, and/or Hampden counties
- Outreach and education work addressing statewide NPS topics.
- Other projects to address the specific goals of the NPS Plan.

The EPA requires that federally funded programs follow the Disadvantaged Business Enterprise (DBE) rule. The rule requires that Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) who are also certified as DBEs will be utilized to meet the federal Fair Share goals. Please note the DBE goals are 4.2% D/MBE and 4.5% D/WBE. The Supplier Diversity Office (SDO) has certified approximately 950 DBEs, which are acceptable for use by 319 grantees. Commonwealth Supplier Diversity Plan (SDP) requirements do not apply to this federal grant program.

Please note that after the April 2, 2020 RFR release date, MassDEP staff and all Commonwealth employees will only respond to administrative questions and provide copies of reference documents. Staff are prohibited from assisting potential applicants in developing specific 319 proposals.

To be considered for funding, the Department must receive the RFR responses by 12 noon on Friday, June 4, 2020. RFR Responses must be mailed/hand delivered to:

**Massachusetts Department of Environmental Protection
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606
Re: Document No. BWR-RFR-FFY2021-319
Attn: Malcolm Harper**

Additional submittal requirements are described within this RFR.

This RFR has been announced electronically using the Commonwealth's electronic procurement system, (COMMBUYS). The Request for Responses and any additional information can be found on the MassDEP Grants and Financial Assistance: Watersheds & Water Quality page, <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality>

C. GRANT ANNOUNCEMENT CALENDAR AND GRANT APPLICATION DEADLINE:

EVENT	DATE
Announcement of Upcoming Grant Opportunity (posted on COMMBUYS and MassDEP website)	February 21, 2020
Pre-RFR Informational Meeting	March 5, 2020, at 10:00 am
RFR Release Date (posted on COMMBUYS and MassDEP website)	April 2, 2020
Deadline for submitting written questions	April 27, 2020
Deadline for Department's response to written questions	May 1, 2020
Deadline to submit Responses to the Department	June 4, 2020, by 12 noon
Additional letters of support (that do not involve match) are due	June 8, 2020
Evaluation of responses and response selection by the Department	June – July 2020
Applicants notified of response selection results by the Department (posted on COMMBUYS and MassDEP website)	October 2020
Announcement of recommended projects on MassDEP's website	Fall 2020
Selected projects submitted by the Department to the U.S. EPA for approval	October 1, 2020
Estimated Contract Start Date	Winter 2020

Applicants will be notified on or about October 2020 as to the results of the Department's project review and selection process. The Department recommends selected projects to the U.S. EPA for funding approval. After the project recommendations have been approved by the U.S. EPA, the Department will enter into contract negotiations with the selected applicants. The Department reserves the right to fund a portion of a project, revise the project scope, and/or add or delete tasks to any project proposal that is recommended to the EPA. Applicants will have the option of rejecting the 319 award if a project, as revised, does not meet their capacity or the goals of their organization.

D. GRANT CONTACT INFORMATION:

Malcolm Harper
319 RFR Coordinator
Massachusetts Department of Environmental Protection
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606
Malcolm.Harper@mass.gov

3. Eligibility

A. ELIGIBLE APPLICANTS AND PROJECTS

The 319 Nonpoint Source Competitive Grants Program is open to **any Massachusetts public or private organization** that meets the following eligibility criteria for projects (NOTE: ineligible projects are also listed below):

1. Grant awards for projects are subject to a 40% non-federal matching of funds for the total project cost. The project for the 40% non-federal matching funding must meet the same eligibility criteria as the project's federal 319 funds. In-kind services are eligible as a cost match. Additional information about the non-federal match can be found in Part E of this section and in the Frequently Asked Questions in Attachment E.
2. Projects must contain an appropriate method for evaluating the environmental results of the project. A MassDEP- and EPA-approved Programmatic Quality Assurance Project Plan (QAPP) has been developed which eliminates the need for project-specific QAPPs for most implementation projects.
3. Projects must address activities that are consistent with the 2020-2024 Massachusetts NPS Management Program Plan (<https://www.mass.gov/info-details/nonpoint-source-pollution>)
4. Grant recipients and their subcontractors must meet the appropriate federal "Fair Share" Disadvantaged Business Enterprise (DBE) and Affirmative Action requirements.
5. Ineligible Projects: Applicants cannot propose projects that would be undertaken to comply with local or governmental enforcement actions such as State or Federal Administrative Orders or Consent Orders, as these projects are ineligible for 319 grant funds.
6. Ineligible Projects: Applicants cannot propose projects to implement specific requirements of NPDES stormwater permits, as these projects are ineligible for 319 grant funds.
7. Limitations of eligibility for certain projects: Assessment work is eligible **only** as a component of a project to develop a Total Maximum Daily Load (TMDL) or when the assessment is a recommendation of a TMDL analysis. A project-specific QAPP will be required for such assessment work. A project that proposes activity such as water quality and/or biological monitoring for assessment purposes alone, with no significant implementation component and with no link to TMDLs, is not eligible for 319 funding or as credit for the non-federal matching funding.

B. FUNDING PRIORITIES: While the Department encourages all types of eligible, competitive projects in all watersheds, the following types of projects may be given additional consideration:

- Projects in MS4 areas that meet program requirements and will be completed by June 30, 2023.
- Projects of all types that follow or continue work begun under 319, 604b, CZM NPS, MET, NRCS, MassBays, or other programs; and/or

- Projects that meet one or more objectives of the Massachusetts Nonpoint Source Management Program Plan.

C. ELIGIBLE PROJECTS/SCOPE OF WORK/PROJECT TYPES

It is anticipated that most of the 319 funding will be directed to implementation projects in impaired waters that will directly address 303d listed impairments through NPS pollutant control and removal.

Other types of projects are funded from a smaller, but still substantial, pool of 319 funds that can be used for any activities consistent with the NPS Management Plan. Projects in these project types compete against one another. Evaluation of all proposals is based upon the project's ability to advance the goals and activities of the MassDEP NPS Program.

1. Implementation Projects in Impaired Waters. The most competitive applicants will propose a watershed-based strategy to implement a combination of structural and non-structural Best Management Practices (BMPs) addressing all impairments and leading to restoration of impaired waters (Impaired waters are those listed in categories 4a, 4c, and 5 of the Massachusetts 2016 Integrated List of Waters, which can be found here: <https://www.mass.gov/lists/integrated-lists-of-waters-related-reports#2016-integrated-list-of-waters->). BMPs should be selected for optimal pollutant load removal, emphasizing source reduction. Proposed BMPs must be developed at least to the conceptual design stage and submitted with the proposal. Proposals must contain site specific information to demonstrate that the project is feasible and ready to be constructed within the project timeline. **A completed Watershed-Based Plan will be required by the start of each implementation project before a Notice to Proceed can be issued.** The MassDEP NPS Program will assist in the development of these WBPs. Additional information about WBPs can be found in the Question and Response section of this RFR.

2. Healthy Watersheds and Protection of High-Quality Waters. Implementation projects for climate-change adaptation and resiliency and projects that protect non-impaired and high-quality waters from the effects of nonpoint source pollution are eligible for 319 program funds. This may include funding and support for a project with a substantial land conservation component as part of NPS prevention and remediation work. These proposals must be supported with documentation of the problem, conceptual or better plans to explain the strategy and approach, and all other information necessary to demonstrate the feasibility and effectiveness of the proposed project.

3. Regional Implementation Project Development. A new initiative for 2021 will solicit multiple contractors in Worcester and Essex Counties to serve as regional nonpoint source coordinators. These contractors will be asked to develop watershed-based plans and high-quality projects to be funded through 319, and to conduct outreach and education work to enhance the NPS Program message.

4. Agricultural Nonpoint Source Regional Coordinator. A new initiative seeks proposals from regional conservation districts and other eligible not-for-profit entities doing work in Berkshire, Franklin, Hampshire, and Hampden counties, for contract services in support of the NPS Program, (<https://www.mass.gov/files/documents/2016/08/xf/npsmp.pdf>). Contractors will serve as regional agricultural Nonpoint Source Coordinators and will be expected to carry out agriculture related NPS-focused work, including: identification of regional agricultural NPS priorities, development of watershed-based plans, supporting or undertaking the development and submittal of high-quality proposals for funding under 319 or other NPS partner programs, outreach and education, and any other activities that will further the goals of the Massachusetts Nonpoint Source Program. MassDEP or its representatives will provide training, tools, and support for RCs. Applicants may propose either full- or part-time RC positions, but successful proposals will plan for the RC positions to be staffed **through June 30, 2023.** As

each region will vary in agricultural NPS needs, proposals should outline the regional NPS needs and priorities, identify any high-priority areas, identify whether new or existing staff will carry out the new NPS duties, and outline the activities and outcomes to be expected, as well as any specific needs for training. Budgets should address the hourly rates for RC and supervisory time for RCs, materials, travel costs, overhead, and all other related expenses. The 40% match requirement applies, which can be met fully or partially through overhead, benefits, and other in-kind contributions. RCs should plan for travel to the Worcester MassDEP office on a quarterly basis with monthly phone conferences, as well as travel throughout their respective regions. This is a new initiative, and the NPS program is open to any and all ideas that will make this program a success for local partners and the agency.

5. Outreach and Education. Outreach and education projects are often recommended as effective nonstructural BMPs. Successful projects in this category will propose specific outreach and education activities and products, and will develop and implement an evaluation method to gauge the effectiveness of these activities. Projects should have regional or statewide relevance and should include a deliverable that can be made available in both print and electronic form, ensuring accessibility for disabled and non-English-speaking audiences if appropriate.

For all project types, the most competitive project proposals will:

- Implement watershed-based strategies that address the major source of pollution in a watershed, leading to attainment of water quality standards.
- Provide thorough but concise information that demonstrates the project's feasibility and addresses program priorities.
- Build upon previous 319-funded work and/or work that has been initiated by 604b, CZM, MET, NRCS, MassBays, or other programs.
- Meet one or more objectives of the Massachusetts Nonpoint Source Management Program Plan.

Program guidelines emphasize the importance of speedy, efficient expenditure of grant funds. Successful applicants must be diligent about adhering to project milestones and timely completion of tasks and deliverables. Funds may be withdrawn from projects that are not expeditiously implemented and will be redirected to other projects that are ready to move forward.

Required elements for proposed Implementation projects:

- **An approved Watershed-Based Plan is required by the start of the project. The MassDEP's contractor will assist with this requirement.**
- **A conceptual design(s), specific site location(s), and estimated cost of the BMP(s)** are required as part of the response. Conceptual designs must be of sufficient detail, and include sufficient site work, to allow the proposal review committee to evaluate the viability of the proposal. Conceptual designs do not need to be prepared by a Professional Engineer (PE) and do not necessarily need to include detailed site work. Proposals for infiltration BMPs must provide soils data to support the feasibility of the strategy. Applicants must include a reliable budget for the project and a definitive description of project strategy and viability, as well as a description of the environmental improvements that will result from the project. Sustainability, operation and maintenance, and cost effectiveness are important aspects of proposal competitiveness. Proposal designs that are developed to accommodate changing precipitation and groundwater elevations will be most competitive. See the Northeast Regional Climate Center, <http://precip.eas.cornell.edu/>, as one source of climate change models and information.

- **Proposals must include maps** of the site and locus to show site characteristics, location of each specific BMP location in sufficient detail to defend the feasibility of the BMP(s), and geopolitical and watershed location(s) of the proposed work.
- **Proposals must include an outreach and education task** that will serve as a nonstructural BMP in the target watershed, resulting in pollutant load prevention or removal through behavioral change. Ideal outreach and education tasks will be sustainable and will have documentable results.

In addition, the most competitive Implementation proposals will address the following issues:

- **Priority Segments.** Attachment F to this RFR provides a list of priority segments and watersheds for 2021. Implementation projects addressing one or more segments on the list will be prioritized for implementation funds.
- **Environmental results.** The 319 Nonpoint Source Competitive Grant Program focuses on environmental results and the proposal should clearly articulate a strategy that will accomplish project goals. Grantees will be required to provide information that will quantify pollutant removal attained by the project.
- **Watershed- or subwatershed based.** Projects should be of manageable size, but the most competitive projects are those that propose comprehensive solutions, including the implementation of BMPs and source reduction practices that address all major identified nonpoint sources affecting water quality in the watershed or subwatershed. Use of the Watershed-Based Plan tool is encouraged for identifying watershed boundaries and resources:
<http://prj.geosyntec.com/MassDEPWPB>
- **Pollutant source reduction.** Structural BMPs should incorporate the use of low impact development (LID) principles and best management practices wherever feasible. Please note that, while green roofs will reduce the quantity of water that would otherwise become runoff, no significant pollutant removal is provided. Therefore, green roofs are not competitive to receive grant funding, but may be acceptable as a non-federal funding match.
- **Project Feasibility.** The most competitive Implementation proposals answer all feasibility questions at the proposal stage by providing good detail and sufficient information to show that the project can go forward if funded. If wetlands or other resource areas are nearby, discuss how the permitting process will be handled. Applicants should also identify and discuss timelines for all other local, state, and federal permits that may be required. Applicants must state whether the applicant owns or controls the site property; and if the applicant does not own/control the project site, the proposal should include documentation of the property owner's agreement to allow access for the project's construction, operation, and/or maintenance, as applicable.
- **Dredging, chemical application, and weed harvesting.** Dredging and other in-lake resource restoration BMPs such as the use of herbicides, chemicals for nutrient inactivation, and mechanical weed harvesting may be considered eligible and fundable activities, but only when combined comprehensively with the implementation of other structural and non-structural measures intended to restore a resource impacted by nonpoint source pollution.
- **In-lake work** under 319 can only be funded on waterbodies that have public access,
<https://www.mass.gov/info-details/massachusetts-pond-maps>

Funding availability for NPDES Stormwater regulated/MS4 areas:

- **Implementation projects remain eligible for funding in NPDES regulated areas** (Town by town maps of regulated areas are found here: <https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>). 319 funds cannot be used for work that addresses NPDES permit requirements. Work that will meet new NPDES permit requirements may be undertaken using 319 funds only if the work is completed prior to the time it will be required under the new NPDES permit timetable.
- All other types of projects are eligible in regulated or mixed regulated/unregulated areas, provided the work proposed is not required under the NPDES stormwater permit, nor used to meet permit application requirements such as mapping stormwater systems, identifying illicit connections, characterizing stormwater discharges, or monitoring required by permits.
- EPA guidelines require termination of funding agreements for work that becomes regulated under NPDES permits, even where a project is partially completed. Therefore, the most competitive projects in regulated areas will provide assurances that the work is not required, nor is it anticipated that it will become required, during the life of the 319 contract (estimated contract term is through June 30, 2023).
- Work in unregulated areas, and in unregulated portions of partially regulated communities, remains fully eligible.

D. SELECTION CRITERIA/EVALUATION PROCESS

Eligible proposals will be competitively evaluated by an inter- and intra-agency review committee and recommended to the U.S. EPA for grant funding by the Department. Evaluation of each proposal is based on the quality, completeness and clarity of the response. In general, evaluation criteria for **Implementation projects** will include, but are not limited to, the following considerations listed below in this section. **Projects of other types** will be evaluated using similar criteria appropriate for these project types. At the discretion of the Review Committee, various weights may be assigned to the criteria (i.e., some criteria may be weighed more heavily than other criteria).

1. Problem definition

- Has the applicant clearly and concisely described the problem?
- Is the proposal consistent with the goals and requirements of the Massachusetts 319 Nonpoint Source program?
- Does the applicant clearly understand the nature and severity of the problem?
- Does the proposal provide adequate data to support the description/analysis of the problem?
- Does the project address a category 4a, 4c, or 5 waterbody, TMDL implementation, or other priorities of the RFR and/or the Commonwealth's Nonpoint Source Management Plan?

2. Strategy/approach

- Is the approach or strategy logical and properly sequenced?
- Have all necessary elements been incorporated into the proposal strategy and description?
- Are the problems, goals, strategy, tasks/deliverables consistent with one another?
- Is the proposed strategy appropriate or suitable to accomplish the goals of the proposal?
- Does the proposal build on other programs, projects, or regional efforts?
- Will the project result in delisting or restoration of beneficial uses?

3. Project viability

- Is the project based on sound practice or proven innovative technology?

Are there any apparent permitting or community/public relations issues?
Does the match appear to be firmly committed?
Has adequate research or preparation been done to assess project feasibility?
Were NPDES and other permitting issues considered and addressed?
Has the grantee addressed site property access issues where implementation work will occur?
If this is a lakes project, is there public access to the waterbody?
Does the project demonstrate strong stakeholder support?

4. Applicant's technical/project management strength

Is the applicant qualified to manage the project?
Are there any current or prior performance issues with this applicant or their subcontractors?
Have qualified staff or appropriate subcontractual work been identified?

5. Quality and responsiveness of proposal

Has the proposal been formatted as requested?
Have all requested materials been submitted?
Are the budget and timeline reasonable for the work proposed?
Has the source and amount of the non-federal match been clearly described within the tasks and budget as well as within the project description?
Has additional match or other value-added work in excess of the required 40% been proposed?

E. 40% NON-FEDERAL MATCHING FUNDS REQUIREMENTS

- 1. All proposals must include non-federal matching funding that is at least 40% of the total project cost.** This is a requirement of the Clean Water Act, 40 CFR 31.24. The 40% match applies to the total project, not just the section 319 grant portion.
- 2. The 40% match may be in cash or by an in-kind contribution.** In-kind services must be calculated based on the actual cost for the service provided. Cost estimates for in-kind services must be reasonable, and applicants must be able to provide documentation upon request. The section 319 funding cannot be used as a non-federal match for any other grant program or project. NPDES permit related work, including permitting work, is not eligible for grant funding or as match.
- 3. Examples of eligible in-kind matching contributions include:**
 - labor (e.g., DPW staff time) and materials (e.g., seed, fencing, plant material)
 - use of equipment (e.g., boats, back hoe, street sweeper)
 - other non-federal grants (e.g., Massachusetts Environmental Trust, Coastal Pollution Remediation program, Sustainable Watershed Management Initiative)
 - Non-federal State Revolving Fund (SRF) funds, Chapter 90 funds, Community Preservation Act, MVP grants, and direct state or town appropriations
 - Site work, engineering and design, and permitting
- 4. Proposal writing and other activity related to seeking section 319 funds through this grant process are NOT ELIGIBLE as non-federal match funding.**
- 5. Non-federal Match work services can be used to meet DBE Fair Share Utilization Goals.**

6. **Non-federal Match work services must meet the same s.319 eligibility guidelines as grant-funded work.**
7. **Letters of commitment must be submitted with the proposal by all organizations that are contributing non-federal match funds or in-kind services to the project.**
8. **Grant recipients will be required to document and report the non-federal match contribution to the Department, whether the match is comprised of cash funding, in-kind services, or both.**
9. **The non-federal match must occur during the section 319 project contract period and/or within the period of the federal grant. For FFY 2021 submittals, this means 319-eligible, project related work done on or after October 1, 2019.**
10. **Eligible in-kind match may include any other nonpoint source work that would be considered 319-eligible, that is being conducted within the project watershed, provided:**
 - a. The work is described in detail and is included as a task within the 319 project proposal;
 - b. Letters of commitment from match providers or cooperators are included within the 319 project proposal; and
 - c. All other match guidelines are met.

4. Procurement and Grant Contract Information

A. PROCUREMENT FOR GRANT CONTRACTS: Solicitations and procurements are governed by specific Commonwealth regulations, and where federal funding is employed, also by federal requirements contained in the federal grant that issues the funds to the Commonwealth. Projects awarded as part of this funding opportunity will be awarded as a grant. The regulation governing this procurement is 815 CMR 2.00, with some provisions of 801 CMR 21.00. The terms of 815 CMR 2.00: Grants and Subsidies and 801 CMR 21.00: Procurement of Commodities and Services are incorporated by reference into this Grant Opportunity/Announcement. Words used in this Grant Opportunity document shall have the meanings defined in 815 CMR 2.00 and where applicable 801 CMR 21.00. Additional definitions are also provided in the Definitions portion of this document.

B. TOTAL ANTICIPATED DURATION OF GRANT CONTRACT(S): The base period of the grant contract is approximately two and one-half years with a potential for two (2) additional one-year renewal options, for a maximum grant contract period of five years. No agreements for services may be executed after the grant contract has expired. Extension of the contract is at the sole discretion of MassDEP.

C. FUNDING AVAILABILITY, BUDGETING GUIDELINES & ALLOWABLE EXPENDITURES: The total anticipated expenditure for projects under this Grant Announcement is \$1,500,000. Grant contracts will have a maximum obligation amount. MassDEP is under no obligation to disburse a specific sum of funding. There is no guarantee that monies will be awarded. All grant contracts shall be subject to available funding. 10% retainage is withheld from each invoice. Retainage is paid to the Grantee once all deliverables are received and the contract is closed out.

MassDEP will only reimburse costs and expenses that relate directly to the proposed project and that will be incurred if the project is implemented. For grant contracts that are implemented under this Grant Opportunity, amendments in scope and budget can be made only in accordance with policies and procedures spelled out in the 2016 Grantees Guide: <https://www.mass.gov/doc/watershed-projects-grants-program-grantees-guide/>. See Attachment D (Supplemental Terms and Conditions), particularly Section 3 (Compensation and Payment of Grant Funds) for additional requirements and restrictions on payment.

D. GRANT CONTRACT AWARD: Funding for projects selected under this Grant Announcement will be through a grant contract issued and administered by the MassDEP 319 Program. MassDEP may fund multiple awards to multiple organizations within the limits of the available funding. However, MassDEP could award all of the funding for a single project, depending on the number of applications received and the results of the evaluation and ranking of the applications and projected costs.

Projects that are awarded a grant contract shall abide by the terms and conditions set forth in Section 6 of this document (Terms and Conditions) and the additional terms and conditions set forth in Attachment D (Supplemental Terms and Conditions) to this Grant Announcement. Additionally, final grant contracts are only awarded after the completion of the parties' successful negotiation of the Project's Final Scope of Services. Applicants should note that Grant contracts are not final until MassDEP and the Grantee signatory have signed the Commonwealth's Standard Contract form, which also incorporates by reference the Standard Contract Form Instructions, Contractor Certifications, and the Commonwealth's Terms and Conditions.

MassDEP does not guarantee that any grant contracts will result from this Grant Announcement, or that any particular funding amount will be awarded. It is anticipated that projects could commence immediately upon MassDEP's award of a contract. Awarded contracts will be reviewed during the contract term and, upon request by the Grantee, may only be extended or otherwise amended at the sole discretion of MassDEP. Any extension granted will not necessarily change, or increase, the monetary value of the contract.

E. APPLICANT COMMUNICATION WITH MASSDEP AND THE COMMONWEALTH: Applicants are prohibited from communicating directly with any employee of MassDEP regarding this Grant Opportunity except as specified in this Grant Announcement, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this Grant Announcement. Applicants may contact the contact person for this Grant Announcement in the event this Grant Announcement is incomplete or the applicant is having trouble obtaining any required attachments. Note that there is an open period to submit written questions up to the deadline specified in this Grant Announcement. MassDEP's response to questions from all prospective applicants that are pertinent to this procurement will be answered and posted on the MassDEP website for this Grant Announcement.

F. GRANT ANNOUNCEMENT DISTRIBUTION METHOD: A Notice of Upcoming Grant Availability has been distributed electronically using the Commonwealth's electronic procurement and solicitation website COMMBUYS (posted on February 21, 2020) and the MassDEP website. The documents including this Grant Announcement and all the Attachments are posted on the MassDEP Grants and Financial Assistance: Watersheds & Water Quality website, <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#section-319-nonpoint-source-competitive-grants-program-> It is

the responsibility of every Applicant to check the MassDEP website for any addenda or modifications to the Grant Announcement to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to Applicants who fail to check for amendments to the Grant Announcement and/or submit inadequate or incorrect responses.

G. PROHIBITION OF CHANGES TO THE GRANT ANNOUNCEMENT/APPLICATION: Applicants may not alter the Grant Announcement language or any Grant Announcement component files. Those submitting an application must respond in accordance to the Grant Announcement directions and complete only those sections that prompt an Applicant for a response. Modifications to the body of this Grant Announcement, specifications, terms and conditions, or which change the intent of this Grant Announcement are prohibited. Any unauthorized alterations will cause rejection of the response by the MassDEP. If an Applicant finds an error where a change may be required, the Applicant should immediately contact the MassDEP Contact listed in Section 2D of this Grant Announcement.

H. FAILURE TO PROVIDE A COMPLETE AND COMPLIANT APPLICATION: Submittals that are received that are incomplete and/or non-compliant with the requirements stated in this Grant Announcement are subject to rejection by the Grant Review Team (GRT).

I. REASONABLE ACCOMMODATION: Applicants with disabilities or hardships that seek reasonable accommodation, which may include the receipt of Grant Announcement information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case-by-case basis.

J. SELECTION FOR AWARD OF A GRANT CONTRACT: Applications that are determined to be eligible for grant funding as described in this Grant Announcement, and that meet the evaluation criteria and the terms and conditions of the Grant Contract as determined by the GRT, may be awarded a Grant Contract. However, as indicated previously in this document, there is a limited pool of grant funding for 319 projects, and as a result, there is a possibility that Applicants who otherwise meet the eligibility criteria for grant funding may not be awarded funds for a 319 project.

Failure of the Applicant to be awarded a grant under this Grant Announcement shall not eliminate their eligibility or consideration for any future grant funds that may be available through the 319 Program.

K. AFFIRMATIVE ACTION REQUIREMENTS: In order for their proposals to be considered complete and responsive to this RFR, Applicants must provide with their proposals the appropriate Equal Employment Opportunity/Affirmative Action (EEO/AA) and Disadvantaged Minority/Women Business Enterprise (D/MBE or D/WBE) information listed below. Additional information is found in Attachment C.

For proposals, each Respondent **must** provide a **signed EEO/AA Policy Statement** on the organization's letterhead, which outlines its company's/agency's commitment to EEO/AA as a company/agency objective of equal importance to other company/agency objectives. Please refer to the EEO/AA Requirements and EEO/AA Policy Guidance Statement in Attachment C.

Disadvantaged Business Enterprise (DBE) Utilization Requirements

Regardless of the dollar value of a project awarded a Grant pursuant to this RFR, the Federal s.319 Grant Program requires that any prime contracts or subcontracts for services, construction, goods or

equipment procured by a Grantee to implement the project funded from the Grant must contain the applicable Federal "Fair Share" DBE Utilization Goals.

For firms to qualify under the DBE Program, they must be both **socially** and **economically** disadvantaged, citizens of the United States, and certified as a DBE by the Supplier Diversity Office (SDO). Women and certain minorities are presumed to be socially disadvantaged. The economic disadvantage is measured by the owner's initial and continuing personal net worth of less than \$1,320,000.

Because the Clean Water Act requires the use of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) these firms should still be utilized, but they must also be certified as DBEs. **In essence, the regulations mean that only a subset of the universe of MBEs and WBEs can be counted toward the Fair Share goals – those who are also certified as DBEs.**

The **DBE utilization goals are 4.2% D/MBE and 4.5% D/WBE**, respectively, for any subcontract for services, construction, goods or equipment.

For the purposes of being awarded a Grant pursuant to this RFR, all respondents must include a written Statement of Intent in their proposals (on their organization's letterhead) which clearly acknowledges that the respondent, as Grantee, shall comply with the DBE utilization requirements contained in this RFR, during the implementation of its project. The proposed project budget contained in the respondent's proposal must also identify specific expense categories (with associated dollar amounts) that the respondent expects to procure to meet or exceed the applicable D/MBE and D/WBE goals during project implementation.

All Respondents must clearly indicate in their proposed budgets the specific tasks with dollar amounts that will be used to meet or exceed the DBE "Fair Share" requirement described above.

5. Instructions for Submitting an Application

The following forms must be submitted with the Proposal, with original ink signatures:

- the Commonwealth Standard Contract Form, (which incorporates the Standard Contract Form Instructions, Contractor Certifications, and Commonwealth Terms and Conditions by reference),
- Request for Taxpayer Identification Number and Certification (Mass. Substitute W-9 Form, revised March 5, 2020), and
- Contractor Authorized Signatory Listing Form.

Forms are located on the Massachusetts Comptroller's website at the following link:

<https://www.macomptroller.org/forms>

A. APPLICATION TRANSMITTAL INSTRUCTIONS:

The original hard copy version of the Application, including all required and completed documents, with paper and CD or flash drive copies and an emailed copy, as described below, must be received by MassDEP no later than the date and time listed in Section 2C of this Grant Announcement: **12:00 noon, EDST on June 4, 2020**. Emailed electronic copies, in Word and .pdf, comprising no more than 6MB of data, must also be submitted by this same deadline, i.e., 12 noon, EDST on June 4, 2020. **Applications received after that date and time will not be accepted.** Refer to Attachment B (Checklist and Required Response Attachments) of this Grant Announcement for specific requirements.

Applications shall be received by the deadline to:

Massachusetts Department of Environmental Protection
Bureau of Water Resources
8 New Bond Street
Worcester, MA 01606

Re: Document No. BWR-RFR-FFY2021-319 Attn: Malcolm Harper

AND

Electronic copies, limited to 10MB, emailed by the deadline, in Word and .pdf formats, to:

Malcolm Harper
319 RFR Coordinator
malcolm.harper@dep.state.ma.us

Required Submittal Package:

- 1) One complete original proposal including all required forms signed in blue ink;
- 2) Two additional complete paper copies including copies of required forms;
- 3) Two CDs or flash drives, each containing
 - a) a Word version of the proposal narrative and application form, plus
 - b) a scanned version of the complete proposal including all forms, attachments, match commitments, and support letters.

4) Electronic copies, limited to 10MB, emailed by the deadline, in Word and PDF formats, to:
malcolm.harper@mass.gov

Reviewers receive scanned electronic copies of proposals. Therefore, please ensure that the materials in email and on the CDs or flash drives can be viewed and printed! Large scale plans are discouraged, but if they are essential to your proposal, please contact Malcolm Harper (Section 2D.) for submittal instructions.

B. REQUIREMENTS FOR APPLICATION STRUCTURE AND CONTENT: Additional required structure and submission items for the Application are specified in Attachment B (Checklist and Required Response Attachments) of this Grant Announcement.

6. Terms and Conditions of Grant Contract Award

Any Grant Applicant receiving an award must comply with the following requirements:

A. COMMONWEALTH TERMS AND CONDITIONS: The general terms and conditions for this contract are set forth in the following Commonwealth documents:

Commonwealth of Massachusetts Standard Contract Form, which incorporates by reference the Standard Contract Form Instructions, Contractor Certifications, and Commonwealth Terms and Conditions

In addition to meeting the requirements of this Grant Announcement, the Grantee's authorized signatory must sign and submit original, ink versions of the "Standard Contract Form" with the completed Grant Application documents. The terms and conditions contained in the Standard Contract Form and all Commonwealth documents listed above that are incorporated by reference supersede any and all other terms that may be defined explicitly or implied in this Grant Announcement. It is important that the entity submitting a proposal fully understands all of the terms and conditions contained in these documents, and the referenced terms in these documents and how the terms apply to their agency, organization or business. A Grantee that fails to comply with the terms and conditions required by this Grant will be terminated from the contract. See 815 CMR 2.00.

B. SUPPLEMENTAL TERMS AND CONDITIONS: Supplemental terms and conditions are requirements that are specific to the contracts resulting from this Grant Announcement. The Supplemental Terms and Conditions are provided in Attachment D (Supplemental Terms and Conditions).

C. ADDITIONAL REQUIREMENTS: In addition to complying with the requirements of this section, any Applicant receiving a Grant Award must adhere to all requirements of the Grant Application, and all documentation submitted in support of that application. If, after award of a Grant to a recipient, the GRT receives information that there has been a material omission or misrepresentation by the Grant Applicant regarding any aspect of the proposed project, this may constitute grounds for invalidating the Grant award.

D. SECTION 319 RFR REQUIREMENTS AND CONDITIONS

1. Funding for this program is subject to 319 federal grant awards from the U.S. EPA to the Department.
2. Grantees or their subcontractors are presumed to be equipped for, and capable of, carrying out the proposed work. Expenses for extensive training, or purchase of software, computers, construction tools and equipment, vehicles, and other capital expenditures are not eligible for reimbursement.
3. Grant funds cannot be used to provide meals, snacks, or other refreshments for project activities.

4. For any BMP installation funded under the 319 program, written certification that the system has been installed consistent with engineering and design specifications will be required from the designer or supplier of the technology as a project deliverable. The certification must occur prior to the system being covered, buried, or otherwise made inaccessible, and shall occur in advance of release of payment for the system by the Department.
5. An Operation and Maintenance Plan will be required as a grant deliverable for each BMP installed. Provisions requiring designer or supplier of the technology certification and a long-term Operation and Maintenance Plan must be consistent with Standard 9 of the Massachusetts Stormwater Policy (found on page 23 of the Massachusetts Stormwater Handbook, Volume 1) and will be included in the contract or ISA between the grantee and the Department. The Massachusetts Stormwater Policy can be found here: <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards#-stormwater-handbook-volume-1->. The Operation and Maintenance plan must be effective for the life of the BMP.
6. The award of a 319 grant does not constitute a permit or any other approval that may be required for the project. Grantees must obtain, and comply with, all federal, state, and local permits and approvals required for the project.
7. Administrative costs for overseeing the grant (e.g., reporting and invoicing) cannot exceed 10% of the grant award. The cost of actual project management, including overseeing contractors and site work and managing project-related activities, does not count against the 10%.
8. At a minimum, quarterly progress reports, draft and final reports, and DBE utilization reports will be required for all projects selected for 319 funding. All selected projects will be required to submit (at a minimum) one camera-ready copy of the Project Final Report, two additional hard copies, and three electronic copies that are compatible with the Department's software systems. All project responses must include the reporting requirements as a separate task, and the budget must include costs for meeting these minimum reporting requirements.
9. The Department reserves the right to fund a portion, change the scope and/or add or delete tasks of any project proposal to more closely meet the purposes of the program. Respondents will have the option of rejecting the grant award if the revised scope does not meet their goals.
10. Prior approval of the Department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of their subcontractors. Subcontractors are required to meet the same state and federal financial and program reporting requirements and are held to the same state and federal financial and program reporting requirements and held to the same reimbursable cost standards as contractors.
11. The expected overall duration of the Contract is from on or about **December 1, 2020 through June 30, 2023**, approximately two and a half years.
12. The payment procedure for 319 projects is reimbursement for costs incurred for the project, during the contractual period. **Advance payments shall not be made.** Reimbursement is generally made within 45 days subsequent to a grantee submitting a correctly executed invoice with

appropriate backup and a completed Match Certification Form. No payments shall be made for Massachusetts sales tax. No payments will be made unless a complete Payment Voucher Attachment for DM/WBE Reporting and a Match Certification Form accompany the reimbursement request.

13. The Department will retain ten percent (10%) of the total maximum obligation of 319 funds until all contract provisions are satisfied and final reports and other products are delivered and accepted. This 10% retainage shall be reflected on each invoice submitted by the contractor and will be cumulative.
14. The Commonwealth makes no guarantee that any commodities or services will be purchased from any contract resulting from this RFR. Any estimates of past procurement activities referenced in this RFR are included only for the convenience of bidders, and are not to be relied upon as any indication of future purchase levels.
15. The Department may, at any time and without penalty, reject any or all responses whenever the Department determines that such action is in the best interests of the Commonwealth.
16. The Department shall have the option to offer a respondent an opportunity to provide a "Best and Final Offer", and it may limit the number of respondents for this option.
17. All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., Chapter 66, Section 10, and to Chapter 4, Section 7, Subsection 26, regarding Public Access to such documents. Any statements reserving any confidentiality or privacy rights in submitted responses inconsistent with these statutes will be voided and disregarded.
18. Unless otherwise specified in this RFR, any reference to a particular trademark, trade name, patent, design, type, specification, producer or supplier is not intended to restrict this RFR to any manufacturer or proprietor, or to constitute an endorsement of any good or service. The Department may consider clearly identified offers or substantially equivalent goods and services submitted in response to such reference.
19. A response which fails to meet any material term or condition of the RFR, including the submission of required attachments, may be deemed unresponsive and disqualified. Unless otherwise specified, bidders may submit responses proposing alternatives which provide equivalent, better or more cost-effective performance than achievable under the stated RFR specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the contract. The response should describe how any alternative achieves substantially equivalent or better performance to that of the RFR specifications. The Department will determine if a proposed alternative method of performance achieves substantially equivalent or better performance.
20. The Department may require that a Memorandum of Understanding (MOU) be signed by the contractor and any participating organization and/or agency prior to the contractor receiving Notice to Proceed for the contract. An MOU is an agreement between the contractor and each

participating organization and/or agency that lists the specific project responsibilities of these participating groups.

21. All materials, software, maps, reports and other products produced through the grant program shall be considered in the public domain and thus available at the cost of production.
22. During the project, title to any and all real and personal property, equipment and accessories purchased and used for the project scope of work and funded in whole or part by this grant program shall be in the name and control of the grantee.
23. After termination of the project, the manner of use and disposition of any equipment and accessories purchased and used for the project and funded in whole or part under this grant program shall be determined by the Department.
24. Grantees will be required to immediately notify the Department of the loss or reassignment of a project manager, and the Department requires that a replacement project manager be assigned within sixty (60) days. The Department reserves the right to approve all replacement project managers. The Department also reserves the right to terminate the contract if the contractor fails to replace a project manager within this time frame.

7. Definitions

The following definitions supplement the definitions provided in Code of Massachusetts Regulations, 801 CMR 21.00 (Procurement of Commodities and Services) and 815 CMR 2.00 (Grants and Subsidies). These definitions are used for this solicitation and may be used throughout implementation of the grant contract after award:

Applicant: An Applicant is any entity identified in Section 3A of this Grant Announcement that responds to this Grant Announcement with a completed application, including the work and cost plan, and other required documentation as specified herein. For definition purposes, an Applicant is the same as a “bidder” as defined in 801 CMR 21.00 (Procurement of Commodities and Services).

Bureau of Water Resources (BWR): The Bureau within MassDEP that is responsible for the procurement and implementation of this contract. MassDEP’s 319 Program Manager, Program Coordinator, and Contract Manager are assigned to BWR, Division of Watershed Management.

COMMBUYS: The Commonwealth’s eProcurement Access and Solicitation Website (COMMBUYS) is a free, around-the-clock internet access site that provides bid/solicitation/procurement documents for all goods and services that are available either on existing Commonwealth state-wide contracts or are issued by other Eligible Entities of the Commonwealth of Massachusetts (including MassDEP). Announcements for Grant Opportunities and Notification of selection (and non-selection) for Grant Awards must also be posted on COMMBUYS pursuant to 815 CMR 2.00 (Grants and Subsidies).

Federal Subgrant: A Grant of Federal Funds received by a State Department as a Federal Grantee, which are provided under contractual terms to a Grantee. Certain Grantees receiving Federal Grant Award funds will be considered Subrecipients and will be required to comply with additional federal

requirements. See 815 CMR 2.02 (definitions). In this document, Federal Subgrant is also referred to as “Grant Contract.”

Grant Review Team (GRT): The Massachusetts state and federal personnel who are responsible for conducting the evaluation of the applications and recommending to EPA one or more responding entities for award of a grant.

Grant: Discretionary and non-discretionary (earmarked) funds of State or Federal Grant Awards which are considered financial assistance provided under contractual terms between a Grantor State Department and a Grantee to assist the Grantee in the achievement or continuation of a specified public purpose to benefit the general public or a segment of the general public consistent with the Grantor Department's Legislative Authorization and the terms of the Grant funding. A Grant of a Federal Grant Award is also known as a Federal Subgrant. See 815 CMR 2.02 (definitions)

Grant Announcement: also called a Request for Responses (RFR), the document describing the grant opportunity, terms, and response requirements.

Grantee: A Public or Non-Public Entity selected as a recipient of Grant. See 815 CMR 2.02 (definitions); see also Subrecipient definition below.

Impairment: for purposes of the 319 program, a waterbody that is listed in Category 4a (TMDL), Category 4c, or Category 5 of the Massachusetts Year 2016 Integrated List of Waters (CWA Sections 303d and 305b) is considered to be impaired. The listed nonpoint source pollutants are prioritized to be addressed by Section 319 funds.

Massachusetts Department of Environmental Protection (MassDEP): MassDEP is an Executive Department under the Executive Office of Energy and Environmental Affairs (EEA). Within EEA, MassDEP administers the 319 Nonpoint Source Program.

Subrecipient: A Grantee that receives a Federal Subgrant from a Grantor (also known as a “pass-through entity”) to carry out part of a Federal Grant Award. Grantees receiving Federal Grant Awards who are deemed “Subrecipients” for Federal Grant Award purposes will be required to comply with applicable federal requirements, including but not limited to Subrecipient audit requirements under the Code of Federal Regulations, including 2 CFR Chapter I, Chapter II, Part 200 et al.

8. List of Attachments:

Attachment A: Application

Attachment B: Checklist and Proposal Requirements

Attachment C: Affirmative Action Forms and Guidance

Attachment D: Supplemental Terms and Conditions

Attachment E: Additional Resources and Frequently Asked Questions

Attachment F: Priority Waterbodies for 2021

ATTACHMENT A

Application

STANDARD FORMAT REQUIREMENTS FOR 319 PROJECT PROPOSALS

Responses must be focused and action-oriented with clearly identifiable, cost-effective, realistic, and attainable environmental goals and objectives. The environmental indicators that are to be used in evaluating the success of the project in meeting its environmental goal(s) should be clearly defined. The application forms on the following pages should be used when preparing the narrative, scope of services, budget and milestone schedule for the proposed project; information provided on these pages by the proponent will meet the minimum format requirements for s.319 responses.

RESPONSE FORM
319 NONPOINT SOURCE POLLUTION GRANT PROGRAM
4/2/2020
RFR#: BWR-RFR-FFY2021-319

Administrative Summary

RESPONDENT -	
Address -	
Telephone -	Facsimile -
Email Address -	

PROJECT TITLE -

WATERSHED(S)/SUBWATERSHED(S) SERVED BY THIS PROJECT -

PROJECT TYPE(s) - see Section 3. A response may encompass more than one project type.

- ☐ **A. Implementation** ☐ TMDL ☐ Category 4a, 4c, or 5 ☐ other
- ☐ **Continues the work commenced under publicly funded program(s)**
- ☐ **B. Healthy Watersheds**
- ☐ **C. Regional Implementation NPS Project Development**
- ☐ **D. Agricultural NPS Regional Coordinator**
- ☐ **E. Outreach and Education**

POLLUTANT(S) OF CONCERN:

AMOUNT OF FUNDING REQUESTED AND AMOUNT AND PERCENT OF MATCH FUNDING PROPOSED -

Federal Funds via MassDEP	\$ _____	
Non-Federal Match	\$ _____	% of Total Budget _____
Total Project Budget	\$ _____	

PROJECT SUMMARY/OBJECTIVES -

PRINCIPAL CONTACT (Project Manager)

Name and Title () _____ Telephone	Email () _____ Facsimile
--	---------------------------------

AUTHORIZED SIGNATORY - All respondents must complete, execute and return the **CONTRACTOR AUTHORIZED SIGNATORY LISTING FORM** (see Attachment B).

RESPONSE
319 NONPOINT SOURCE POLLUTION GRANT PROGRAM
4/2/2020

RFR#: BWR-RFR-FFY2021-319

Implementation Project Description

Adapt as necessary for other project types

Provide a brief project description. This description may be in narrative form (no more than three [3] pages total) or in the table format shown below.

Element	Definition
CONCISE STATEMENT OF THE PROBLEM	Description of the problem/issue, statement of need, project type, background and overall project justification. Identify and provide data (or summary) and sources of information that define the problem and support the need for the project.
PROJECT GOAL(s)	Specify the goals and anticipated environmental results of the project.
TARGETED POLLUTANT(S) AND WATERBODY(S)	Specify the targeted waterbody(s) and the pollutant(s) that are targeted by the project, if any.
ESTIMATED QUANTITY OF POLLUTANT(S) TO BE REMOVED	<u>Estimated quantities to be removed</u> (pounds, tons, CFUs) for all targeted pollutants, if any, based on modeling, demonstration, or other best estimate. Percentages are not acceptable.
PROJECT STRATEGY	Strategy to achieve the project. Describe the steps that will be taken to achieve project goals and explain how the tasks and sequence will achieve those goals. Identify and describe the participation and commitment expected from other agencies and organizations. Describe the role(s) of each group and list the specific responsibilities of each. Letters of support from all organizations providing non-federal match must be submitted with the response.
NPDES STATUS	State whether the project is fully or partially in a NPDES area. If so, explain how your project avoids responding to current or future permit requirements.

MILESTONES	In the Project Milestone section, identify the steps that track progress towards meeting a goal.
ACTIVITIES	In the Scope of Services section, provide a brief descriptive statement for each task/activity to be completed under the project to achieve the stated goals.
PROJECT EVALUATION -ENVIRONMENTAL INDICATORS	Description of how the project's accomplishments will be evaluated. The evaluation method selected must fit the project.
OUTREACH- TECHNOLOGY TRANSFER	For Implementation projects, provide a description of the proposed outreach/technology transfer task(s), the participants in the program, and the intended audience. For Outreach and Education projects, this may be described under "Project Strategy."

RESPONSE

319 NONPOINT SOURCE POLLUTION GRANT PROGRAM

4/2/2020

RFR#: BWR-RFR-FFY2021-319

Scope of Services

Provide a brief descriptive statement for each task/activity to be completed under the project, and list and describe the product(s) for each task. Provide an estimated cost for each task. NOTE: Every Implementation proposal must list as a separate task an Outreach and Education task for the project. Every Implementation project must include the development and implementation of an Operation and Maintenance Plan as a separate task. Finally, every response must include reporting requirements (quarterly updates, final project reports, etc.) as a separate task. Attach additional pages as required to describe objectives/tasks.

TASK/OBJECTIVE # 1: Project Evaluation:

As required, estimated quantity (pounds, tons, CFUs, etc. but not percentages) of pollutant load removal to be achieved (if applicable). All projects are assumed to be covered under the MassDEP 319 Programmatic QAPP. For TMDL development or if the project relies on a separate MassDEP- and EPA-approved Quality Assurance Project Plan, explain why this is a necessary component of the proposed work. This Task/Objective is not required for Regional Coordinator proposals.

DELIVERABLES:

ESTIMATED COST:

s.319 SHARE:

NON-FEDERAL MATCH SHARE AND SOURCE:

TASK/OBJECTIVE #_:

DELIVERABLES:

ESTIMATED COST:

s.319 SHARE:

NON-FEDERAL MATCH SHARE AND SOURCE:

TASK/OBJECTIVE #_:

DELIVERABLES:

ESTIMATED COST:

s.319 SHARE:

NON-FEDERAL MATCH SHARE AND SOURCE:

Repeat this page as necessary to show all proposal tasks.

RESPONSE
4/2/2020
RFR#: BWR-RFR-FFY2021-319

Project Budget

This budget is for response evaluation purposes. Use the whole dollar method. Indicate which items will be paid for by s.319 funds, and which items will be paid for by the non-federal match. Attach additional pages as required. Grant administration costs cannot exceed 10% of the grant award.

Expense Items	s.319 Amount	Non-Federal Match and Source	Total Amount
Salary - By Title and salary range (ex.: Engineer, \$40-50/hour including fringe)			
Subcontractual Services			
Materials and Supplies (including printing, mailing - should include cost for printing 3 copies and three CDs or flash drives of the final project report, with photographs)			
Travel (for auto mileage only @ \$.45 /mile)			
Other			
Totals:	\$	\$	\$

REQUIRED: SOURCE(S) OF NON-FEDERAL MATCH - List all sources of non-federal match funds and the amount of matching funds being contributed by each source. Letters of support from all organizations (on the organization's letterhead) identified as providing a portion of the non-federal match for the project **must be submitted with the response**. These letters must detail the match to be provided by the organization and must be signed by an authorized signatory for the organization. Due dates for letters of support without match are as outlined in the grant calendar on page 5.

EEO/AA REQUIREMENTS - Identify all budget categories from which it is anticipated that the DBE participation goals will be met. Show the anticipated dollar amount of DBE participation in each budget category.

RESPONSE
319 NONPOINT SOURCE POLLUTION GRANT PROGRAM
4/2/2020
RFR#: BWR-RFR-FFY2021-319
Project Milestone Schedule

Provide a time-line by "xing" out the duration of the task activity. Use additional pages as necessary. Presume a January 1, 2021 Notice to Proceed.

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								

ATTACHMENT B

PROPOSAL CHECKLIST FOR FFY 2021 NONPOINT SOURCE COMPETITIVE GRANTS

Use this checklist when reviewing the proposal package to ensure that it meets the minimum format requirements.

COMPLETED ADMINISTRATIVE SUMMARY

- ☐ Applicant and contact information
- ☐ Project Title
- ☐ Watershed(s)/Subwatershed(s) served by this project
- ☐ Project type(s)
- ☐ Amount of funding requested
- ☐ Details, amount, and percent of match funding proposed
- ☐ Project summary/objectives
- ☐ Principal contact name and contact information
- ☐ Authorized Signature

PROJECT DESCRIPTION

- ☐ Concise statement of the problem
- ☐ Targeted pollutant(s) and estimated pollutant removal (implementation projects)
- ☐ Project goals(s)
- ☐ Project strategy
- ☐ Milestones
- ☐ Activities
- ☐ Project evaluation - environmental indicators
- ☐ Outreach - Technology transfer

SCOPE OF SERVICES

- ☐ Objectives/tasks
- ☐ Deliverables
- ☐ Estimated costs

PROJECT BUDGET

PROJECT MILESTONE SCHEDULE

PROPOSAL ATTACHMENTS

- ☐ Proposal backup data
- ☐ Conceptual design(s)
- ☐ Maps, locus and BMP location(s)
- ☐ Letters of support from all organizations providing match funds
- ☐ Documentation of property ownership and permission for BMP installation and O & M activities
- ☐ Statement of Qualifications, resumes of key personnel

CONTRACTUAL FORMS

- ☐ Written Statement of Intent acknowledging the obligation to meet or exceed fair share goals
- ☐ An executed Equal Opportunity/Affirmation Action Policy Statement
- ☐ Standard Contract Form, executed
- ☐ Contractor Authorized Signatory Listing Form
- ☐ Completed and signed W-9 Form (revised March 5, 2020)

319 NONPOINT SOURCE POLLUTION GRANT PROGRAM

4/2/2020

RFR#: BWR-RFR-FFY2021-319

Required Response Attachments

(Adapt as necessary for Regional Coordinator proposals)

1. **DATA.** Attach any backup data that is believed to be necessary to support and clarify the response, including maps of the project area: at minimum, a locus map of the watershed and a site map showing each specific BMP location, in sufficient detail to defend the feasibility of the BMP(s). If extensive backup data is to be submitted with the response, a summary of the data will facilitate the review of the response; in this case, the applicant may wish to provide only one copy of the complete report or data, and a summary in each proposal copy. If by-laws, regulations, policies, ordinances, and/or enforcement mechanisms are proposed as part of the project, a preliminary plan of how these mechanisms will be developed and implemented is required as part of the response. If structural BMPs are proposed as part of the project, at a minimum conceptual design(s), specific site location(s), and estimated cost of the BMPs are required as part of the response. Use of the Watershed-based Plan tool, <http://prj.geosyntec.com/MassDEPWBP>, is encouraged as a source of maps, resources, and strategy.
2. **MATCH DOCUMENTATION.** Letters from all organizations identified as providing a portion of the non-federal match for the project, detailing the amount and source of the match to be provided by the organization. Such letter(s) must be on the organization's letterhead and signed by an authorized signatory for the organization. If up-front match is proposed, provide additional detail to document the timing of the up-front match and its exact relationship to the proposed project work.
3. **QUALIFICATIONS.** A statement of the applicant's qualifications, and their subcontractors' qualifications where appropriate, to perform the proposed project. Such statements should include resumes of key personnel and examples of similar work, if available.
4. **AFFIRMATIVE ACTION DOCUMENTS.** Appropriate Affirmative Action Documentation - for all responses, an executed Equal Opportunity/Affirmative Action Policy Statement.
5. **DBE DOCUMENTATION.** Appropriate Fair Share DBE Documentation - a written **Statement of Intent** (example in Attachment C) which clearly acknowledges the respondent's commitment to meet or exceed the "Fair Share" participation requirements and the identified budget categories and dollar amounts that the applicant anticipates will be used to meet the requirements.
6. **COMMONWEALTH STANDARD CONTRACT FORM, EXECUTED** (see Section 6).
7. All respondents must complete, execute and return the **CONTRACTOR AUTHORIZED SIGNATORY LISTING FORM** (see Section 5). As described on the Form, this may also include separate documentation of the signatory's authorization to sign contracts on behalf of the applicant (i.e., a letter from the Town Clerk or Selectmen attesting to the authority of the individual to sign the contract; a section of the organization's charter or enabling legislation granting that authority; or similar).
8. Except for entities that are already on file, all respondents must complete, execute and return the **VERIFICATION OF TAX REPORTING INFORMATION FORM (Please use the W-9 FORM, revised March 5, 2020)** (see Section 5).

ATTACHMENT C

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION FORMS and GUIDANCE

Equal Employment Opportunity/Affirmative Action Requirements for Proposals

Utilization of DBEs under the Federal Grant

Guidance for EEO/AA Policy Statement

Sample EEO/AA Policy Statement

Sample Statement of Intent

Request for Waiver Form

AFFIRMATIVE ACTION AND DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENTS

AFFIRMATIVE ACTION REQUIREMENTS FOR PROPOSALS:

For all proposals, an **Affirmative Action Policy Statement** must be submitted with the proposal.

UTILIZATION OF DBEs UNDER THE FEDERAL GRANT

In May 2008 a United States Environmental Protection Agency (EPA) rule became effective that changed the Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Program to a Disadvantaged Business Enterprise (DBE) Program.

For firms to qualify under the previous MBE/WBE program, they needed to be socially disadvantaged and had to be certified by the Supplier Diversity Office (SDO). Under the DBE rule, the firms must be both **socially** and **economically** disadvantaged, citizens of the United States, and certified as a DBE either by the state or the federal government. Women and certain minorities are presumed to be socially disadvantaged. The economic disadvantage is measured by the owner's initial and continuing personal net worth of less than \$1,320,000.

Because the Clean Water Act requires the use of MBEs and WBEs, these firms can still be utilized to meet utilization goals, but they must also be certified as DBEs. In essence the DBE regulations mean that only a subset of the universe of MBEs and WBEs can be used – those who are also certified as DBEs.

MassDEP has undertaken an availability analysis to develop DBE goals. These goals are 4.2% D/MBE and 4.5% D/WBE respectively for any subcontract for services, construction, goods or equipment.

SDO will continue to be the certifying agency for D/MBEs and D/WBEs.

According to 40 CFR, Part 33 Subpart C, the grantee will make the following good faith efforts whenever procuring construction, equipment, services and supplies.

(2) The six Good Faith Efforts shall include:

- (i) Require the DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. This will include placing qualified disadvantaged minority business and women's business enterprises on solicitation lists and soliciting them whenever they are potential sources;
- (ii) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids for a minimum of 30 calendar days before the bid or proposal closing date;
- (iii) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. This will include dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by DBEs;

- (iv) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually;
- (v) Use the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- (vi) If the prime subcontractor awards subcontracts, require the prime contractor to take the steps listed in paragraphs (i) through (v) of this section.

GUIDANCE FOR EEO/AA POLICY STATEMENT

The policy statement outlines your company's/agency's commitment to equal employment opportunity and affirmative action as a company/agency objective of equal importance to other company/agency objectives.

The Policy Statement should include:

- A. Non-Discrimination in employment and service delivery as an organizational priority and practice.
- B. Access to employment and service delivery by all otherwise eligible persons regardless of their race, creed, color, sex, national origin, political affiliation, age, or disability.
- C. Goal of having staff at all levels of the organization reflect the proportion of minority, female and disabled persons represented in the service delivery area.
- D. Identification of an individual in the organization who is entrusted with enforcing the non-discrimination policy.
- E. Signature and title of the organization's Chief Executive Officer.

You may use the attached sample statement as a model. It must be completed and submitted to MassDEP on your agency letterhead. The Chief Executive Officer of your company/agency must sign the Statement, expressing the management endorsement of the policy and assigning responsibility for making that endorsement. The Policy Statement is the basis for the rest of the Affirmative Action Plan, which describes how you will put your commitment to Affirmative Action in practice. The Policy Statement can function as the introduction to your Affirmative Action Plan.

The key individual for developing and implementing the Affirmative Action Program is your company's Affirmative Action Officer. When assigning/appointing the individual designated on the Policy Statement it should be kept in mind that for the Affirmative Action Officer to be effective, he/she should:

- Participate in the planning, development and implementation of policies involving the budget, personnel, recruitment, contract compliance, training, performance appraisals and program and policy development. The Affirmative Action Officer should work in conjunction with the appropriate staff assigned to the aforementioned responsibilities.
- Be actively involved with minority and women's organizations, training programs and other organizations relating to people identified as members of protected groups.
- Conduct periodic audits of training programs and hiring and promotion patterns to remove barriers to goals and objectives, as well as audits of other plans.
- Review company/agency policies to assure equal opportunity for protected groups and prevent possible adverse impact on these groups.
- Hold regular discussions with managers and supervisors to advise them of their responsibilities and accountabilities, and review progress toward divisional affirmative action goals and implementation of agency affirmative action policies.
- Monitor and review the qualifications of all employees to ensure that minorities, women and other protected group members are given full opportunities for training and promotion.
- Be familiar with, and understand the various State and Federal regulations that impact employment practices (i.e., Title VII, Section 504, Chapter 533, Age Discrimination Act).
- Meet regularly with the hiring sources to review progress toward agency affirmative action goals.

SAMPLE: Place on Letterhead of Organization

EEO/AA POLICY STATEMENT

_____(Name of Organization)_____ has a statutory mandate under law to guarantee equal treatment for all who seek access to its services or opportunities for employment and advancement. No discrimination will be tolerated on the basis of race, creed, political affiliation, color, sex, national origin, age, or handicap. The ultimate goal is for personnel of this organization to reflect the proportions of minority, female, and handicapped persons in the populations they serve.

_____(Name of Organization)_____ will meet its legal, moral, social, and economic responsibilities for Equal Employment Opportunity/Affirmative Action as authorized and required by all pertinent state and federal legislation, executive orders and rules and regulations, including the following:

1. Title II of the Civil Rights Act of 1964 (42 USC s2000e et seq), which prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin; and
2. The Age Discrimination in Employment Act of 1967 (29 USC s621 et seq), which prohibits discrimination in employment on the basis of age with regard to those individuals who are at least 40 years of age, but less than 65 years of age; and
3. Section 504 of the Rehabilitation Act of 1973 (29 USC s794), and the regulations promulgated pursuant thereto (45 CFR Part 84), which prohibit discrimination against qualified handicapped individuals on the basis of handicap and requires employers to make reasonable accommodations to known physical or mental limitations of otherwise qualified handicapped applications and employees; and
4. M.G.L. c. 151B s4 (1), as amended by Chapter 533, 1983, which prohibits discrimination in employment on the basis of race, color, sex, religious creed, national origin, ancestry, age or handicap,

In addition, the Provider agrees to be familiar with and abide by:

- * Massachusetts Executive Order 524
- * Massachusetts Executive Order 526
- * Equal Pay Act of 1963
- * Massachusetts Architectural Barriers Board Act
- * Federal Executive Orders 11246 and 11375 as amended.

All employees, unions, sub contractors and vendors must make genuine and consistent efforts:

1. To ensure equal employment opportunities for present and future employees, and
2. To implement affirmative action, as legally required, to remedy the effects of past employment discrimination and social inequalities.

The responsibility for implementing and monitoring this policy has been delegated to:

Name and Title of Employee

Furthermore, _____(Name of Organization)_____

prohibits that any employee, or applicant, be subjected to coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under this program. No portion of this Equal Employment Opportunity/Affirmative Action Policy shall be construed as conflicting with any existing or future judicial or legislative mandate where a constriction consistent with that mandate is reasonable.

Signature of Chief Executive

Title of Chief Executive

Date

SAMPLE
Place on Letterhead of Organization

(Must be included with the proposal package)

Statement of Intent

The Section 319 Nonpoint Source Competitive Grant Program asks for a good faith effort that minimum Fair Share Disadvantaged Minority and Women Business Enterprise goals will be met or exceeded for this project. The ____ (name of your organization)____ plans to contract with DMBE/DWBE vendors for ____ (specify type of business, service or product)____ during this project.

The Fair Share utilization goals for this project are 4.2% DMBE and 4.5% DWBE on the total project dollars. To comply with the DMBE/DWBE participation goals, it is anticipated that \$____ for DMBE and \$____ DWBE will be adhered to.

REQUEST FOR WAIVER

Upon exhausting all known sources and making every possible effort to meet the minimum requirements for DBE participation, the Contractor may seek relief from these requirements by filing this form with the request and submitting a completed waiver package. Failure to comply with this process shall be cause to reject the bid thereby rendering the Contractor not eligible for award of the subcontract.

General Information

Project Number: _____ Project Location: _____

Project Title: _____

Awarding
Authority/Contractor: _____

Mailing Address: _____

Contact Person: _____ Telephone No. () _____ Ext. _____

Minimum Requirements

The Contractor must show that good faith efforts were undertaken to comply with the percentage goals as specified. The Contractor seeking relief must show that such efforts were taken appropriately in advance of the time set for opening bid proposals to allow adequate time for response(s) by submitting the following:

- A. A detailed record of the effort made to contact and negotiate with disadvantaged minority and/or woman owned businesses, including:
1. names, addresses, telephone numbers and contact dates of all such companies contacted;
 2. copies of written notice(s) which were sent to DBE potential subcontractors prior to bid opening;
 3. a detailed statement as to why each subcontractor contacted (i) was not willing to do the job or (ii) was not qualified to perform the work as solicited; and
 4. in the case(s) where a negotiated price could not be reached the bidder should detail what efforts were made to reach an agreement on a competitive price.
 5. copies of advertisements, dated not less than ten (10) days prior to bid opening, as appearing in general publications, trade-oriented publications, and applicable minority/women-focused media detailing the opportunities for participation;

December 2019

EEO-DEP-490
(Page 1)

- B. MassDEP may require the Contractor to produce such additional information as it deems appropriate.
- C. No later than ten (10) days after submission of all required information and documentation, MassDEP shall make a determination, in writing, whether the waiver request is granted and shall provide that determination to the Contractor and Awarding Authority. If the waiver request is denied, the facts upon which a denial is based will be set forth in writing.

Special Note

If at any time, MassDEP determines that one or more of the DBE contractors as submitted by the Contractor is not certified, the Contractor shall have 10 working days, following notification to MassDEP, to either find a certified DBE contractor to perform work equal to or greater than that of the uncertified contractor or submit a waiver request.

CERTIFICATION

The undersigned herewith certifies that the above information and appropriate attachments are true and accurate to the best of my knowledge and that I have been authorized to act on behalf of the bidder in this matter.

(authorized original signature)

DATE

MAILING INSTRUCTIONS: (CERTIFIED MAIL)

TO: DEP-BWR 319 PROGRAM MANAGER
MALCOLM HARPER
8 NEW BOND STREET
WORCESTER, MA 01606

CC: DEP-DFM PROCUREMENT ANALYST
YITLING SLAYMAN
ONE WINTER STREET - 4TH FLOOR
BOSTON, MA 02108

ATTACHMENT D

Supplemental Terms and Conditions

FFY 2021 319 Nonpoint Source Competitive grants

Solicitation/Contract No.: **BWR-RFR-FFY2021-319**

In addition to the Commonwealth Terms and Conditions cited in the Grant Announcement, the following supplemental terms and conditions apply to the grant contracts issued as a result of this Grant Announcement:

1. Electronic Communication/Update of Grantees' Contact Information: It is the responsibility of the Grantee to keep current the email address of the Grantee's contact person and prospective contract manager, and to monitor that email inbox for communications from MassDEP, including requests for clarification. MassDEP and the Commonwealth assume no responsibility if a Grantee's designated email address is not current, or if technical problems, including those with the Grantee's computer, network or internet service provider (ISP) cause email communications sent to/from the Grantee and MassDEP to be lost or rejected by any means including email or spam filtering.

2. Contract Expansion: If additional funds become available during the grant contract duration period, the Department reserves the right to increase the maximum obligation to some or all contracts executed as a result of this Grant Announcement or to execute contracts with Grantees not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.

3. Compensation and Payment of Grant Funds:

Costs which are not specifically identified in the Applicant's response, and/or accepted by MassDEP as part of a grant contract, will not be compensated under any contract awarded pursuant to this Grant Announcement. The Commonwealth will not be responsible for any costs or expenses incurred by Applicants responding to this Grant Announcement.

Upon award of a contract, the following terms and conditions apply to compensation and payment to the Grantee.

a. Payment for Services Delivered: Contracts will be paid on a reimbursement of costs basis and under maximum obligation contract basis. The payment procedure for awards is reimbursement for costs incurred for the project during the contract period. Only project costs incurred during the contract period will be eligible for payment.

b. Payment only for MassDEP Accepted Services: Compensation will be made for services delivered and accepted by MassDEP's 319 Program Manager and Contract Administrator provided the project budget is not exceeded, and the scope of the services falls within the scope defined in the approved work plan or subsequent MassDEP approved scope changes, such as a change order document.

- c. **Cost Tables:** Compensation will be based solely on the budget/cost tables supplied by the Bidder and accepted by MassDEP. Cost tables must contain all goods and services to be provided on this Contract.
- Travel is reimbursed for vehicle miles only at \$.45 per mile.
 - No meals, snacks, beverages, or other comestibles may be purchased using grant funds.
 - Grantees are presumed to be equipped to carry out the proposed work. 319 funds cannot be used to purchase computers, software, capital equipment, and/or similar expenditures.
- d. **Payment Restrictions:** The following are restrictions that may result in non-payment to the Grantee:
- Costs which are not specifically identified in the Grantee's proposal and/or accepted by MassDEP as part of a contract, will not be compensated under any grant contract awarded pursuant to this Grant;
 - Costs incurred after the end date of the grant contract will be ineligible for payment;
 - Grantees are at risk for non-payment of claims that exceed the MassDEP approved budget for the project, and cost elements within the project that are tracked as part of the financial management and reporting requirements as determined on a project specific basis; and
 - The Commonwealth will not be responsible for any costs or expenses incurred by the Applicants responding to this Grant Announcement.
 - Invoices for costs incurred in prior fiscal years cannot be paid.

See also Section 4C (Funding Availability, Budgeting Guidelines & Allowable Expenditures) of this Grant Announcement for additional budget and payment restrictions.

- e. **Payment through the Commonwealth's Electronic Funds Transfer (EFT):** All Grantees must comply with the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the Grantee can provide compelling proof that it would be unduly burdensome. The requirement for EFT participation is stipulated in the general Commonwealth of Massachusetts – Standard Contract Form. The link to the EFT Form is:
https://massfinance.state.ma.us/VendorWeb/EFT_FORM.pdf

If the Grantee is already enrolled in the program, it may so indicate in its response. Because the Authorization for EFT Form contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

The requirement to use EFT may be waived by MassDEP on a case-by-case basis if participation in the program would be unduly burdensome on the Grantee. If a Grantee is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. MassDEP will consider such requests on a case-by-case basis and communicate the findings with the Grantee.

- f. **Invoices Submitted for Reimbursement of Costs:** Invoices that are submitted to MassDEP for reimbursement must have sufficient detail to document the validity of the costs being claimed. At a minimum, the invoice must parallel the task breakdown structure and cost elements contained therein so the invoice can be directly compared to the approved budgets for the various cost elements. The level of detail and breakdown of the cost elements in the budget and the invoices will be determined on a project specific basis.

As a claim for payment, MassDEP provides an Invoice form for each project that should be followed. Invoices include major sections consistent with the project budget containing the information supporting the claim, depending on the project and payment type and structure.

MassDEP requires supporting documentation for costs that are included in the claim for compensation in the invoice. Supporting documentation includes items such as copies of bills and invoices from subcontractors, travel expenses (vehicle only), and bills for materials and supplies. The required supporting documentation will be determined on a project specific basis by MassDEP; however, the Grantee may assume that the items cited in this clause will be required.

g. 45-Day Standard Payment Schedule: Reimbursement is generally made 45 days subsequent to the Grantee submitting an invoice that is accurate and compliant with the contract specific requirements for backup supporting documentation. Invoices that are not compliant with these requirements will be rejected and returned to the Grantee for correction, and the 45-day payment period will no longer apply.

h. Exemption from Massachusetts Sales Tax: No payments shall be made for Massachusetts sales tax as defined in M.G.L Chapter 64H, sec. 6, as applicable to the Grantee.

i. Fair and Reasonable Pricing: The Applicant must agree that prices included in any and all cost proposals, cost estimates, and bills and invoices for services to be compensated by contract funds are fair and reasonable, and are of fair market value where applicable, including but not limited to prices for labor, equipment rental and leases, equipment purchases, materials and supplies, vehicle usage, and all other costs to be compensated by the funds from the contract. If the Commonwealth believes that it is not receiving fair and reasonable prices from the Grantee, and the Grantee cannot justify the prices to the MassDEP, then MassDEP reserves the right to suspend work and compensation until a satisfactory price is established.

4. MassDEP Authorized Approval Authorities: For this contract, the following are the titles, persons, and their approval authorities to direct and approve the Grantees' technical and financial implementation of the projects throughout the period of performance of the contract:

319 Program Manager: Authority to approve the technical and administrative aspects of the project, including initial approval and approval of changes to technical and administrative items that do not involve impacts to project costs or impact terms and conditions of the contract. Co-authority, with the Contract Administrator, to approve budgets, changes to budgets, acceptance or rejection of invoices, approval or disapproval for payment of invoices or partial payments, negotiations regarding payments, and terms and conditions of the contract that are open to negotiation, usually on a project specific basis.

The current 319 Program Manager is: Mathew Reardon, MassDEP, DWM, Worcester

319 Program Coordinator: Interacts with the Grantee to provide technical and administrative assistance. Reviews and approves progress reports and deliverables, prepares and recommends scope and budget amendments, ensures that project work is progressing according to project timelines and Department expectations.

The current 319 Program Coordinator is: Malcolm Harper, MassDEP, DWM, Worcester

319 Contract Administrator: Co-approval authority, with the 319 Program Manager, to approve the budgets, cost estimating and invoicing format on a project specific basis, acceptance or rejection of invoices, payment approval or disapproval of invoices or partial payment of invoices, negotiations regarding payments, and terms and conditions of the contract that are open to negotiation, usually on a project specific basis.

The current 319 Contract Administrator is: Monica M. Vega, MassDEP, Boston

In the absence of either the 319 Program Manager or 319 Contract Administrator, approval and signature “for” authority may be delegated to other MassDEP staff, as appropriate.

5. Environmental Response Submission Compliance: In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all paper responses submitted should comply with the following guidelines:

- All paper copies should be printed double-sided unless specifically requested otherwise by MassDEP.
- All paper submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf).
- Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non-reusable materials such as plastic report covers, plastic dividers, vinyl sleeves and GBC binding. Binder clips, glued materials, paper clips and staples are acceptable.
- Applicants should submit materials in a format which allows for easy removal and recycling of paper materials.
- Applicants are encouraged to use other products which contain recycled content in their response documents. Such products may include, but are not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc.
- Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

6. Public Records: All responses and information submitted in response to this Grant Announcement are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

7. Restriction on the Use of the Commonwealth Seal: Applicants and Grantees are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

8. Subcontracting Policies: Concurrence of the Department is required for any subcontracted service of the contract. Grantees are responsible for the satisfactory performance and adequate oversight of its subcontractors. See also, Article 9 of the Commonwealth Terms and Conditions.

9. Confidential Information: The Grantee acknowledges that, in the performance of this Contract, it may acquire information that the Department deems confidential and not a public record as defined by M.G.L. chapter 4, subsection 7, including but not limited to policies, procedures, guidelines, and case information and that the unauthorized disclosure of such information would cause the Department, in the execution of its functions, irreparable damage. The Grantee shall comply with all laws and regulations relating to confidentiality and privacy, including any rules, regulations, or directions of the Department. See also, Standard Contract Form's Contractor Instructions, pages 4-5, regarding the Protection of Commonwealth Data, Personal Data, And Information.

10. Security of Confidential Information: The Grantee agrees to take reasonable steps to ensure the physical security of such data under its control, including but not limited to: fire protection; protection against smoke and water damages; alarm systems; locked files, guards or other devices reasonably expected to prevent loss or unauthorized removal of manually held data; passwords, access logs, badges or other methods reasonably expected to prevent loss or unauthorized access to electronically or mechanically held data; limited terminal access, access to input documents and output documents, and design provisions to limit use of personal data.

Flow-down the Confidentiality Provision to Subcontractors: The Grantee shall include language in agreements with each of its Subcontractors, which binds the Subcontractors to compliance with the confidentiality provisions of this Contract.

11. Fraud, Waste, and Abuse, and False Statements: Applicants and Grantees that commit fraud, waste, and/or abuse or supply MassDEP or its representatives with false statements shall result in the applicant being disqualified from Grant eligibility, and Grantees being suspended or terminated from the project. Misstatements meant to mislead MassDEP or its representatives, and other elements of fraud, waste or abuse of funds may also result in debarment of the Grantee from future Departmental projects, and potential legal action depending on the nature of the violation of this section.

12. Performance, Progress Reporting, and Funding Reference for Printed and Internet Posted Materials: The Grantees will be required to demonstrate satisfactory performance under this contract through periodic review by the MassDEP 319 Program. Projects will have quarterly progress reports, a draft and a final project completion report. Quarterly reporting requirements include a task-by-task summary of project progress, percent of task completion, work to be conducted in the coming quarter, and any problems or challenges. All projects will have a final project completion report. All projects and descriptions, in print and on the Internet, must contain an acknowledgement of MassDEP and EPA participation using language specified in the project contract.

ATTACHMENT E

Additional Resources - Helpful websites for 319 Proposal Development

Massachusetts Nonpoint Source Management Program Plan, 2020-2024, with concise goals and objectives:

<https://www.mass.gov/doc/2014-2019-massachusetts-nonpoint-source-management-program-plan/>

Draft and Final **TMDL analyses** and the **Massachusetts 2016 Integrated List of Waters**

<https://www.mass.gov/total-maximum-daily-loads-tmdls>

The Clean Water Toolkit, Massachusetts Nonpoint Source Pollution Management Manual. A manual in electronic format that provides an overview of nonpoint source related issues, fact sheets and detailed information about best management practices to address nonpoint source problems.

<http://prj.geosyntec.com/npsmanual/default.aspx>

Watershed-based Planning Tool. The WBP will guide a user to select a watershed and complete the nine elements necessary to comprise a watershed-based plan <http://prj.geosyntec.com/MassDEPWBP>

NPDES Stormwater Regulated Communities. 319 funds cannot be used for activities that support final NPDES permits in the regulated area. <https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>

University of New Hampshire Stormwater Center, <http://www.unh.edu/unhsc/>, where in situ testing of several Best Management Practices is conducted. Visit this site for fact sheets and information about porous asphalt, gravel wetlands, swirl concentrators, and other relevant information.

MassDEP Project Summaries. One-page descriptions of projects that have received 604b or 319 funding over the last five years. <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#section-319-nonpoint-source-competitive-grants-program->

Water Quality Assessment Reports

<https://www.mass.gov/service-details/water-quality-assessments>

Stormwater Policy and General Publications

<https://www.mass.gov/info-details/stormwater>

Surface Water Quality Standards

<https://www.mass.gov/regulations/314-CMR-4-the-massachusetts-surface-water-quality-standards>

Cornell Extreme Precipitation Analysis website, providing rainfall analysis calibrated to the present climate <http://precip.eas.cornell.edu/>

EPA's Soak Up the Rain campaign, information and resources to support public outreach and education

<http://www.epa.gov/soakuptherain>

Three excellent newsletters with comprehensive grant information from public and private sources:

Ebb & Flow Newsletter, <https://www.mass.gov/orgs/division-of-ecological-restoration>

CZ-Mail, <https://www.mass.gov/service-details/cz-mail>
Massachusetts Land Trust Coalition, <https://massland.org/>

FREQUENTLY ASKED 319 QUESTIONS AND RESPONSES

INTRODUCTION

The following are frequently asked questions and answers about the 319 grant program. The questions and responses have been grouped into general categories to help prospective applicants find the information they might need. However, there is a great deal of overlap in categories, and readers are urged to familiarize themselves with the entire Q&R section.

GENERAL INFORMATION

1. Can RFR recipients ask any further questions about the RFR, written or oral, after April 2, 2020?

Bidders may contact Malcolm Harper, 319 RFR Coordinator, 508-767-2795, in the event that the RFR is incomplete or the Bidder is having trouble obtaining any required attachments, or to request access to TMDL analyses and other reports and information, or for other administrative questions. Department and all other Commonwealth employees cannot respond to project-related questions received after the RFR written question period, which ends on April 27, 2020.

The typical interactions between the Department's employees and potential grantees may continue as long as the RFR is not discussed.

2. Do prevailing wage rates apply to work on 319 funded projects?

Depending on the nature of the work and the public or private nature of the grantee, prevailing wage rates may apply to some or all of the work. For specific advice, applicants should consult with the agency that administers the prevailing wage law, the Department of Labor and Workforce Development, <http://www.mass.gov/lwd/>

3. Do 319 funds need to be spent within the fiscal year?

No, 319 projects are under contract for multiple years. However, invoicing for work done within the state's fiscal year (July 1-June 30) must be completed in a timely way in order to ensure payment.

4. Does the Department provide an explanation of why a proposal was not selected?

Every applicant will be notified of the results of the 319 selection process, and will be offered the opportunity to meet and discuss their proposal after the selection process is complete.

5. Can Applicants submit partial proposals before June 4, 2020, and then send additional materials as they become available?

Applicants may submit complete proposal packages prior to the **June 4, 2020 date**, but MassDEP strongly recommends against sending partial submittals to ensure that all proposal components are properly assembled for the reviewers. Letters of support that do not involve non-federal matching funds may be submitted after the proposal submittal date, i.e., up through and **until June 8, 2020**.

6. What does the Department mean by "Impaired water" and "Category of Water"?

Categories of water: Massachusetts has adopted EPA's Integrated Listing Methodology for reporting the status of water resources. The Integrated List replaces the 305b report of previous years by reorganizing the information according to the following categories:

Category 1 Waters: waters attaining all designated uses

Category 2 Waters: attaining some uses, other uses not assessed

Category 3 Waters: no uses assessed

Category 4a Waters: TMDL is complete

Category 4b Waters: waters expected to attain all uses in the near future

Category 4c Waters: impairment not caused by a pollutant

Category 5 Waters: waters requiring a TMDL (formerly the 303d list)

For purposes of the 319 program, "impaired waters" are those listed in **Categories 4a, 4c, and 5**. Impaired waters do not meet their designated uses, as defined by the Massachusetts Surface Water Quality Standards. These categories represent the former "303d list." The "Massachusetts Year 2016 Integrated List of Waters (303d list)" which includes these category listings can be found on the Department's web site at <http://www.mass.gov/dep/water/resources/tmdls.htm>. Information about the TMDL program and copies of draft and completed TMDLs can also be found at that site. The 2016 Integrated list is also available as a map from MassGIS (<http://www.mass.gov/eea/agencies/massdep/water/watersheds/integrated-list-of-waters.html>).

7. If I have a current 319 grant then am I eligible to apply for another?

Yes. All applicants should note that past performance on a 319 project is one of the Department's review criteria.

8. Is a water body with a documented blue-green algae problem eligible?

Yes, provided the waterbody is listed on the Massachusetts List of Impaired Waters and/or documentation of the cyanobacteria problem has been verified by MassDEP or MassDPH.

9. Is aeration eligible?

In-lake solutions, including aeration, are only eligible when all watershed sources of pollutants have been remediated. Aeration may be eligible, provided MassDEP's Watershed Planning Program agrees that this is an appropriate and cost-effective BMP.

BUDGET AND 40% NON-FEDERAL MATCH

10. How does the Department determine the amount of money that is available each year?

Congress annually awards 319 funds to states via EPA, according to a formula. The 319 funds given to the state are evenly split between Project funds and Program funds. As directed by federal 319 program guidelines, Project funds are 100% passed through as competitive subawards for implementation projects that address water quality impairments caused by nonpoint source pollution (Implementation projects). Program funds are partially used to support MassDEP's Nonpoint Source Program, and the

remainder is used to fund projects that are consistent with the state's Massachusetts Nonpoint Source Management Program Plan (NPS Plan).

11. Is there a limit on the amount of 319 grant funds that can be requested by an applicant?

No. Typical 319 grants range from \$50,000 to \$600,000. The Department encourages larger projects to facilitate watershed-wide improvements. The grantee must be able to provide at least a 40% non-federal match for the total project cost, cash or in-kind.

12. What is the payment procedure for 319 projects?

The grantee will be reimbursed for costs that are incurred for the project during the contractual period. Advance payments will not be made. The Department encourages grantees to submit invoices in a timely manner, as expenses are incurred; in most cases, it is suggested that grantees submit their invoices with their required quarterly progress reports. Reimbursement is generally made within 45 days subsequent to the grantee submitting a correctly executed invoice with appropriate backup documentation, a completed Match Certification Form, and all required Letters of Intent and Payment Voucher Attachment for DBE Reporting. No payments shall be made for Massachusetts sales tax. See also the 2016 Grantees Guide, <http://www.mass.gov/eea/docs/dep/water/gg2016.pdf>

All invoices must be submitted during the same state fiscal year (July 1 through June 30) in which the work is done. Under no circumstances can invoices be processed for work done in the previous state fiscal year. 10% of the 319 funds that are awarded are withheld from each invoice. At the end of the project, once the final report has been submitted and accepted and all other contract terms have been satisfied, the retainage will be released. When applying for a 319 grant, Applicants should ensure that they have sufficient financial resources available to pay for retainage amounts that will be withheld for the project costs incurred.

13. Can work begin before a contract is signed for a selected project?

Non-federal match work activities can begin prior to signing a Contract (or in the case of a state agency, an Interdepartmental Services Agreement), consistent with the guidelines outlined elsewhere in this RFR. However, since funding for this program is subject to the 319 federal grant award from the EPA to the Department, the Department cannot guarantee that a project will be funded even if it is on the list of recommended 319 projects that is submitted to EPA.

A Notice to Proceed letter will be sent to the Grantee by MassDEP once the contract is finalized. Reimbursement cannot be made for costs incurred for any work performed before the project start date contained in the Notice to Proceed.

14. Can in-kind services be utilized for the non-federal match of the section 319 funding? If so, how are the in-kind services calculated for the non-federal match (as actual cost or as estimated market value)?

Yes, in-kind services can be utilized to match the federal funding. In-kind services should be based on the actual cost for the service provided and must be reasonable for the services provided. Examples of in-kind services include the actual or estimated true value of: using DPW personnel and equipment to excavate a site for a Best Management Practice (BMP) installation; using non-federally funded personnel

to conduct outreach or technology transfer seminars; or donated engineering, design, or permitting services. Guidance for estimating the value of volunteer labor can be found at <https://www.independentsector.org/resource/the-value-of-volunteer-time/>

15. If another grant source is to be offered as part of the 40% match, and that grant has not been awarded by the time the RFR for 319 funding must be submitted, what documentation should be provided in the proposal?

As part of the proposal, the Applicant should submit a letter describing the matching grant being sought, along with the timetable for when those funds will be awarded, and any other relevant information such as the likelihood of receiving the funding. The Applicant's proposal will be reviewed, but no contract can be finalized with MassDEP until the matching funding has been finalized. The Applicant's request for the non-federal match grant must already be in process at the time of the submittal of the application for the 319 funds; in other words, an Applicant cannot wait for MassDEP's decision regarding a recommendation for 319 funds before applying for the non-federal match grant.

If a town meeting or council vote is required to secure/finalize the non-federal match, the Applicant should include a letter from an authorized official certifying that a request for non-federal match funding will be presented to the deciding municipal body for decision in a timely manner.

16. If the non-federal matching grant funds are awarded three days after the 319 proposal is submitted, should the Applicant notify the Department right away?

No, because this information became available after the proposal submittal date, it could have no bearing on the Department's proposal evaluation process.

17. What level of commitment must be provided with the proposal for the non-federal match?

Applicants must submit, as part of their proposal, letters of support from any organization(s) that will provide non-federal matching funds or in-kind services for a proposed project. Each letter must be written on the organization's letterhead, must detail the amount and source of the non-federal match (or in-kind services) to be provided, must provide a firm commitment to provide the matching funds or services, and must be signed by an authorized signatory for the organization. If municipal funds will be sought, but the availability of the funds is contingent on a future town meeting or city council appropriation, the Applicant must include a letter from the selectmen or mayor confirming that a request for funds will be put before the voters or city council. In this case, the funds must be in place before a contract will be finalized, but the vote does not need to be held prior to proposal submittal or in order for the proposal to be selected for funding.

For the up-front 40% non-federal match (i.e., match work completed after October 1, 2019 but before the start of the current 319 grant) Applicants must provide sufficient documentation to allow reviewers to qualify the match at the proposal review stage. This documentation should include the date(s) of the match work, the value of the service, deliverable(s), relationship to the project, and any other relevant information. If the up-front match cannot be validated at the proposal review, the proposal may be determined to be non-competitive. Therefore, Applicants are urged to pay careful attention to the thorough preparation and documentation of up-front match funds as part of their proposal.

**18. Does the rate of non-federal match expenditure need to match the rate of grant expenditure?
Does every invoice need to report a corresponding 40% match?**

No. At the end of the project, the non-federal match expenditure must meet the 40% commitment, but the rates of expenditure and reporting do not need to match on an invoice by invoice basis.

WATERSHED-BASED PLAN

19. What is the Watershed-based Plan? Are Applicants required to have one?

EPA requires a Watershed-based Plan (WBP) as a prerequisite to receiving 319 implementation funds. Project proposals that are responsive to this RFR have essentially addressed most of the WBP elements. An approved WBP is required before contracts can be finalized. MassDEP will provide a contractor to work with approved applicants to ensure completion of the required WBP. An online WBP tool will guide a user to select a watershed and complete the nine elements necessary to comprise a watershed-based plan <http://prj.geosyntec.com/MassDEPWBP>.

20. Can we use 319 funds to help develop a Watershed-based Plan?

No, as a completed Watershed-Based Plan will be required by the start of each implementation project. However, the development of an approved Watershed-Based Plan is eligible as match. A completed watershed-based plan will provide a comprehensive strategy that will lead to restoration of a waterbody. Using a WBP as the basis for 319 work will lead to eligible and highly competitive grant proposals. WBPs are required to support funding an implementation project.

21. What are the nine elements of a Watershed-based Plan?

The nine elements effectively comprise the information that would go into a TMDL implementation plan.

- a.** An identification of the causes and sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in this watershed-based plan.
- b.** An estimate of the load reductions expected for the management measures described below.
- c.** A description of the NPS management measures that will need to be implemented to achieve the load reductions estimated under paragraph (b).
- d.** An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan.
- e.** An information/education component that will be used to enhance public understanding of the project.
- f.** A schedule for implementing the NPS management measures identified in this plan.
- g.** A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.

h. A set of criteria that can be used to determine whether loading reductions are being achieved over time.

i. A monitoring component to evaluate the effectiveness of the implementation efforts.

22. Will priority be given to proposals for work in an entire watershed?

Projects should strive to encompass the watershed of the targeted segment. Depending on the location and the extent of the impairments, this could be a watershed of any size. The WBP tool has been designed to help define the watershed of each waterbody. The most competitive implementation proposals address NPS problems in the entire watershed that will be mitigated by the proposed BMPs.

Selection will be based on the quality and responsiveness of the proposal. The goal of the 319 program is to meet water quality standards and beneficial uses, and to carry out the goals of the Massachusetts Nonpoint Source Management Program Plan. The most competitive projects proposals will aggressively seek to meet these goals. An implementation project that comprehensively addresses one impairment and results in meeting a water quality standard is preferable to a project that partially addresses several impairments with no resulting change in water quality status.

PROPOSAL CONTENT

23. What constitutes an enforcement action that would disqualify a proposal?

Any local, state or federal enforcement action that is currently in effect, or that is identified by the MassDEP regional office as imminent, will disqualify a proposal. Once the matter has been resolved and the enforcement action is ended, proposals will no longer be disqualified.

24. Must an Applicant own the land on which proposed BMPs will be constructed?

No. However, Applicants must demonstrate in their proposal that they have written permission to access the property to design, construct, and maintain the BMPs. Structural BMPs funded under the 319 program may be located on public or private land.

If an Applicant is negotiating an easement for access to the property for installation and long-term maintenance of the BMP, but negotiations are not yet final, the proposal should include the draft easement, documentation of the negotiations to date, the anticipated date when the negotiations will be final, and a letter of support for the project from the landowner.

If the Applicant is negotiating the purchase of land where a BMP is to be located as part of a 319-funded project, but the purchase is not yet final, the proposal should include documentation of the purchase process to date (P&S if available, any written documentation of negotiated purchase price, projected timeline for purchasing the property, etc.) and a letter of support for the project from the landowner.

25. Are streambank and shoreline stabilization projects eligible for 319 funding?

Yes. Bank erosion and channel instability can be a significant source of sediment and nutrients, and can be associated with hydrologic and habitat impairment. Because the greatest amount of funding is

available for Implementation projects, the most competitive proposals will link the restoration work to remediation of a water quality impairment.

Watershed restoration work is also recognized as key to protecting infrastructure and natural resources from hydrologic impacts related to climate change, and as such this work can be eligible for 319 funding in any watershed as a Healthy Watershed project. Proposals should comprehensively describe and address the watershed problems that are the cause of the erosion and channel instability.

26. Where shall we put narrative about past history in our proposal?

Include it as Background in the project description.

27. Where shall I place a citation to justify proposed work?

Include the citation and page number(s) as part of a project description and add the cited report as an attachment.

28. There is so much climate change information out there: what should I include in my proposal?

BMP designs should be sized to accommodate current climate. One source of information is Northeast Regional Climate Center, <http://precip.eas.cornell.edu/>. Cite the data you are using in support of your proposal.

29. Is a NRCS-approved Conservation Plan helpful to show as part of previous work?

Yes.

30. I am considering a green infrastructure project, using streetscape designs and runoff calculations developed for US Forest Service urban forestry grant. How advanced must the designs need to be? Might its scale be too small to be competitive, and does it make sense to include another GI project nearby?

Conceptual designs are required and must provide sufficient detail to allow the proposal review committee to evaluate the viability of the proposal. Projects should implement watershed-based strategies that address the major source of pollution in a watershed, leading to attainment of water quality standards. Therefore, small-scale projects are much less competitive than larger ones. A small-scale project matched along with other eligible tasks within the watershed could make a project more cost effective and thus more competitive.

31. If our project will remove bacteria, how specific should the calculations be, per BMP or per the overall project?

Estimated quantities of all targeted pollutants to be removed must be provided for the overall project as well as the quantities removed by each BMP.

NPDES STORMWATER PERMITS

32. How can I find out about my NPDES status?

Go to the EPA web site for Regulated Communities in Massachusetts, <https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>. **Scroll down** to the town you are interested in. Click on the '303d/305b' map.

319 restrictions on NPDES stormwater activities apply only in these regulated areas. Additional information about NPDES permit restrictions and competitive proposal development is found in the body of the RFR.

33. Do the NPDES stormwater permit limitations apply to everyone, or just to the permit holder?

The limitations apply to everyone. Within designated NPDES stormwater permitted (i.e., MS4, RDA, Phase I and Phase II) areas, section 319 funds cannot be used by any grantee to do work that is specifically required by the current NPDES permit. Applicants are urged to coordinate with stormwater permit writers in the project area to ensure that proposed work will not become required under new, or proposed, permits.

34. How will the new NPDES MS4 permit affect project eligibility?

As stated previously, 319 nonpoint source funds cannot be used to implement the requirements of NPDES permits. The federal definition of nonpoint source pollution specifically excludes NPDES permitted discharges.

The new **NPDES MS4 permit for Massachusetts is in effect**. The new permit requires regulated entities to develop or enhance Stormwater Management Plans (SWMP). Section 319 supported work will remain eligible in regulated areas unless or until the work becomes required by the permit or the SWMP. For example, if the SWMP outlines a strategy of progressive housekeeping and implementation activities that culminate in requiring a BMP at the end of a five-year timeline, the BMP is eligible for 319 funds up until the end of the five-year timeline, when the work becomes required.

For these projects, Applicants should read their permits and demonstrate to MassDEP that the proposed work activities are not required by the permit. All work activities for the 319 project must be *completed* by the Applicant prior to the time when the activities are mandated in a new NPDES permit.

35. Is mapping work in a MS4 regulated area eligible?

Mapping stormwater systems and/or outfalls in an MS4 area is required as part of the MS4 permit and is therefore not an eligible activity. Mapping a river corridor in a MS4 area, as part of a protection proposal, would be eligible, provided it is not required by the MS4 permit.

36. Is the groundwork for bylaw development to help meet MS4 permit requirements eligible as match for 319?

No. Work that addresses the requirements of the MS4 permit is not 319-eligible.

37. Is agricultural work in an MS4 area eligible?

Yes, agriculture work is exempted from NPDES permit requirements and is therefore 319-eligible in all watersheds.

PROPOSAL EVALUATION

38. Is there an advantage to a proposal with different sections or "modules" that may be funded separately or in part?

Ultimately, it is the quality, responsiveness and need for the project that determines whether or not an eligible proposal receives 319 funding. The "Scope of Services" required as part of every proposal breaks the proposals down into individual tasks. The Department's proposal evaluation team has the discretion to decide to recommend funding for all, or for some, of the tasks listed in the project proposal.

39. If Applicants collaborate on a joint proposal, with whom does the state contract for the work?

The contract will be executed with only one lead party, as designated in the project proposal. All other parties, if described as participants in the proposed project, must submit letters of support to be included with the proposal.

The Department may require that a Memorandum of Understanding (MOU) be signed by the grantee and any participating organization and/or agency prior to receiving Notice to Proceed for the contract. An MOU is an agreement between the grantee and each participating organization and/or agency that lists the specific project responsibilities of these participating groups.

40. What role does EPA perform in the selection of eligible proposals for funding?

A review committee comprised of representatives from EPA, MassDEP, DER, CZM, and other EEA agencies evaluates and prioritizes the proposals and makes recommendations for funding to EPA for final approval. In the past, the EPA has concurred with the Department's recommendations for funding. However, funding for 319 projects is ultimately subject to the availability of 319 funds from EPA for each fiscal year.

41. The waterbody is listed, but not for bacteria. Geese have been identified as an issue: is geese deterrent landscaping eligible?

It is eligible, however you may consider making it part of larger project that addresses the listed impairment(s) to make it more competitive.

42. Our plans and estimated costs may not be completed by the proposal deadline. What kind of flexibility is there to change the scope after the fact?

The most competitive proposals provide definitive information about the project, sufficient to reassure reviewers that the project is feasible and ready to build as soon as funds become available. Lack of certainty or detail reduces competitiveness and may render the proposal ineligible.

43. There is a TMDL in place for one pollutant, but can we go after another pollutant that is not on the 303d list?

319 funds are prioritized for 303D-listed impairments. It is highly unlikely that a proposal that bypasses a listed pollutant in favor of one that is not documented would be competitive. However, the non-listed pollutant could be addressed as part of a larger project, or as part of BMP that would also be effective for the listed impairment.

44. Stormwater discharges drain into a pond, which is not currently listed, and the pond drains into the Assabet River, which is listed. Can we apply for BMPs to address the outfalls draining into the pond, or is it more competitive to focus on the outfalls that drain directly into the river?

Both are eligible, but is there data that shows the outfalls are major contributors of pollutants? Maximizing the removal of listed pollutants entering the Assabet should be the ultimate goal. An approved Watershed-Based Plan provides an overall strategy for prioritizing pollutant mitigation in the targeted watershed and will help justify your approach.

SUBCONTRACTING

45. When subcontracting, is the grantee required to follow bidding procedures as required by state law?

Grantees should follow their own organization's procurement policies, as not all grantees are required to follow state procurement laws; for example, watershed associations and other private entities. Applicants should note that they are ultimately responsible for all activities of their subcontractors during the course of the project.

46. Is there a limit to the amount of money that can be subcontracted out for each project?

Although there is no limit to the amount of 319 grant funds that can be subcontracted out from each project's total grant award, it is expected that if subcontracting services are included as part of the proposed project, the subcontracted services are fully documented and justified by the Applicant as part of the submission, are demonstrated to be cost effective for the project, and are appropriately offered to DM/WBE bidders to help meet Fair Share goals.

FAIR SHARE, DBE, AND AFFIRMATIVE ACTION

47. If an Applicant proposes to perform all services of the project "in house" and has no need to subcontract, how will the "Fair Share" requirements apply if the Applicant is awarded a 319 grant?

The "Fair Share" requirements apply to the project total, i.e., the 319 grant plus the 40% non-federal matching funds. Therefore, if an Applicant proposes to use the grant to fund the salaries of in-house personnel who will implement the project, the grantee must obtain a waiver from the Department for the portion of the goals that cannot be met before the project is finalized. To obtain a waiver, the grantee will need to demonstrate to the Department's satisfaction that good faith efforts were made to maximize DBE utilization for the project.

48. Can a DBE nonprofit environmental organization not listed in the SDO directory qualify under the requirements of "Fair Share"? How can DBEs apply for SDO certification?

A business must be certified by the State Supplier Diversity Office (SDO) as a D/MBE or D/WBE by the time the Fair Share documentation is submitted to the Department. If a firm has not yet been certified by SDO the Contractor should direct the firm to file an application with SDO and notify the Department who can request SDO to "fast track" its review of the application.

49. What types of waivers are available for DBE compliance?

At the end of the contract, full or partial waivers may be granted for either D/MBE or D/WBE participation or both. Waiver requests must be in writing and must fully document to the Department's satisfaction the "good faith" efforts made to meet the DM/WBE goal. Grantees must follow the six affirmative steps set forth in the federal EPA's fair share procurement regulations.

50. If we are awarded a contract, how do we determine which DWBE or DMBE to use?

Choose the one(s) that best provides the services that you need. At the end of the project, if you have not met the DBE fair share goals, you may apply for a waiver for the unmet goals.

51. How much money will be allocated for regional nonpoint source coordinators for Worcester and/or Essex Counties, and the Agricultural Nonpoint Source Regional Coordinator in Berkshire, Franklin, Hampshire, and/or Hampden counties?

Approximately \$100,000 per position plus match.

52. Is a Watershed Based-Plan (WBP) due at the time the proposal is due?

No. An approved WBP must be submitted by the start of a grant contract (likely sometime in January or February).

53. Is the time and effort we apply to developing a Watershed-Based Plan eligible as match?

Yes, the development of an approved Watershed-Based Plan is eligible as match. The online WBP tool (<http://prj.geosyntec.com/MassDEPWBP>) also includes a WBP checklist to help applicants/grantees rate their plan to *enhance* it and their chances of being funded from the 319 grant program.

54. For infiltration BMPs, is it preferable to submit a phased application that first requests only funding for project design, permitting, plans and bid specs?

No. Project funds are for implementation projects that address water quality impairments caused by nonpoint source pollution. Requesting grant funds for design/planning/permitting work without implementation will not be competitive.

55. If awarded a grant must we forward an electronic copy of the most recent audit conducted by an independent auditor?

Yes, please forward and electronic copy of the most recent audit to the 319 Program Coordinator.

56. Are permitting costs eligible?

Yes, generally but not in all cases, permitting costs are eligible for grant reimbursement or as match. They are not eligible if for NPDES stormwater permitting-related costs.

ATTACHMENT F

2021 Priority Waterbodies for 319

The following Massachusetts waterbodies are proposed as nonpoint source impaired waters that are most likely to respond to remediation efforts that will result in meeting water quality standards (Table 1). Waterbodies listed here are defined by segment or waterbody number. Water quality impairments are found in the Final Massachusetts 2016 Integrated list of Waters (<http://www.mass.gov/dep/water/resources/tmdls.htm>)

This list has been developed using the following approach:

1. The Massachusetts Recovery Potential Screening Tool (RPST, version dated 2/14/2020) was used to identify HUC-12 subwatersheds that are most highly recoverable. Watersheds showing high and medium-high recoverability potential (Recovery Potential Index greater than 46) were selected. See Table 2 for the RPST tool setup parameters.
2. For watersheds selected in Step 1, maps of MS4 regulated areas were overlaid with MassDEP segment coverages. Segment locations were reconciled with regulated areas, and the waterbodies located in regulated areas were screened out as lower priority to receive 319 funds.
3. For each waterbody, the impaired causes were characterized as to whether they were likely nonpoint source related impairments (See Table 3 for impairment likely due to NPS cause). Additionally for each waterbody the likely NPS related impairments were characterized based on whether they are priority (See Table 4 for list of priority NPS impairments).
4. Finally waterbodies in the Hudson, Housatonic, Deerfield, Farmington, Westfield, Connecticut, Millers and Quinebaug Watersheds where agriculture was listed as a suspected source of impairment were added back in regardless of their location in a MS4 area.
5. The targeted waterbodies are shown below, with the water quality impairments that can most effectively be addressed through NPS BMPs (Table 1).

This is a partial list for planning purposes only. Applicants wishing to work in other watersheds are encouraged to follow similar methodology in order to identify competitive, high priority projects. Contact Matthew Reardon at 508-849-4002 or matthew.reardon@mass.gov for assistance and access to resources.

Table 1: 2020 Priority Waterbodies for Nonpoint Source 319 Program

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Buzzards Bay	MA95080	Leonards Pond	Rochester.	49 acres	B	Aquatic Plants (Macrophytes), <i>Chlorophyll-a</i> , <i>Transparency / Clarity</i> , Non-Native Aquatic Plants	Agriculture, Source Unknown, Introduction of Non-native Organisms (Accidental or Intentional)	TRUE	47
Cape Cod	MA96-67	Herring River	Headwaters outlet Herring Pond, Wellfleet to south of High Toss Road, Wellfleet.	3.6 miles	B (ORW)	<i>Aluminum</i> , <i>Fish Kill(s)</i> , <i>Fish Passage Barrier</i> , <i>Flow Regime Modification</i> , pH, Low	Changes in Tidal Circulation/Flushing, Hydrostructure Impacts on Fish Passage	FALSE	53
Cape Cod	MA96-108	Unnamed Tributary	Unnamed tributary to Herring River, headwaters outlet Perch Pond, Wellfleet to mouth at confluence with Herring River, Wellfleet (area within Cape Cod National Seashore designated as ORW).	2 miles	B (ORW)	<i>Escherichia Coli (E. Coli)</i>	Source Unknown	TRUE	53
Cape Cod	MA96268	Ryder Pond	Truro.	18 acres	B (ORW)	Mercury in Fish Tissue, <i>Dissolved Oxygen</i> , <i>Phosphorus</i> , <i>Total</i>	Atmospheric Deposition - Toxics, Source Unknown	TRUE	53
Chicopee	MA36-01	East Branch Ware River	Headwaters, outlet Bickford Pond, Hubbardston to mouth at confluence with West Branch Ware River (forming headwaters of Ware River), Barre.	12.4 miles	A (PWS, ORW)	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	55
Chicopee	MA36021	Brookhaven Lake	West Brookfield.	34 acres	B	<i>Turbidity</i>	Source Unknown	FALSE	53
Chicopee	MA36130	Quaboag Pond	Brookfield/East Brookfield.	544 acres	B	<i>Algae</i> , Eurasian Water Milfoil, Myriophyllum spicatum, Non-Native Aquatic Plants, Mercury in Fish Tissue, <i>Phosphorus</i> , <i>Total</i>	Internal Nutrient Recycling, Municipal Point Source Discharges, Introduction of Non-native Organisms (Accidental or Intentional), Source Unknown, Non-Point Source	TRUE	51

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Chicopee	MA36-08	Prince River	Headwaters, outlet Hemingway Pond, Barre to mouth at confluence with Ware River, Barre (excluding approximately 0.6 miles through Old Reservoir, segment MA36114).	7.1 miles	B (CWF, HQW)	<i>Escherichia Coli (E. Coli)</i>	Source Unknown	TRUE	50
Chicopee	MA36-27	Ware River	Confluence of East Branch Ware and West Branch Ware rivers, Barre to MDC intake, Barre.	4.9 miles	A (PWS, ORW)	<i>Dissolved Oxygen, Temperature</i>	Municipal Point Source Discharges, Source Unknown	FALSE	49
Chicopee	MA36025	Browning Pond	Oakham/Spencer.	106 acres	B	Mercury in Fish Tissue, Non-Native Aquatic Plants, <i>Nutrient/Eutrophication Biological Indicators</i>	Atmospheric Deposition - Toxics, Introduction of Non-native Organisms (Accidental or Intentional), Source Unknown	TRUE	47
Chicopee	MA36056	Eames Pond	Paxton.	58 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	47
Chicopee	MA36050	Dean Pond	Oakham.	64 acres	B	<i>Algae, Turbidity</i>	Source Unknown	TRUE	47
Connecticut	MA34103	Lake Wyola	Shutesbury.	124 acres	B	<i>Nutrient/Eutrophication Biological Indicators, Phosphorus, Total</i>		TRUE	57
Connecticut	MA34042	Leverett Pond	Leverett.	91 acres	B	Eurasian Water Milfoil, <i>Myriophyllum spicatum</i> , Non-Native Aquatic Plants, <i>Nutrient/Eutrophication Biological Indicators</i>		TRUE	54
Connecticut	MA34-25	Mill River	Headwaters, outlet Factory Hollow Pond, Amherst to mouth at inlet Lake Warner, Hadley.	5.2 miles	B	<i>Escherichia Coli (E. Coli)</i>	Agriculture, Source Unknown, Unspecified Urban Stormwater	TRUE	54
Connecticut	MA34098	Lake Warner	Hadley.	65 acres	B	<i>Algae, Dissolved Oxygen, Non-Native Aquatic Plants, Phosphorus, Total, Turbidity</i>		TRUE	54

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Connecticut	MA34-23	Weston Brook	Headwaters, south of State Street (Route 202), Belchertown to mouth at inlet Forge Pond, Granby (WWF applies from the confluence of Lampson Brook in Belchertown to the mouth).	2.7 miles	B (WWF*)	<i>Phosphorus, Total</i>	Source Unknown	TRUE	50
Connecticut	MA34024	Forge Pond	Granby.	72 acres	B (WWF)	<i>Nutrient/Eutrophication Biological Indicators, Non-Native Aquatic Plants</i>	Source Unknown, Introduction of Non-native Organisms (Accidental or Intentional)	TRUE	50
Deerfield	MA33-19	East Branch North River	Vermont line, Colrain to confluence with West Branch North River, Colrain.	7.5 miles	B (CWF, HQW)	<i>Escherichia Coli (E. Coli)</i>	Agriculture, Source Unknown	TRUE	61
Deerfield	MA33-07	South River	Headwaters, outlet Ashfield Pond, Ashfield to Emmets Road, Ashfield.	2.3 miles	B (CWF)	<i>Temperature</i>	Dam or Impoundment, Source Unknown	FALSE	54
Deerfield	MA33-102	South River	From confluence with Johnny Bean Brook, Conway to confluence with Deerfield River, Conway (formerly part of MA33-08), (through South River Impoundment formerly segment MA33022).	6.8 miles	B	<i>Physical substrate habitat alterations, Escherichia Coli (E. Coli), Fecal Coliform</i>	Source Unknown	TRUE	54
Deerfield	MA33-101	South River	Emmets Road, Ashfield to confluence with Johnny Bean Brook, Conway (formerly part of MA33-08).	6.1 miles	B (CWF)	<i>Escherichia Coli (E. Coli), Fecal Coliform</i>	Source Unknown	TRUE	54
Deerfield	MA33-17	Bear River	Headwaters west of Barnes Road, Ashfield to confluence with Deerfield River, Conway.	6.9 miles	B (CWF)	<i>Temperature</i>	Source Unknown	FALSE	50
Deerfield	MA33-20	Dragon Brook	Headwaters, perennial portion north of Patten Road, Shelburne to confluence with the Deerfield River, Shelburne.	4.4 miles	B	<i>Temperature</i>	Agriculture, Loss of Riparian Habitat, Source Unknown	FALSE	50
Deerfield	MA33-21	Hinsdale Brook	Headwaters east of Fiske Mill Road, Shelburne to confluence with Punch Brook, Greenfield.	2.8 miles	B	<i>Escherichia Coli (E. Coli)</i>	Agriculture, Source Unknown	TRUE	

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Deerfield	MA33-70	Mill Brook	Headwaters, north of West Mountain Road, Bernardston to confluence with Cherry Rum Brook, Greenfield.	8.4 miles	B	<i>Benthic Macroinvertebrates Bioassessments</i>	Agriculture, Golf Courses, Highway/Road/Bridge Runoff (Non-construction Related), Residential Districts, Source Unknown	FALSE	
Farmington	MA31-11	Benton Brook	Headwaters, drainage from Hayden Swamp, Otis to mouth at confluence with the West Branch Farmington River, Otis.	5.2 miles	B (CWF, HQW)	<i>Benthic Macroinvertebrates Bioassessments</i>	Source Unknown	FALSE	58
Farmington	MA3103 6	Shaw Pond	Becket/Otis.	80 acres	B	<i>Dissolved Oxygen, Eurasian Water Milfoil, Myriophyllum spicatum</i>	Source Unknown, Introduction of Non-native Organisms (Accidental or Intentional)	FALSE	58
Farmington	MA31-01	West Branch Farmington River	Headwaters, outlet Hayden Pond, Otis to the MA/CT border in the Colebrook Reservoir, Sandisfield/Tolland.	16.1 miles	B (CWF, HQW)	Lack of a coldwater assemblage, <i>Temperature</i>	Dam or Impoundment	FALSE	57
Farmington	MA3104 4	Upper Spectacle Pond	Sandisfield/Otis.	53 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	57
Farmington	MA3105 2	York Lake	New Marlborough.	29 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	56
Farmington	MA3100 4	Big Pond	Otis.	325 acres	B	Mercury in Fish Tissue, Dissolved Oxygen	Atmospheric Deposition - Toxics, Source Unknown	FALSE	53
Housatonic	MA2104 0	Lake Garfield	Monterey.	255 acres	B	Mercury in Fish Tissue, <i>Dissolved Oxygen, Eurasian Water Milfoil, Myriophyllum spicatum, Non-Native Aquatic Plants, Phosphorus, Total</i>	Atmospheric Deposition - Toxics, Source Unknown, Introduction of Non-native Organisms (Accidental or Intentional), Internal Nutrient Recycling	TRUE	47

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Housatonic	MA21014	Lake Buel	Monterey/New Marlborough.	191 acres	B	Eurasian Water Milfoil, <i>Myriophyllum spicatum</i> , Non-Native Aquatic Plants, <i>Dissolved Oxygen</i> , <i>Dissolved Oxygen Supersaturation</i> , <i>Phosphorus, Total</i>	Introduction of Non-native Organisms (Accidental or Intentional), Internal Nutrient Recycling, Source Unknown	TRUE	47.3
Hudson: Hoosic	MA11-05	Hoosic River	Confluence with North Branch Hoosic River, North Adams to the Vermont State line, Williamstown.		B	PCBs In Fish Tissue, Alteration in stream-side or littoral vegetative covers, Flow Regime Modification, <i>Nutrient/Eutrophication Biological Indicators</i> , <i>Escherichia Coli (E. Coli)</i> , <i>Fecal Coliform</i>	Brownfield (Non-npl) Sites, Channelization, Streambank Modifications/destabilization, Agriculture, Municipal Point Source Discharges, Source Unknown, Urban Runoff/Storm Sewers	TRUE	
Hudson: Kinderhook	MA12-01	Kinderhook Creek	Headwaters, northwest of Sheeps Heaven Mountain and east of Route 43, Hancock to New York/Massachusetts border, Hancock.	5.5 miles	B (CWF, HQW)	<i>Benthic Macroinvertebrates Bioassessments</i>	Agriculture, Highway/Road/Bridge Runoff (Non-construction Related)	FALSE	
Ipswich	MA92-18	Gravelly Brook	Headwaters, Willowdale State Forest, Ipswich to confluence with Ipswich River, Ipswich.	1.5 miles	B	<i>Benthic Macroinvertebrates Bioassessments</i>	Source Unknown	FALSE	37.5
Islands	MA97085	Seths Pond	West Tisbury.	11 acres	B	<i>Algae, Transparency / Clarity</i>	Source Unknown	TRUE	53.0
Islands	MA97-17	Edgartown Great Pond	excluding Jacobs Pond (PALIS# 97038) Edgartown, Martha's Vineyard.	1.35 square miles	SA (SFO)	<i>Estuarine Bioassessments, Nitrogen, Total, Nutrient/Eutrophication Biological Indicators</i>	No information	TRUE	51.4
Islands	MA97-18	Tisbury Great Pond	Including Town Cove, Muddy Cove, Pear Tree Cove, Short Cove, Tiah Cove, Tississa Pond, Deep Bottom Cove, and Thumb Cove, Chilmark/West Tisbury, Martha's Vineyard.	1.1 square miles	SA (SFO)	<i>Dissolved Oxygen, Estuarine Bioassessments, Nitrogen, Total, Nutrient/Eutrophication Biological Indicators, Fecal Coliform</i>	Impervious Surface/Parking Lot Runoff, On-site Treatment Systems (Septic Systems and Similar Decentralized Systems), Residential Districts, Source Unknown	TRUE	51.4

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Islands	MA97035	Head of Hummock Pond	Nantucket.	16 acres	B	<i>Harmful Algal Blooms</i>	Source Unknown	TRUE	51.0
Islands	MA97-02	Sesachacha Pond	South of Quidnet Road and north of Polpis Road, Nantucket.	0.42 square miles	SA (SFO)	<i>Fecal Coliform</i>	Source Unknown	FALSE	51.0
Islands	MA97-01	Nantucket Harbor	Waters south and east of an imaginary line drawn from Jetties Beach to Coatue Point (excluding Polpis Harbor and Coskata Pond), Nantucket.	7.16 square miles	SA (SFO)	<i>Estuarine Bioassessments, Nitrogen, Total, Fecal Coliform</i>	Impervious Surface/Parking Lot Runoff, On-site Treatment Systems (Septic Systems and Similar Decentralized Systems), Residential Districts, Source Unknown	TRUE	51.0
Merrimack	MA84A-31	South Branch Souhegan River	Headwaters, outlet Watatic Pond, Ashburnham to New Hampshire state line, Ashby.	3 miles	B	<i>Escherichia Coli (E. Coli)</i>	Source Unknown	TRUE	51.0
Merrimack	MA84096	Ward Pond	PALIS id changed from 35094 to 84096 on October 10, 1997. (WBID from MA35094 to MA84096) Ashburnham.	54 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	51.0
Millers	MA35024	Gales Pond	Warwick.	12 acres	B	<i>Turbidity, Mercury in Fish Tissue</i>	Source Unknown, Atmospheric Deposition - Toxics	FALSE	58.7
Millers	MA35035	Laurel Lake	Erving/Warwick.	44 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	58.7
Millers	MA35-16	Keyup Brook	Headwaters Great Swamp Northfield State Forest, Northfield, to confluence with Millers River, Erving.	5 miles	B	PCBs In Fish Tissue, <i>Escherichia Coli (E. Coli)</i>	Contaminated Sediments, Releases from Waste Sites or Dumps, Source Unknown	TRUE	58.5
Millers	MA35111	Tully Lake	Royalston/Athol.	214 acres	B	<i>Harmful Algal Blooms</i>	Source Unknown	TRUE	56.7
Quinebaug	MA41033	Morse Pond	Southbridge.	41 acres	B	Aquatic Plants (Macrophytes), <i>Dissolved Oxygen</i>	Source Unknown	FALSE	56.0

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Quinebaug	MA41-16	Unnamed Tributary	Unnamed tributary to Mill Brook, headwaters, outlet Sherman Pond, Brimfield to mouth at confluence with Mill Brook, Brimfield.	1.2 miles	B	<i>Benthic Macroinvertebrates Bioassessments, Dissolved Oxygen, Sedimentation/Siltation, Escherichia Coli (E. Coli)</i>	Source Unknown, Non-Point Source	TRUE	48.7
Quinebaug	MA41-17	West Brook	Headwaters, west of the Dix Hill Road/Route 19 intersection (excluding intermittent portion), Brimfield to mouth at confluence with Mill Brook, Brimfield.	1.8 miles	B	<i>Escherichia Coli (E. Coli)</i>	Source Unknown	TRUE	48.7
Quinebaug	MA4100 1	Alum Pond	Sturbridge.	198 acres	B	<i>Dissolved Oxygen</i>	Source Unknown	FALSE	48.7
Westfield	MA32-65	Middle Branch Westfield River	Source in Peru State Wildlife Management Area, north of Pierce Road, Peru to Kinnebrook Road, Dayville (locality in Chester).	13.7 miles	A (PWS, ORW, CWF)	<i>Temperature</i>	Loss of Riparian Habitat, Source Unknown	FALSE	58.2
Westfield	MA32-13	West Falls Branch	Headwaters (perennial portion), at confluence with Bronson Brook, northeast at the intersection of Dingle Road and Route 143, Worthington to mouth at confluence with Westfield River near the village of West Chesterfield, Chesterfield. (formerly identified by the Massachusetts Stream Classification Program as West Branch).	2.9 miles	B (CWF)	<i>Temperature</i>	Source Unknown, Loss of Riparian Habitat	FALSE	57.5
Westfield	MA32-16	Little River	Headwaters, confluence of Watts and Wards streams, Ringville (locality in Worthington), to mouth at confluence with Westfield River, Huntington.	5.7 miles	B	<i>Temperature</i>	Loss of Riparian Habitat, Source Unknown	FALSE	57.5
Westfield	MA32-04	Westfield River	Headwaters, confluence of Drowned Land Brook and Center Brook, Savoy to confluence with Middle Branch Westfield River, Huntington.	33.1 miles	B (CWF, HQW)	<i>Temperature, Enterococcus</i>	Loss of Riparian Habitat, Source Unknown	FALSE	57.5

Watershed	Segment ID	Name	Segment Description	Size	Class	Impairment Causes (Likely NPS in italics)	All Sources	Priority NPS Cause	Recovery Potential Index Score
Westfield	MA32-41	Moose Meadow Brook	Outlet Westfield Reservoir to mouth at confluence with Westfield River, Westfield (formerly part of segment MA32-23).	4.8 miles	B	Escherichia Coli (E. Coli), Fecal Coliform	Agriculture, Grazing in Riparian or Shoreline Zones	TRUE	55.1
Westfield	MA32076	Windsor Pond	Windsor.	46 acres	B	Mercury in Fish Tissue, <i>Dissolved Oxygen</i> , Eurasian Water Milfoil, <i>Myriophyllum spicatum</i>	Atmospheric Deposition - Toxics, Source Unknown, Introduction of Non-native Organisms (Accidental or Intentional)	FALSE	55.0

Figure 1: Output from the Recovery Potential Screening Tool

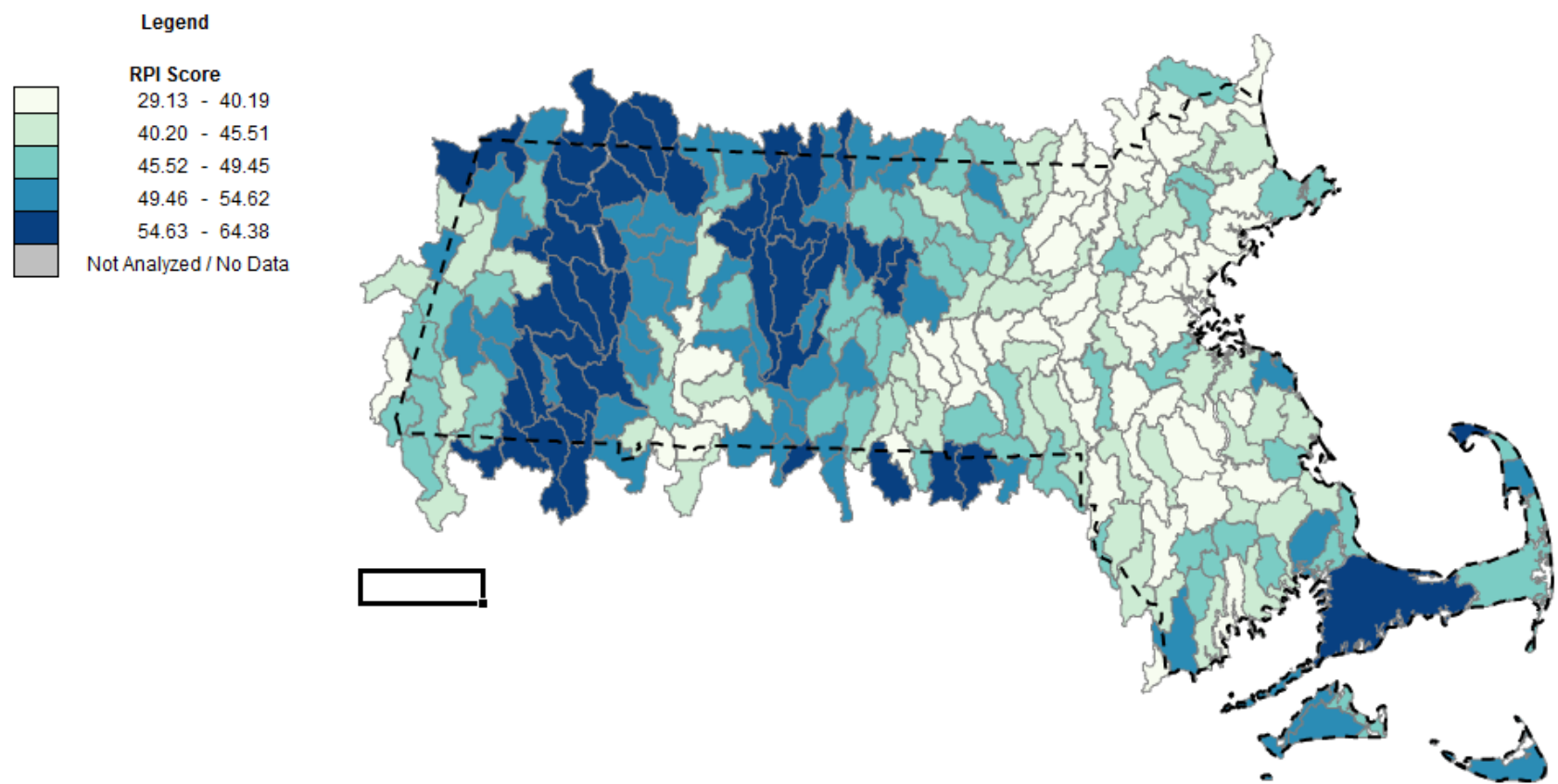


Table 2: Recovery Potential Screening Tool Indicator Setup

Indicator Type	Indicator Name	Weight
Ecological Indicator	Confluences Imp/Unimp (#/impaired mi) (INSTATE)	1
Ecological Indicator	Watershed % Forest (INSTATE)	1
Ecological Indicator	Stream Corridor (30.5M) % Woody Veg (INSTATE)	1
Ecological Indicator	Open Water Buffer (30.5M) % Woody Veg (INSTATE)	1
Ecological Indicator	PHWA Watershed Health Index, State Percentile (2016)	1
Ecological Indicator	Mean Index of Ecological Integrity (INSTATE)	1
Ecological Indicator	% Rare Ecosystem in WS	1
Ecological Indicator	Infiltration BMP Suitability (Ksat um/s) (INSTATE)	1
Stressor Indicator	% Agriculture in WS (2016)	1
Stressor Indicator	% Agriculture in RZ (2016)	1
Stressor Indicator	% Pasture/Hay in WS (2016)	1
Stressor Indicator	% Pasture/Hay in RZ (2016)	1
Stressor Indicator	N Yield (lb/sqmi) (INSTATE)	1
Stressor Indicator	P Yield (lb/sqmi) (INSTATE)	1
Stressor Indicator	% Imperviousness, Mean in WS (2016)	1
Stressor Indicator	Stream Corridor (61M) % Impervious (INSTATE)	1
Social Indicator	% Protected Land, All Types (2019)	1
Social Indicator	% Drinking Water Source Protection Area, Surface	1
Social Indicator	Pathogens Nonpoint Control Projects Presence	1
Social Indicator	Nutrients Nonpoint Control Projects Presence	1
Social Indicator	Land Use Complexity (INSTATE)	1
Social Indicator	NRCS Obligated Projects (#/sq. mi.) (INSTATE)	1
Social Indicator	% Area not in MS4 (INSTATE)	1
Social Indicator	303d Vision Priority Flag	1

Table 3: List of Likely NPS Impairment Causes

Cause
Algae
Escherichia Coli (E. Coli)
Bottom Deposits
Flocculant Masses
Phosphorus, Total
Scum/Foam
Turbidity
Benthic Macroinvertebrates
Bioassessments
Dissolved Oxygen
Nutrient/Eutrophication Biological Indicators
Sedimentation/Siltation
Total Suspended Solids (TSS)
Temperature
Chloride
Harmful Algal Blooms
Fecal Coliform
Enterococcus
Transparency / Clarity
Chlorophyll-a
Dissolved Oxygen Supersaturation
Fish Passage Barrier
Estuarine Bioassessments
Nitrogen, Total
Combined Biota/Habitat Bioassessments
Alteration in stream-side or littoral vegetative covers
Habitat Assessment
Nutrients

Table 4: List of Priority NPS Impairment Causes (all related to pathogen or nutrient impairments)

Escherichia Coli (E. Coli)
Algae
Phosphorus, Total
Nutrient/Eutrophication Biological Indicators
Harmful Algal Blooms
Chlorophyll-a
Nitrogen, Total
Nutrients

Appendix B. Proposal Review Sheet

FFY 2021 s319 Competitive Project Evaluation Form Proposal Number R21-xx

Title:

Applicant:

319 request: \$	Match \$	Total \$
-----------------	----------	----------

Project type:

Basin: Region:

Review Committee: Please rate this project and make appropriate comments for the following numbered criteria, considering the bulleted items for each. Project types for FFY 2021 are **A) Implementation, B) Healthy Watersheds, C) Regional Implementation Project Development , D) Agricultural Nonpoint Source Regional Coordinator,** and **E) Outreach and Education.** Some criteria may not be appropriate for non-implementation projects (Types C-E). In all cases, use your best professional judgment.

Criteria	raw score (0-5)	weight	final score
----------	-----------------	--------	-------------

1. Problem definition

Concise description

Impaired waterbody or adequate data

Projects for climate adaption and resiliency that protect unimpaired and high quality waters.

Major source(s) of NPS pollution _____ x4(20%) _____

2. Strategy/approach

Appropriate for targeted pollutant(s)

Logical and properly sequenced

Incorporates all necessary elements

Consistent approach

Incorporates LID techniques

Builds on other projects or regional efforts _____ x5(25%) _____

3. Project viability

Proven or innovative technology

No apparent permitting or political issues

Solid match

Good preparation

Stakeholder support	_____	x5(25%)	_____	_____
---------------------	-------	---------	-------	-------

4. Applicant strength

Applicant is qualified and experienced

No prior performance issues

Qualified staff or subcontracts identified _____ x3(15%) _____

5. Quality and responsiveness of proposal

Formatted as requested

All requested materials submitted

Reasonable budget

Reasonable timeline _____ x3(15%) _____

Priority Project additional points

(to be added at review committee meeting after initial evaluation)

- Projects in MS4 areas that meet program requirements and will be completed by June 30, 2022.
- Projects of all types that follow or continue work begun under 319, 604b, CZM NPS, MET, NRCS, MassBays, Watershed-based plan projects, or other programs; and/or
- Priority waterbodies as per the RFR

TOTAL SCORE (Max. 105) _____

Possible scores

0 Not Adequate

1 Poor

2 Fair

3 Good

4 Very Good

5 Excellent

Date: _____ June, 2020 Name of Reviewer: _____

DEPARTMENT OF ENVIRONMENTAL PROTECTION
FFY 2021 s319 Competitive Project Evaluation Form

Reviewer guidance – clarification of criteria

Some criteria may not be appropriate for every project type. Use your best professional judgment.

1. Problem definition

- Has the applicant clearly and concisely described the problem?
- Is the proposal consistent with the goals and requirements of the identified Project Type?
- Does the applicant clearly understand the nature and severity of the problem?
- Does the proposal present or cite adequate data to support the description of the problem?
- Does the project address a category 4a, 4c, or 5 waterbody, TMDL implementation, or other priorities of the Commonwealth's Nonpoint Source Management Plan?
- Does the project propose to address the major source(s) of NPS pollution in the watershed or implement projects for climate adaption and resiliency that protect unimpaired and high quality waters.

2. Strategy/approach

- Is the approach or strategy logical and properly sequenced?
- Have all necessary elements been incorporated into the proposal, including permitting, conceptual design, and outreach?
- Does the proposal strive to comprehensively address all pollutants of concern?
- Are the problem, goals, strategy, tasks/deliverables consistent with one another?
- Is the proposed BMP(s) or strategy appropriate or suitable to address the pollutants of concern?
- Does the proposal build on other projects or regional efforts?
- Has the applicant estimated the quantity of pollutant(s) to be removed?
- Will the project result in attainment of water quality standards and/or restoration of beneficial uses?

3. Project viability

- Is the project based on sound practice or innovative technology?
- Are there any apparent permitting or political issues?
- Does the match appear to be solid?
- Has adequate research or preparation been done?
- Were NPDES permitting issues considered and addressed?
- If it is an implementation project, does the grantee have control of the property where the work will occur?
- If this is a lakes project, is there public access to the waterbody?
- In addition to the required match documentation, does the project have other strong stakeholder support?

4. Applicant strength

- Is the applicant qualified to manage the project?
- Are there any current or prior performance issues with this applicant or their subcontractors?
- Have qualified staff or appropriate subcontractual work been identified?

5. Quality and responsiveness of proposal

- Has the proposal been formatted as requested?
- Have all requested materials been submitted?
- Are the budget and timeline reasonable for the work proposed?
- Has the source and amount of the match been clearly described within the tasks and budget as well as within the project description?
- Has additional match or other value-added work been proposed?

Comments: Please use this space to write any comments that were otherwise not addressed by the evaluation format.

Please date and sign the review form as you submit it following the team review.



Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

Appendix C: Suggested Final Report Format for 319-funded projects September 2016

Cover: see attached format

Provide a report cover using this format, completed with information specific to your project.

A. Project snapshot

Complete the Project Snapshot form.

B. Descriptive Project Summary

Update the information contained in the Indicative Project Summary, following the Indicative Summary format.

C. Financial Summary

Project Budget. Following the format of the contract budget (Scope of Work Attachment B), summarize and discuss project expenditures.

Match Documentation. Summarize how the required 40% match was provided.

D. Provide a description of each of the BMPs and practices that were put in place. For each structural BMP, describe the BMP, date of implementation, size of subwatershed being treated, pollutants removed in quantity/year. For each non-structural BMP, describe the effort, target audience, and results.

E. Lessons learned. Summarize information and advice that will be useful to others who are considering or undertaking similar projects. Include recommendations for follow-up action.

F. Attachments.

- Attach a map(s) of the watershed and project locus
- Provide all required deliverables, ordered and labeled consistent with Attachment B. of the contract scope of work.

Please submit:

- One hard copy of the **draft** Final report; then, for the Final Report:
- Two hard copies
- One unbound copy

- Two CDs of the report including all attachments. Information on the CD should be presented in electronic format consistent with specifications found in the project scope of work.

A Key that explains more about the information that is being required is provided next, followed by forms/example pages to use in completing your report.

Key. Refer to this key for explanation of the information that should be provided in the Final report.

Project Title and Number, e.g. *Stormwater BMP Implementation for Route 28 to Bass River Subwatershed, Project 04-07/319*

A. Project Snapshot

- A1.Project start date: Date of the official start of the project, found on the Notice to Proceed letter issued by MassDEP.
- A2.Date closed: date of contract termination, e.g. *June 30, 201X*.
- A3.Basin and HUC-12 watershed location: Massachusetts is hydrologically divided in 27 major watersheds, <http://www.mass.gov/eea/waste-mgmt-recycling/water-resources/preserving-water-resources/mass-watersheds/>. And HUC-12s delineate smaller geographical subwatersheds. See <http://www.mass.gov/anf/research-and-tech/it-serv-and-support/application-serv/office-of-geographic-information-massgis/datalayers/nrcshuc.html>.
- A4.Segment and waterbody information: Found on the Final Massachusetts Year 2014 Integrated List of Waters, e.g., *Hop Brook (8247825), MA 82A-05_2014*
- A5.Status of Waterbody: Also found on the Final Massachusetts Year 2014 Integrated List of Waters, i.e., *Category 5*.
- A6.Priority pollutants targeted: All pollutants targeted by the project, e.g., *nutrients, bacteria, sediment*.
- A7.Estimated annual pollutant removal, and method of determination, and calculations: Summarized information from Part C., BMPs, C5. and C6.
- A8.BMPs installed, number and type: e.g., *two raingardens, three wet detention basins, one water quality swale*.

B. Descriptive Project Summary

Following the format of the Project Indicative Summary, provide a one-page Project Descriptive Summary that includes a project overview, objectives, methods employed, and project results. The Summary should reflect updated project start and end dates, and any budget adjustments in grant funds, match amounts, or match sources. The Indicative Summary for your project can be found as a hard copy in the contract package, and in the electronic Indicative Summary reports found at <http://www.mass.gov/eea/agencies/massdep/water/grants/watersheds-water-quality.html>; or contact malcolmharper@state.ma.us for a copy.

C. Project Finances

The purpose of this section is to summarize how public funds were utilized for the project.

Project Budget. Provide the contract budget (Scope of Work Attachment B) and any amendments that were made during the course of the project. Discuss project expenditures and explain circumstances that may have required amendments or otherwise affected how the project was implemented.

Match Documentation. Summarize how the required 40% match was provided. Discuss any relevant contributions, creative strategies, or other aspects of the match contribution that may help inform other grantees about how to meet this requirement.

D. BMPs

- D1.A description of each structural BMP expected to achieve pollutant load removal. Include non-structural BMPs that are expected to achieve significant and quantifiable pollutant load removal. For each BMP, the type(s) of BMPs: e.g. *sediment basin, riparian buffer, rain garden*, etc. If the BMP is actually a series of BMPs working as a single installation, describe

the series, e.g. *deep sump catch basin with leaching facility*. Repeat the information for each installation. Add extra pages as necessary.

- D2. Date of implementation: The date when installation was complete and/or when the BMP began functioning to remove pollutants.
- D3. Size of treatment area: The area contributing pollutants to the BMP, in *acres*, *square feet*, or other appropriate units.
- D4. Pollutant load removed: The quantity of **each** targeted pollutant (TSS, fecal coliform, nitrogen, phosphorus) that is removed by the BMP, in pounds/year, tons/year or other appropriate units. For bacteria, estimate the reduction in cfu/100 ml.
- D5. Method of determination and calculations: How was (C4.), the pollutant load removed, estimated? There are several ways of doing this, including modeling, actual measurements, or using the engineer's or designer's estimates. Name or briefly describe the method used.
- D6. Include this statement, signed by the contract signatory: "The estimations in this report were determined using the appropriate estimation model(s) and applied according to the procedures prescribed for the model. To the best of my knowledge these are reasonable estimates using appropriate methods. Documentation is kept on file by the grantee and is available for review by MassDEP/EPA."

E. Lessons learned

Describe any valuable lessons, good or bad, that were learned during the project. This information is intended to enhance the report's value as a technology transfer tool. It should be useful for anyone who is seeking to learn about or duplicate the strategy, BMPs, or other aspects of the project. Include any notes that will help explain the project results, and recommendations for follow-up actions or subsequent projects to be undertaken that would further address project goals.

F. Attachments

- F1. Maps: A locus map showing watershed location of the project, site map(s) showing the BMP locations with associated treatment areas, and any other relevant maps.
- F2. Deliverables: Required project deliverables are specified in the Project Scope of Work, Attachment B of the project contract. As appropriate, provide the deliverables in the same sequence as they are described in Attachment B, each labeled consistent with the Task and Deliverable number (e.g., *Deliverable 2D, Certificate from the designer specifying that the installation has been done in accordance with final designs*). Plans, photographs, and other deliverables not suitable to be provided in 8.5" x 11" size may be omitted from the required hard copies, but must be included on the CDs.

Contact Malcolm Harper, 319 Program Manager, 508-767-2795, with questions or for assistance.

Project Final Report

Project Title
Project Number

Dates: year started – year ended

Grantee

(Name of Grantee's Project Manager)
(Project Manager Contact Information)

(MassDEP Project Manager)
(MassDEP Project Manager Contact Information)

Prepared For:

Massachusetts Department of Environmental Protection
Bureau of Water Resources

and

US Environmental Protection Agency
Region 1

Massachusetts Executive Office of Energy and Environmental Affairs
Kathleen A. Theoharides, Secretary

Department of Environmental Protection
Martin Suuberg, Commissioner

Bureau of Water Resources
Kathleen M. Baskin, Assistant Commissioner

Watershed Planning Program
Laura J. Blake, Director

A. Project Snapshot

Project Number and Title:

A1. Project start date:

A2. Date closed:

A3. Basin and HUC 12 subwatershed:

A4. Segment and/or waterbody number(s):

A5. Status of waterbody (Category 5, etc.):

A6. Priority Pollutant(s) targeted:

A7. Estimated Annual Pollutant removal (quantity, not percentage)

N:

P:

Sediment:

Bacteria:

Other:

Method of Determination and calculations:

A8. BMPs installed, number and type:

Descriptive Project Summary

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

SECTION 319 NPS PROJECT xx-xx/319

PROJECT TITLE:

NPS CATEGORY:

INVESTIGATOR:

LOCATION:

TARGETED POLLUTANTS:

DESCRIPTION:

(overview)

(objectives)

(methods employed/project tasks):

Results:

(Pollutant load removal achieved)

PROJECT COST: \$

FUNDING: \$ by the US EPA
 \$ by (grantee)

PROJECT COMPLETE

DURATION: 201x – 202x

C. BMPs. Repeat this information as many times as required to report on each BMP implemented. Refer to the Key to learn more about the information that is required.

C1. Type of BMP:

C2. Date of implementation:

C3. Size of treatment area:

C4. Area land use:

C5. Pollutant load removed:

C6. Method of pollutant load removal determination and calculations:

C7. Signed statement: "The estimations in this report were determined using the appropriate estimation model(s) and applied according to the procedures prescribed for the model. To the best of my knowledge these are reasonable estimates using appropriate methods.

Documentation is kept on file by the grantee and is available for review by MassDEP/EPA."

D. Lessons Learned

E. Attachments

-Maps

-Deliverables