



DELAWARE DEPARTMENT OF
NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

**Nonpoint Source Section 319 Grant Program
Fiscal Year 2022
Request for Proposals (RFP)**

Synopsis

The Delaware Department of Natural Resources and Environmental Control's Nonpoint Source (NPS) Program is soliciting for proposals, through a competitive grant process, to improve water quality by reducing nutrient and sediment loads in impaired waterbodies of Delaware. The Department of Natural Resources and Environmental Control (DNREC) NPS Program will administer the grant application process and provide technical and financial guidance during the grant application and project period.

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Important Timelines

December 6, 2021 – Issuance of RFP

February 9, 2022 – Proposals due to the DNREC's NPS Program office no later than 4:30PM.
Applications received after this time will not be reviewed.

March 2022 – Grant awards announced, and recipients notified.

1. INTRODUCTION AND FUNDING

Purpose

The Delaware Nonpoint Source Program administers a competitive grant made possible through Section 319 of the Clean Water Act. The grant provides funding for projects designed to reduce nonpoint source (NPS) pollution in Delaware. NPS pollution can be defined as any pollution that originates from a diffuse source (such as an open field or a road) and is transported to surface or ground waters through leaching or runoff.

Reduction of NPS pollution may often be achieved through incorporation of specific best management practices (BMPs) into project work plans. Projects may target any source of NPS pollution, but most frequently involve agriculture, silviculture, construction, marinas, septic systems, and hydro-modification activities. Proposals are reviewed and evaluated, and those which are determined to meet specific requirements are eligible for funding. All projects must include matching funds from a non-Federal source totaling at least 40 percent of the overall project cost and can include in-kind and/or cash match. It is also the equivalent of requiring a 67% match of each federal grant dollar requested through the proposal.

Best Management Practices (BMPs)

The term "best management practice" (BMP) applies to structural and management practices which are used in agriculture, forestry, urban land development and industry to reduce the potential for damage to natural resources from human activities. A BMP may be structural, that is, something that is built or involves changes in landforms or equipment, or it may be managerial, that is, a specific way of using or handling infrastructure or resources. BMPs should be selected based on the goals of a Watershed Implementation Plan or Pollution Control Strategy.

Primary sources for standards and specifications for BMPs appropriate to Delaware are listed below:

- Natural Resources Conservation Service, Field Office Technical Guide;
- Delaware Nutrient Management Commission, Nutrient Best Management Practices booklet;
- DNREC, Delaware Erosion and Sediment Control Handbook;
- The Chesapeake Bay Program's Quick Reference Guide for Best Management Practices; and
- The Delaware Forest Service offers assistance to landowners who wish to learn more about Forestry BMPs. For more information, contact the Forestry Program at (302) 698-4500.

Measurable Environmental Results

Section 319 grant projects are required to include appropriate measures to gauge the effectiveness of the project. These measures can be divided into two categories: Outputs and Outcomes. Outputs are the “beans” of a project (i.e., the number of brochures distributed, the dollars spent, the attendance at an outreach event, the number of BMPs installed, etc.). The outcomes are the ultimate impacts of those outputs on water quality. When possible, it is best to estimate the Measurable Environmental Results, or MERs, in terms of both the outputs and the resulting outcomes.

In many cases, this involves water quality, biological, habitat and/or other environmental monitoring. This includes generating new environmental data through water quality and/or biological monitoring activities, using existing environmental data from other sources (secondary data), using computer and/or other models to characterize environmental conditions, and creating new geo-spatial data and/or using existing geo-spatial data from other sources.

Depending upon the type of project and the goals of the project, environmental monitoring may not be appropriate to determine the effectiveness and success of a project. Additional types of activities include tracking land use changes, before and after pictures of restoration work; conducting surveys of stakeholder knowledge; or other types of monitoring specific to the goals of the project.

If the project will be implementing BMPs that directly reduce sediment and nutrient runoff, grant recipients may utilize the Spreadsheet Tool for Estimating Pollutant Loads (STEPL) Model to provide, when applicable, sediment and nutrient load reductions for each BMP implemented during the project. These models can be found on EPA’s website at - <https://www.epa.gov/nps/spreadsheet-tool-estimating-pollutant-loads-stepl>. Grant recipients may also utilize the Chesapeake Assessment Scenario Tool (CAST) for calculating applicable load reductions at the following website: <https://cast.chesapeakebay.net/>

For reporting purposes, any implemented BMPs must also be georeferenced so that load reductions can be estimated on a watershed scale. The spatial locations can be marked on a paper map that is submitted to the Program, and/or a digital map showing latitude and longitude coordinates. If you have any questions concerning the georeferencing of best management practices associated with your project, please contact the NPS Program.

Funding

Projects selected for funding can begin work after the purchase order is executed.

Section 319 funds are intended to be startup funds, not a continuous funding source. Sponsors may seek funding for two phases of a large project, such as Phase I planning and Phase II

implementation, however, sponsors are generally not funded more than two or three times for similar efforts.

Payment of 319 funds is made in arrears for costs incurred as work is completed and upon receipt of an invoice and other applicable documentation. All invoices must provide an itemized list of expenditures and a report of in-kind/cash match contributions. Other cost-share documentation may also be required (see Cost Share Funds below). Payment can be expected approximately 4-6 weeks after DNREC receives appropriate invoices.

The following items cannot be funded with Section 319 funds:

- Dredging, drainage or flood control;
- Work required by regulations or permits, such as an National Discharge Elimination System (NPDES) permit;
- Permit fees of any type;
- Office furniture; and
- Travel

Equipment purchased with 319 funding becomes the property of the NPS Program upon completion of the project.

Funding from the grant may also be used to support an established cost-share program. Cost-share funds from Section 319 grants may not be used to reimburse a sponsor for the following:

- Purchase of agricultural equipment, or other large pieces of equipment (equipment modifications and leasing are allowable);
- Purchase of land or land easements (these activities can be counted as matching funds in some cases);
- Any project which is directed at water quantity rather than water quality, such as dredging, drainage, or flood control;
- Any practices, equipment, or supplies used to fulfill the requirements of any federal permit, such as a NPDES permit, or to meet enforcement requirements;
- Wetland mitigation sites;
- Incentive payments or yield losses;
- Practices not sanctioned by DNREC or a partner agency of DNREC; and
- Practices not installed in accordance with standards and specifications developed by the Natural Resources Conservation Service (NRCS), DNREC or other recognized standards.

2. ELIGIBILITY

A project can be sponsored by both public and private entities, including local governments, tribal authorities, cities, counties, regional development centers, local school systems, colleges and universities, local nonprofit organizations, state agencies, federal agencies, watershed

groups, for-profit groups, and individuals. Project grants to individuals are limited to demonstration projects.

Priority will be given to those projects whose goal is to improve the water quality of water bodies identified as having nonpoint source pollution impairments, as documented in:

- EPA approved watershed implementation plans including the Appoquinimink River, Broadkill River, Chesapeake Bay Phase III WIP, Chester River and Choptank River, Christina Basin (Brandywine, Christina, Red Clay and White Clay subwatersheds), Inland Bays, Nanticoke River, Pocomoke and Wicomico River, St. Jones River and the Upper Chesapeake (Elk River, C&D Canal, Bohemia River and Sassafras River subwatersheds) Watersheds;
- The current 303(d) List as impaired due to a nonpoint source pollutant;
- The current 305(b) Report as not fully supporting a designated use due to a nonpoint source; or
- Any other approved documentation of nonpoint source pollution

Delaware's most recent reports can be found on DNREC's Watershed Assessment and Management Section website:

<http://www.dnrec.delaware.gov/swc/wa/Documents/2020%20Draft%20Delaware%20IR%20with%20appendices.pdf>

The NPS Program may also prioritize funding according to additional environmental factors, such as land use and existing best management practices, if these factors can help determine where projects will be most effective at reducing nonpoint source pollution. Grant recipients that failed to meet program requirements in the past may be ineligible to receive additional project funding.

Project Execution

The sponsor's application package is used to develop a contract between DNREC and the sponsor that outlines the tasks, schedule, and budget that the sponsor committed to in their proposal. The project may begin when a copy of the executed contract and the purchase order is received. Grant recipients must adhere to all guidelines for spending federal funds and state contract requirements. Recipients must report on project progress at least on a semi-annual basis. A final project report is due within 30 days of project completion.

Approved projects are assigned to a Project Manager who works closely with the sponsoring group by meeting with them at least semi-annually, providing technical assistance or referrals to others as needed, and reviewing all financial and reporting work submitted by the project. This oversight is concluded when the project's Final Report and Final Invoice have been submitted and the contract has been closed.

Subcontracting

Any project subcontracts need to be approved by the DNREC Project Manager prior to being signed (executed). This review is to ensure that the scope of services, budget, and schedule coincide with the overall contractual agreement between DNREC and the project sponsor, the subcontractor is registered with the Secretary of State, and that the subcontractor is not suspended from doing business with the State. DNREC does not perform a legal review of project subcontracts.

Matching Requirements

Each Section 319 project must have a 67% match of either cash and/or in-kind services of the federal grant funds requested (The minimum match requirement can be calculated by multiplying the requested funding by .667). Match documented must be directly associated with the project and for work done to fulfill the contract tasks. Federal dollars may not be used to match Section 319 grant funds. A letter of commitment from any organization pledging matching funds or in-kind services must be attached to the application. All activities eligible for grant funds are eligible to be documented as match, excluding Federal sources. Activities not eligible for grant funds are also not eligible for match. Match for volunteer time should be calculated using the national volunteer rate established by the independent sector¹. If you are unsure of the value of volunteer time, contact the NPS Program for guidance.

3. HOW TO APPLY

Submission of Proposals

An electronic copy of the application and supporting materials must be submitted to the NPS Program. All applications must be completed on the appropriate form which can be found on the website listed below. Please submit all applications to NPS.Grants@Delaware.gov by February 9, 2022.

<https://de.gov/319grants> (refer to the “Grant Application Form” option for submission template)

Grant Application Format

Using the application template obtained from the above link, applicants should provide adequate information about the proposed project. Applicant should include a brief description of the project and how it meets the grant criteria, identify objectives to be achieved by the project, and provide any measurable outputs from the project as well as a detailed budget and timeline of events. The recommended length of the application is approximately 6 – 7 pages (not including

¹ Based on 2021 National Value of Volunteer Time.

<https://independentsector.org/value-of-volunteer-time-2021/>

any supplemental documents needed for submission). Applicants may be contacted if the selection committee has any questions regarding the application or proposal.

Cover Page: Applicants should include contact information for the organization and manager of the proposed project as well as the projected timespan and cost of the project and the amount of funds requested. On this first page, please provide documentation of any key contributors or partners that will be involved in this project.

Project Description: Give an overview of the proposed project and include the issue or problem that is being addressed, justification for the project, and explain how the project aligns with the grant program criteria.

Objectives/Tasks: Provide a description of any goals or objectives to be completed through this project, location of the project, key partners involved in the implementation of the project, and a work plan that details how each goal will be accomplished. This section should also include any environmental benefits that may result from this project.

Measurable Environmental Results: This section should include estimates of the load reductions or other measurable environmental results that will result from the implementation of the project. Applicants should include how these results will be monitored, georeferenced, and reported.

Operation and Maintenance: Include any management practices that address the proper maintenance requirements after implementation of the project as well as the number of years the project will be in effect and the party responsible for maintenance.

Budget: Budget should include the amount of funds requested for the project, an itemized list of expenditures, and non-federal match sources and amounts. Applicants should also include a brief justification of the proposed budget.

Timeline: Provide the Scope of Work including target dates for completion of each task, list target milestones and timelines, and briefly describe how each milestone addresses the project objectives.

Qualifications: Include a list of the applicant's qualifications to complete this project.

Insurance:

Grantee shall maintain the following insurance during the term of this Agreement or any extension thereto:

1. Worker's Compensation and Employer's Liability Insurance in accordance with applicable law, and

2. Comprehensive General Liability - \$1,000,000.00 per occurrence/\$3,000,000 general aggregate, and
3. Medical/Professional Liability - \$1,000,000.00 per occurrence/\$3,000,000 general aggregate; or
4. Miscellaneous Errors and Omissions - \$1,000,000.00 per occurrence/\$3,000,000 general aggregate, or
5. Product Liability - \$1,000,000.00 per occurrence/\$3,000,000 general aggregate, and
6. If required to transport state employees, Automotive Liability Insurance covering all automotive units used in the work with limits of not less than \$100,000 each person and \$300,000 each accident as to bodily injury and \$25,000 as to property damage to others.

Grantee shall provide Forty-Five (45) days written notice of cancellation or material change of any policies. Before any activity in furtherance of this Agreement is undertaken by Grantee, the Certificate of Insurance and/or copies of the insurance policies, referencing the Agreement Number stated herein, shall be filed with the State. The certificate holder is as follows: DNREC, Division of Watershed Stewardship. In no event shall the State of Delaware be named as an additional insured on any policy required under this Agreement.

Signature Page: The final page of the application must contain a signature from the grant applicant, landowner(s) on which the project will occur, and the responsible party for any matching funds. Letters of support from the landowners may be added to the end of the application.

4. SELECTION PROCESS

A committee consisting of a diverse group of individuals will evaluate and rank all project proposals.

- A. Geographic Scope (10 points): The proposal shall thoroughly identify the geographic setting of the project, including:
 - Watershed and sub-watershed
 - Municipality (if applicable)
 - Parcel information
 - An aerial of the projects must be included with limits and important features clearly noted.

B. Meets Program Goals and Priorities (40 points):

- What type of practices are being proposed and what are the square footage of practice area and/or cubic footage of storage being proposed?
- What is the nutrient/sediment reduction and runoff reduction efficiencies for the practice(s)?
- Applicants may use the US EPA Region 5 Pollutant Load Reduction Model or the STEPL Model, the Chesapeake Assessment and Scenario Tool (CAST), or the Delaware Urban Runoff Management Model version 2 (DURMM v.2), to estimate the total pounds of nutrient/sediment reduction and/or volume of runoff reduction based on the site parameters. Applicants are encouraged to use the Chesapeake Bay tools.
- What is the expected lifespan of the improvement as proposed?
- Will nutrient/sediment reduction and/or runoff reduction remain a constant over the lifespan of the improvement or will there be a diminishing return?
- Who will design the project?

C. Leveraging/Co-funding (10 points): The proposal should identify cooperative partnerships with stakeholders, creation of sustainable and effective commitments, and should demonstrate strong support from partners and other relevant agencies and organizations. The applicant may attach letters of support from cooperating agencies identifying how they intend to support the project. Applicants will be evaluated based on the extent they demonstrate how the applicant will coordinate/leverage the funding with other sources of funds (i.e., funding entities, project partners, surrounding communities, and businesses).

Note: Applicants are required to use a match or cost share, or in-kind services above the minimum to receive points under this criterion for leveraging. Applicants may choose to demonstrate leveraging by pledging their own funds above the minimum match requirement or other resources for a voluntary match or cost share. Applicants who choose to cost share voluntarily must meet their cost share obligations if their proposals are selected for award. Please note that only eligible and allowable costs may be used for matches or cost.

D. Technical Merit and Project Feasibility (30 Points): The proposal will be evaluated on the technical feasibility given the proposed budget and timeline. The proposal should identify the applicant's (and partners) ability to undertake and successfully complete this project. Please include:

- A detailed budget for project implementation.
- The amount of dollars spent for the pounds of nutrients/sediment removed and/or volume of runoff reduced.

- Describe how the longevity of the practice relates to the initial cost.
- Describe who will be accountable for the maintenance of the practice after the grant has ended.

E. Programmatic Capability (10 points)

- Organizational experience of applicant, partners, and consultants/contractors (if known). If any necessary consultants or contractors are not known at the time of grant preparation, then the means of selecting a qualified candidate should be described. An appropriate licensed professional is required to seal construction plans for implementation projects.
- Plan for timely and successful achievement of the project objectives.
- Other similar grant awards.

5. GRANTEE RESPONSIBILITIES

Semi-Annual Reporting

Projects funded under the 319 Program are required to submit semi-annual reports describing progress according to the project's work plan.

EPA guidelines specify that performance reports be two to three pages in length and include a performance/milestone summary, slippage reports (providing reasons for delays in meeting scheduled milestones and actions taken to correct any current or anticipated problems), and any additional pertinent information. The reports should be descriptive of the activities performed rather than a simple accounting of the funding spent to support the project. One effective way to do this is to structure your report according to the tasks you laid out in your work plan and describe the progress made in each task. Also, any specific details regarding BMP implementation should be included as well, and should describe the type, extent, and location of the practice.

6. CONTACT INFORMATION

For further details or questions regarding the Section 319 Grant Program, M. Benjamin Coverdale (Ben) via email at Michael.Coverdale@delaware.gov.

The Department of Natural Resources and Environmental Control solicits and encourages Minority Business Enterprises (MBE), Women's Business Enterprises (WBE), and Small Business Enterprises (SBE) in all service contracts and is committed to affirmative action, equal opportunity, and diversity of its workforce.