

Section 319(h) of the Clean Water Act

Funding for non-point source pollution planning and implementation


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Nonpoint source pollution

- Nonpoint source pollution is recognized as, "the largest remaining threat to water quality and source of water quality impairments in the nation."



Total Nation Wide 319(h) Funding by year

Federal Fiscal Year	Grant Total (in millions)
1990	\$37
1991	\$51
1992	\$52.90
1993	\$50
1994	\$60
1995	\$100
1996	\$100
1997	\$100
1998	\$105
1999	\$200
2000	\$200
2001	\$207.50
2002	\$207.50
2003	\$208.50
2004	\$237
2005	\$207.30
2006	\$204.30
2007	\$199.30
2008	\$200.90
2009	\$200.90
2010	\$200.90
2011	\$175.50



What gets funded by EPA?

- To control particularly difficult or serious nonpoint source pollution problems, including, but not limited to, problems resulting from mining activities;
- To implement innovative methods or practices for controlling nonpoint sources of pollution, including regulatory programs where the Administrator deems appropriate;
- To control interstate nonpoint source pollution problems;
- Based on the State submitting Report indicating where w/o additional action to control nps pollution the state cannot reasonably be expected to attain or maintain applicable water quality standards or the goals of CWA, and a management program.

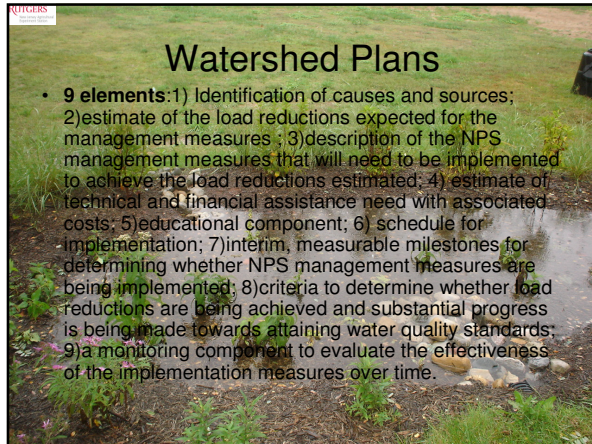


- Federal guidance updated 2003
- “Basis for nationally consistent approach for State nonpoint source management programs and grants.”



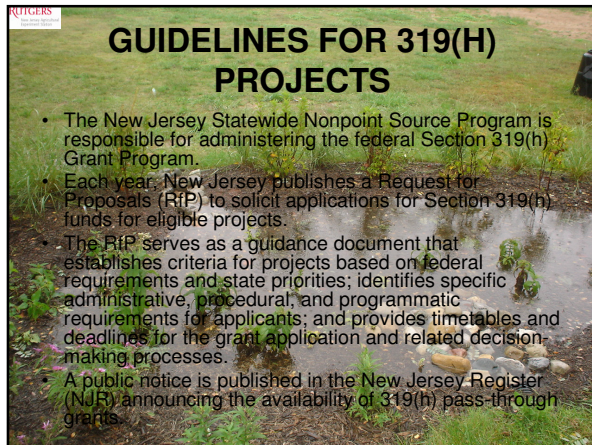
Watershed Approach

- Diverse, well integrated partnerships;
- A specific geographic focus;
- Action driven by environmental objectives and by strong science and data;
- Coordinated priority settings and integrated solutions



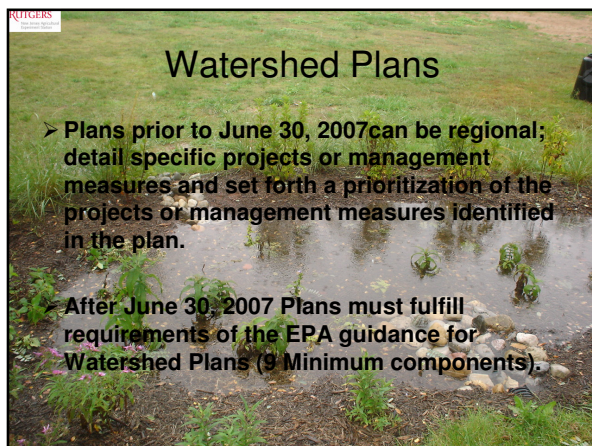
Watershed Plans

- **9 elements:** 1) Identification of causes and sources; 2) estimate of the load reductions expected for the management measures ; 3) description of the NPS management measures that will need to be implemented to achieve the load reductions estimated; 4) estimate of technical and financial assistance need with associated costs; 5) educational component; 6) schedule for implementation; 7) interim, measurable milestones for determining whether NPS management measures are being implemented; 8) criteria to determine whether load reductions are being achieved and substantial progress is being made towards attaining water quality standards; 9) a monitoring component to evaluate the effectiveness of the implementation measures over time.



GUIDELINES FOR 319(H) PROJECTS

- The New Jersey Statewide Nonpoint Source Program is responsible for administering the federal Section 319(h) Grant Program.
- Each year, New Jersey publishes a Request for Proposals (RfP) to solicit applications for Section 319(h) funds for eligible projects.
- The RfP serves as a guidance document that establishes criteria for projects based on federal requirements and state priorities; identifies specific administrative, procedural, and programmatic requirements for applicants; and provides timetables and deadlines for the grant application and related decision-making processes.
- A public notice is published in the New Jersey Register (NJR) announcing the availability of 319(h) pass-through grants.



Watershed Plans

- **Plans prior to June 30, 2007 can be regional; detail specific projects or management measures and set forth a prioritization of the projects or management measures identified in the plan.**
- **After June 30, 2007 Plans must fulfill requirements of the EPA guidance for Watershed Plans (9 Minimum components).**


Watershed Plans in Morris County, NJ

- Pequannock River Temperature Impairment: Characterization, Assessment and Management Plan, December 2004, Jan. 2005
- Restoration Master Plan and Stream Bank Implementation for Watershed Management Area 3, Jan. 2006 - March 2006
- Rockaway Priority Stream Segment Study, Jan. 2006, March 2006
- White Meadow Lake Restoration and Management Plan, 1993, Aug. 2006
- Great Swamp Restoration and Management Plan, 1997, Aug. 2006
- Troy Brook Regional Stormwater Management Plan B - Voluntary Measures, March 2007, Dec. 2007
- Whippany River Watershed Restoration Plan 2011?

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**SFY 2011 Section 319(k)
Grants for Nonpoint Source Pollution
Control**

REQUEST FOR PROPOSALS



April 1998 - September 2000. Photo by NJ Office of Natural Lands, Parks, and Watershed Restoration.

New Jersey Department of Environmental Protection
Land Use Management
New Jersey Office of Coastal Management and Watershed Restoration

What the Department was funding in FFY2011

The Department is requesting proposals from organizations and governmental entities for the purpose of

- (1) implementing projects or activities identified as components of Department approved watershed-based plans or TMDL, and
- (2) Environmental Justice Communities of Concern Implementation projects.

Priority

- given to those proposals that, upon implementation, are expected to result in achieving the Surface Water Quality Standards for all impairments (excluding PCBs and metals) that were listed on the 2002 Integrated Report for the subject waterbody.
- Additional funding priority will be given to projects that are identified and detailed in Department approved watershed-based plans that address impairment(s) found on Sublists 4 or 5 of the *New Jersey 2002 Integrated Water Quality Monitoring and Assessment Report (2002 Integrated Report)* that are currently still listed as impaired (Sublist 4 or Sublist 5) on the *New Jersey 2008 Integrated Water Quality and Assessment Report (2008 Integrated Report)*. The Integrated List of Waters can be found on the Department's website at:
<http://www.nj.gov/dep/wms/bwqsa/generalinfo.htm>

Who is eligible to apply?

- Municipal planning departments or boards, health departments;
- County planning departments or boards, health departments;
- Designated water quality management planning agencies;
- State and regional entities entirely within New Jersey;
- State government agencies, universities and colleges;
- Interstate agencies of which New Jersey is a member;
- Watershed and water resource associations and other local nonprofit organizations recognized by the Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code.

Process

- Deadline for submission is written in stone
- Notice of award may not be given for several months or more
- Proposal may be required to be amended to better accomplish goals

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What can't you do?

- **INELIGIBLE ACTIVITIES**
- Section 319(h) NPS funds may not be used for any of the following purposes:
 - Purchase of land or major capital improvements;
 - Purchase of promotional items;
 - Implementation of any permit or permit application requirements of federal, state, or local agencies, including the implementation of activities required by the NJPDES regulations, including municipal stormwater permit requirements;
 - Department permit fees;
 - Maintenance activities such as street sweeping, catch-basin cleaning;
 - Projects which address symptoms rather than causes or sources;
 - Point-source related projects;
 - Dredging of lakes or ponds, except through Departmental recommendation where dredging is being proposed as a terminal solution in a watershed protection plan;
 - Ineligible activities based on current USEPA guidelines for Section 319(h) grants.

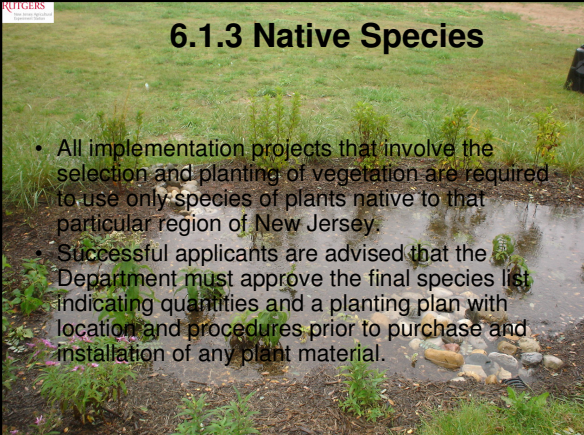
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Budget categories

- Salaries (college tuition for graduate students is not eligible for funding);
- Benefits;
- Travel @ 0.31 cents per mile;
- Administration (rent, phone, etc.) (may not exceed 10% of the amount requested);
- Contractual Services;
- Construction (related to implementation of BMPs);
- Equipment

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6.1.3 Native Species



- All implementation projects that involve the selection and planting of vegetation are required to use only species of plants native to that particular region of New Jersey.
- Successful applicants are advised that the Department must approve the final species list indicating quantities and a planting plan with location and procedures prior to purchase and installation of any plant material.

Project permitting

- All implementation projects funded through this RFP must coordinate all permit pre-application meetings, applications, and application meetings with the Department's Office of Coastal Management and Watershed Restoration.
- The Office of Coastal Management and Watershed Restoration should be listed as a co-applicant for any Department permit sought. This must be clearly stated in the grant proposal.

Maintenance and Monitoring Agreement

- In order to ensure the success of any NPS implementation project funded by a 319(h) grant, a Maintenance and Monitoring Agreement must be submitted prior to in-the-ground installation of any BMPs.
- The agreement must identify the entity or entities responsible for maintenance and monitoring, describe timetables by which these functions will be carried out, and detail tasks performed to ensure the continuing functionality of the implementation project. This must be clearly stated in the grant proposal.

Other requirements

- GRANTS REPORTING AND TRACKING SYSTEM (GRTS) REFERENCE DATA
- DATA SUBMISSION
- OWNERSHIP/PROPRIETARY RIGHTS
- USEPA SPREADSHEET TOOL FOR ESTIMATING LOAD REDUCTIONS (*STEPL*)
- QUALITY ASSURANCE PROJECT PLAN (QAPP)

Strategic Plan Measures

- WQ(SP)-10= waterbodies identified in 2002 as not attaining water quality standards are now fully attaining.
- WQ(SP)-11= Remove the specific causes of waterbody impairment identified by states in 2002
- SP-12= Improve water quality conditions in impaired watersheds nationwide using the watershed approach (cumulative)

Next Steps

- Look at approved watershed plans within your municipality/county
- Determine if work that you know would improve water quality in stream/river within your municipality is within an approved watershed plan.
- STAY WITHIN GUIDELINES
- Look at the projects that are success stories

Walkill River

- http://water.epa.gov/polwaste/nps/success319/nj_walkill.cfm
- Impairments at Walkill River at Rt. 15 (benthic macroinvertebrates) and Walkill River at Sparta) impaired for total phosphorus, fecal coliform, and temperature in 2002.
- Stream band and floodplain restoration at Sparta Glen and both segments removed in 2006 for temperature and aquatic life impairments.

Questions?

- Contact
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- 319 Program Coordinator
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