



2023 NONPOINT SOURCE (NPS) IMPLEMENTATION GRANTS Targeted Watersheds (Clean Water Act - Section 319)

Request for Proposals (RFP) Text Summary

All proposals due no later than Friday, January 26, 2024
Apply here: [FY22-23 Section 319 RFP](#)

Application Start Date: 11/1/2023
Application End Date: 1/26/2024 (4:00 pm)
CFDA#: 66.605

The Rhode Island Department of Environmental Management (RIDEM) is pleased to announce the availability of grants to assist in the implementation of projects that prevent and/or abate water pollution associated with nonpoint sources (NPS) and to improve or restore aquatic habitat. Unlike point source pollution that comes from specific, identifiable discharges, NPS pollution is diffuse and generated from many diverse sources including stormwater runoff, failing septic systems, and erosion from disturbed sites.

This RFP announces the availability of an estimated \$1.2 million in federal funding provided to RIDEM by the US Environmental Protection Agency (EPA) under Section 319 of the federal Clean Water Act. These funds are being targeted to specific watersheds (see below) as well as eligible disadvantaged communities. Grants will be awarded on a competitive basis pursuant to this Request for Proposals (RFP) and require a commitment of match.

Purpose of Available Grants

The purpose of the grants is to enhance the beneficial uses of Rhode Island waters which include, but are not limited to, water supply, swimming, fishing, shellfishing, recreation, and healthy aquatic ecosystems. More specifically, these grants are targeted to water quality protection and restoration actions that prevent or abate **nonpoint sources** of pollution and sources of aquatic habitat degradation consistent with the 2019 RI Nonpoint Source Management Program Plan, which is [available on the DEM website](#).

RIDEM is encouraging the use of "green infrastructure" or "nature-based solutions" which often deliver co-benefits related to flooding and resiliency. Nonpoint source pollution, particularly stormwater runoff, is a significant cause of water quality impairments across Rhode Island. The management strategies employed to control and reduce such pollution typically involve local actions to implement site-specific best management practices (BMPs) or restoration actions.

Examples of projects implementing actions to protect and enhance water quality or support designated uses of Rhode Island's waters by:

- Improving or restoring aquatic habitat including improving stream connectivity, riparian buffers and/or lake conditions;
- Mitigating stormwater pollution in areas NOT covered by MS4 permit requirements;
- Replacement of a publicly-owned failing or substandard onsite wastewater treatment system, including a cesspool, excluding direct assistance to individual homeowners;
- Creating localized programs to coordinate litter and trash removal in riparian areas and waterways;
- Abating nonpoint source pollution from farms; and

- Other projects that implement actions to prevent or abate nonpoint source pollution, improve aquatic habitat, or contribute to climate resiliency.
- See the document "Project-Specific Eligibility Information and Example Projects" in the 'Files' tab for additional information.

Hybrid In-Person/Virtual Public Workshops

Two hybrid in-person/virtual workshops to review the RFP process and clarify guidance for potential grant applicants were held on:

- Tuesday, November 14, 2023 at 3:00 p.m.
- Thursday, November 30, 2023 at 10:00 a.m. (Recording available on NPS website)

Proposal Evaluation Criteria

Project proposals will receive an initial screening by representatives of the RIDEM Office of Water Resources for basic eligibility criteria. To be awarded a grant, applicants must possess adequate fiscal and project management capabilities. Past performance on prior RIDEM grants will be taken into account when assessing organizational capacity to effectively manage a project. Eligible proposals will be referred to a review committee. The review committee will evaluate the eligible proposals consistent with ranking criteria developed in conjunction with applicable federal requirements in order to make recommendations for funding subject to final decision by the RIDEM Director.

Ranking criteria address:

- Severity and magnitude of the problem to be addressed, including documentation or other evidence;
- Value of resource to be protected and public benefits derived, including benefits to environmental justice areas or disadvantaged communities and resilience to impacts of climate change;
- Beneficial impact to waters of the state; e.g. anticipated pollutant load reductions;
- Beneficial impact to aquatic or riparian habitat;
- Technical merit and likelihood of success;
- Consistency with approved plans; e.g., watershed plans, TMDLs, stormwater management plans, Rhode Island 2022 Climate Update);
- Applicant project management capacity;
- Readiness to proceed; and
- Quality of proposal (including accuracy of financial information)

Preparing the Proposal for Final Approval

For projects that are selected, RIDEM may request that an applicant modify a project proposal based on comments received during project evaluations and the selection process. The applicant must submit the revised project proposal/scope of work to the RIDEM prior to final approval. RIDEM will conduct a final review of the proposal in coordination with appropriate agencies and, if satisfied that all review comments have been adequately addressed, the final proposal or scope of work will become the basis for the grant agreement that will be executed to formalize the grant award.

Note: If you are unsure about whether the project you are interested in is eligible for funding under this RFP, please contact RIDEM staff listed in the "Contacts" tab for further guidance. RIDEM can also address questions concerning your eligibility as a potential applicant, eligibility of certain project costs and issues regarding the technical merit of your proposal.

Eligibility

Eligible applicants - Who Can Apply?

- Municipal, state, and regional governments;
- Quasi-state agencies;
- Public schools and universities;
- 501(c)3 designated nonprofit watershed, environmental, or conservation organizations; and
- Other 501(c)3 designated non-profit organizations with capacity to carry-out eligible projects; e.g. urban neighborhood association, civic organization.

Individuals are not eligible to receive direct grant awards. Where appropriate, third party applicants (e.g., conservation districts, land trusts) can apply for funds and administer a grant that involves construction of BMPs on private property. In such cases, the third party will need to provide documentation of access agreements prior to a grant agreement being issued. Private consultants are not eligible to receive grant awards directly on behalf of other governmental or non-governmental entities.

Eligible Watersheds

Watersheds with Approved Watershed Plans

US EPA Nonpoint Source Program guidance generally requires that Section 319 funds distributed by the state for water quality protection or improvement projects **must** be consistent with the RI Nonpoint Source Management Program Plan **and** consistent with watershed plans that meet minimum federal watershed plan requirements. RIDEM is currently engaged in a program to prepare watershed plans as well as work with other entities interested in developing their own plans. Generally, RIDEM will accept proposals for projects located within the watersheds listed below for which there is an approved watershed-based plan.

[Bristol – Kickemuit River Watershed](#)

[Barrington - Palmer-Warren Rivers Watershed](#)

[Buckeye Brook Watershed](#)

[Jamestown Brook Watershed](#)

[Nonquit Pond Watershed](#)

[Narrow River Watershed](#)

[Stafford Pond Watershed](#)

[Tiverton/Mount Hope Bay Watershed](#)

[Watson Reservoir Watershed](#)

[Wood-Pawcatuck Rivers Watershed](#)

Watersheds with Draft Watershed Plans

In addition to accepting proposals for projects from the watersheds listed above, DEM is allowing applicants to submit project proposals in other watersheds, provided the applicant has a draft plan at the time of grant proposal submission and commits to having that plan finalized (including EPA approval) by the end of calendar

year 2023. The grant award will be conditional on the completion of a satisfactory watershed plan. Applicants taking this course of action must submit a map with their application showing the watershed area that will be subject to the plan. See guidance for preparing watershed plans at [Rhode Island DEM Department of Environmental Management, Office of Water Resources, Water Quality, Nonpoint Source \(ri.gov\)](https://www.ridem.state.ri.us/Environmental-Management-Office-of-Water-Resources-Water-Quality-Nonpoint-Source-ri.gov)

Flexibility for Projects in Environmental Justice Areas/Disadvantaged Communities (EJ/DAC)

The EPA NPS Program has identified environmental justice as a priority area and recognizes that water quality and climate change impacts can disproportionately affect urban and rural communities that are predominately of color, indigenous, linguistically isolated, low-income, and/or impacted by other stressors. EPA has issued interim guidance that provides flexibility to allow both the development of watershed plans in disadvantaged communities as well as implementation of community demonstration projects that address known sources of NPS water quality impairment. This flexibility opens the door to potential projects in certain portions of the state that currently lack an approved watershed plan.

For this RFP, RIDEM has identified the following resources and mapping tools that may be used for identifying areas that are considered eligible as environmental justice areas or disadvantaged communities. Applicants should reference one or more of these in their applications.

- [RIDEM's Environmental Justice Initiative and Interactive Map](#)
- [EPA's Environmental Justice Tool \(EJScreen\)](#)
- [Rhode Island Clean Water State Revolving Fund \(CWSRF\) Intended Use Plan – Affordability Criteria](#) (to qualify, must be identified as Tier 1 or Tier 2 in Table 3 on Page 20 of the Intended Use Plan).

Persons with questions on whether an area qualifies as EJ or DAC may contact RIDEM for further clarification.

Eligible Grant Expenses – What Costs Are Allowable?

Eligible expenses may include the costs of personnel salary and fringe, travel, supplies, construction, and contractual services. With respect to personnel, RIDEM generally will not subsidize salaries of existing governmental staff, but rather encourages such expenses to be allocated as match.

The following are **NOT** eligible grant expenses:

- Projects *solely* focused on activities such as technical assistance, education, training, technology transfer, community planning and water quality monitoring. However, such activities *may* be eligible as tasks in projects where they are directly associated with implementing a restoration action that reduces NPS pollution or improves aquatic habitat;
- Projects for research and water quality assessment;
- Projects involving experimental or unproven technologies; however, projects demonstrating approaches successfully applied elsewhere ARE eligible;
- Routine maintenance of existing structural BMPs;
- Land acquisition (may be allowed as a matching expense); and
- Projects to achieve compliance with Phase II municipal stormwater programs, although elements of projects that go beyond permit requirements may be eligible.

For project-specific eligibility information, see "Project-Specific Eligibility Information and Example Projects" in Files.

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Project Period

For this Request for Proposals, DEM has created two categories of projects:

- Rapid implementation projects completed **by September 30, 2024**
- NPS implementation projects completed over the next 1-3 years

Rapid implementation projects completed by September 30, 2024

These projects must be fully completed by September 30, 2024. DEM anticipates that these projects will be smaller-scale with lesser complexity and/or are otherwise shovel-ready to be completed during 2024. DEM anticipates awarding rapid implementation projects on a rolling basis between release of this RFP and February 2024.

- Projects will be reviewed and awarded as they are received by DEM until January 26, 2024 with awards made on a rolling basis subject to EPA approval
- See the document "Project-Specific Eligibility Information and Example Projects" in the 'Files' tab for additional information.

NPS implementation projects completed over the next 1-3 years

These projects can be larger and/or more complex. They are likely to require competitive bidding and may be organized in phases. DEM anticipates awarding funds for these projects in the spring of 2024.

Project proposal deadline is January 26, 2024 at 4pm.

RIDEM is seeking proposals from applicants that are ready to commit to initiating and managing their projects in a timely manner. Although there are no required funding limitations (large or small), grant applications would be expected to generally fall between \$25,000 and \$400,000.

The grant awards will be authorized via grant agreements for a limited period of time. Due to greater emphasis being placed on the timeliness of expenditures by both EPA and the State, NPS implementation projects that will be completed within a **one to two-year time period** will be favored. With adequate supporting justification RIDEM will consider three-year project time periods for larger, more complex projects.

Projects not promptly initiated or that fall substantially behind schedule once underway may have their grant awards rescinded or reduced. Applicants should reflect adequate time for procurement and obtaining permits or other approvals in their project schedule.

General Financial Information

All grants are reimbursement based – the grantees must incur the cost and submit documentation to RIDEM for reimbursement. For organizations with limited funds available for upfront payments, the RI Infrastructure Bank has established a [Stormwater Project Accelerator](#) program that offers upfront capital for green stormwater infrastructure projects that will eventually be funded through reimbursable state or federal grants.

RIDEM and the State of Rhode Island take no responsibility for project work done outside the term or scope of a valid grant agreement or prior to full approval of an agreement. Applicants should NOT anticipate any funding for work that is done before final approval of a grant agreement. Agreements are not valid until the Rhode Island Department of Administration issues the appropriate purchase mechanism. All agreements must be signed and dated by an authorized agent of the grantee and RIDEM.

Applicants must demonstrate administrative capacity to manage their project and the grant funds and comply with applicable state and federal fiscal requirements, including accounting, record-keeping, procurement, and reporting procedures. For construction projects and other types of long-lived physical practices, applicants must describe how they will be monitored and overseen, provide examples of previous construction/practice management, and provide for appropriate operation and maintenance over the life of the practice.

It is RIDEM's policy that financial assistance shall neither directly or indirectly benefit parties whose willful action or inaction has resulted in damage to the environment. At the Director's discretion, RIDEM may restrict, delay or limit funding due to the occurrence of criminal, civil enforcement actions or compliance matters. Applicants must disclose any existing violations and compliance actions related to their proposal, including the notice of intent to enforce.

Non-Federal Match Requirements

“Match” refers to funds or services used to conduct a project that are not borne by grant funds. All project match must: (1) relate directly to the project for which the match is being applied; (2) be reasonably valued; and (3) be supported by documentation. Match is an indicator of local commitment to a project and is considered in proposal eligibility and ranking.

Match may include: (1) cash; (2) the value of noncash, in-kind contributions (e.g., value of equipment donated for use the project, municipal staff time overseeing or organizing the project, etc.); or (3) the value of goods and services directly contributed to the project. Third-party in-kind contributions are allowed with the exception that Section 319 grants cannot be matched with other federal contributions. Volunteer services provided to the grantee for project activities and travel costs may be valued as match at rates consistent with rates ordinarily paid by employers for similar work. General volunteer time may be valued in accordance with rates found at: <https://independentsector.org/resource/the-value-of-volunteer-time-state-and-historical-data/>. The most recent rate of general volunteer time in RI is \$31.96 per hour.

Examples of actions that might be used as eligible match include the following:

- Cost or value-per-hour rate multiplied by the number of hours performing work associated with the project proposal tasks, such as labor to install BMPs, bid or subcontract development, development of BMP designs and permit reviews, including attending meetings pertaining to such, conducting public meetings or similar work relating to the project but not directly funded by the grant;
- Cost of materials, supplies or equipment rentals used for the project;
- Cost of land acquisition that is necessary for construction of a project BMP; and
- Cost of construction of approved BMPs (including labor, equipment and materials).

Excepting projects in EJ/DAC areas, Section 319 grants are typically provided in a 60% to 40% (i.e., 3:2) grant to match ratio. A 40% match means that at least 40% of the *total project budget* comes from a nonfederal source. **To calculate the 40% required minimum match, multiply the grant amount by 0.6667.** The ability to provide sufficient match, either through funding or in-kind contributions, is one aspect of demonstrating the administrative capacity to manage a grant project. RIDEM will, at its sole discretion, consider reducing the match requirement to 25% of total project cost for TMDL implementation or other priority projects. The proposals should provide an explanation that provides a justification for the reduction in match.

For projects to be carried out in EJ and DAC areas, EPA provides flexibility to reduce the matching requirements. For this RFP, the required match for such projects is 10%. RIDEM will consider reducing the match further provided applicants provide justification and commit to documenting any in-kind contributions to the project.

Contact Information

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