



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

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

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## NOTICE OF UPCOMING GRANT OPPORTUNITY

**FFY 2022 Section 319 Nonpoint Source Pollution Competitive Grants Program  
Request for Responses to be issued on or about April 14, 2021  
One Pre-RFR Information Conference Call will take place on March 30, 2021**

### TO ALL INTERESTED PARTIES:

Section 319 of the Clean Water Act of 1987 (319) established a national program to control nonpoint sources (NPS) of pollution. Each year the Massachusetts Department of Environmental Protection (MassDEP) issues a Request for Responses (RFR) for competitive projects to be funded through Section 319 grants. This year's RFR is anticipated to be issued on or about April 14, 2021. Proposals will be due on or about June 30, 2021. The RFR will be announced via COMMBUYS, the Commonwealth's procurement site, and also on MassDEP's website. The RFR will be posted at the MassDEP website, <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#section-319-nonpoint-source-competitive-grants-program>

MassDEP will hold one pre-RFR informational conference call via zoom to discuss ideas for potential projects before the FFY2022 Section 319 RFR is issued. MassDEP recommends that all potential grant applicants participate in the call to discuss ideas for new projects.

The call will be held on March 30, 2021 at 10 a.m. To participate, you must register in advance of the call. To register copy and paste the following address into your web browser:

<https://us02web.zoom.us/meeting/register/tZcpcOuqrjkjEtDnBLUJeT-5lwLo6ZPlvYs9>

After you register, you will receive a confirmation email containing information about joining the conference call.

The purpose of the call is to review project requirements and eligibilities and to discuss program guidelines, grant requirements, and FFY 2022 program priorities. Any other aspect of the program may also be discussed. Under state procurement regulations, MassDEP and other EEA staff will not be able to discuss projects with proponents once the RFR is issued. Therefore, potential applicants are urged to take advantage of the pre-RFR conference call to engage 319 program staff in a discussion about how to develop eligible, competitive projects, prior to the April RFR issuance. All attendees will be given the opportunity to ask questions and discuss potential projects.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.  
TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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**Potential applicants are encouraged, but are not required, to participate attend. If you cannot attend the pre-RFR conference call but would like to learn more about the program or discuss a potential project, please contact program staff listed below prior to the April 14, 2021 date for issuance of the RFR.**

### **PROJECT ELIGIBILITY CRITERIA**

Responses to the RFR may be submitted by any Massachusetts public or private organization. Projects from all basins are eligible and encouraged, excluding work covered under NPDES and MS4 stormwater permits. Projects should be of manageable size but should strive to be comprehensive projects addressing all major identified nonpoint sources affecting water quality in the watershed or subwatershed. All 319 projects are required to provide quarterly reporting as well as a Final Report. A 40% non-federal match of either funds and/or in-kind services, is required as a condition of the 319 grant award.

### **FFY 2022 Project Types for 319 funding**

**The bulk of 319 funds are directed to Implementation Projects. A smaller but still substantial pool of funding is also available for projects of other types.**

#### **A) 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.

#### **B) 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. It might also include geomorphology and habitat improvement, and/or nutrient, sediment, and pathogen reduction in streams. 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. While MassDEP welcomes high quality proposals throughout the state, a list of waterbodies that may be more competitive can be found on the MassDEP website [Tools for Developing 319 Proposals](#).

#### **C) Development of Municipal and Regional Stormwater Collaboratives and Funding Mechanisms**

A stormwater utility is a property assessment tool that provides a sustainable source of funding to construct, maintain, and repair stormwater infrastructure. Proposals may include initial research to

evaluate whether a stormwater utility is appropriate for a town, quantifying the current and future cost of stormwater management programs, development and distribution of educational materials, and development of regional agreements and funding structures.

#### **D) Regional Implementation Project Development**

An initiative for 2022 will solicit multiple contractors in Worcester and Plymouth Counties to serve as regional nonpoint source coordinators. These regional coordinators will develop watershed-based plans and high-quality projects to be funded through 319 and will conduct outreach and education to enhance the NPS Program message.

#### **E) 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, Hampden, and Worcester counties, for contract services in support of the NPS Program, (<https://www.mass.gov/doc/final-2020-2024-massachusetts-nonpoint-source-management-program-plan/download>). 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 regional coordinators (RCs). Applicants may propose either full- or part-time RC positions, but successful proposals will plan for the RC positions to be staffed **through September 30, 2024**. 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 identify the hourly rates for RC and supervisory time for regional coordinators (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. Regional coordinators (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 ideas that will make this program a success for local partners and the agency.

#### **F) Zoning to Protect Water Resources-Addressing Nonpoint Source Pollution**

Nonpoint Source Planning: Local controls can address a wide range of issues related to NPS pollution. Projects which include local planning related items such as bylaw review (open space community zoning, cluster/flexible zoning, etc.) and riparian corridor planning which will result in adoption of local bylaws which will reduce nonpoint source pollution are eligible for funding. Projects that can show concrete deliverables and quantify how proposed planning activities if adopted will result in less impervious area and nonpoint source pollution will be the most competitive. Please note MS4 permit required items such as stormwater by-law review are not eligible. Similarly, water quality sampling is not eligible.

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.

### **Requirements for Proposed Projects in 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>). The work must be completed by the end of the 319 contract (estimated June 30, 2024) and **before it is required by the NPDES Stormwater Management Plan**. 319 funds cannot be used for work that addresses current NPDES permit requirements.
- All other types of projects are eligible in regulated or mixed regulated/unregulated areas, provided the work proposed is not required under the current or pending NPDES stormwater permit.

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### **APPLICATION PROCESS AND FUNDING AVAILABILITY**

The RFR contains a schedule for each step of the application process. Applications must meet the eligibility requirements and follow the specific format outlined in the RFR. Applications are reviewed and recommended by a screening committee comprised of MassDEP, EEA, and EPA staff. Once approved by the Commonwealth, the list of recommended projects is submitted to EPA. Following EPA approval, MassDEP begins contract negotiations with the proponents of the funded projects. As a general rule, 319 grantees can expect funds will become available six to ten months after submitting the initial grant application. Funds are paid on a reimbursement basis, and the Department retains 10% of the award amount until the project is finalized. From fiscal year 1990 through 2021, individual 319 grant awards have ranged from \$10,000 up to \$500,000. For FFY2022, MassDEP anticipates that approximately \$2,800,000 will be available in total 319 grant funding for disbursement to competitive projects.

### **EVALUATION CRITERIA**

Evaluation criteria will be specified in the RFR. 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 (i.e., in removal of the waterbody from Categories 4a, 4c, and 5 of the Massachusetts 2016 Integrated List of Waters, <https://www.mass.gov/doc/final-massachusetts-year-2016-integrated-list-of-waters/download>

*To obtain additional program information, summaries of past 319 projects, or a copy of the 319 RFR, see <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#section-319-nonpoint-source-competitive-grants-program> or contact **Malcolm Harper**, 319 Nonpoint Source Program Coordinator at [Malcolm.Harper@mass.gov](mailto:Malcolm.Harper@mass.gov).*