



# 2023 CALL FOR APPLICATIONS

## 319 NONPOINT SOURCE PROJECT PROGRAM



**July 2022**

**Prepared by:**

Nonpoint Source and Wetlands Section  
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<b>Date</b>	<b>Event</b>
<b>Monday, 7/11/2022</b>	<b>Issue of 2023 Call for Applications</b>
<b>Until Wednesday, 10/5/2022 at 5:00 pm</b>	<b>DEQ will ensure staff availability for answering questions, reviewing draft applications, and providing other assistance.</b>
<b>Friday, 10/7/2022, 5:00 pm</b>	<b>Signed applications and all attachments due to DEQ by 5:00 pm</b>
<b>Thursday, 11/3/2022</b>	<b>Agency Review Panel meeting</b>
<b>Friday, 11/18/2022, 5:00 pm</b>	<b>Notice of Intent to Award sent to project sponsors</b>
<b>11/21/2022 through 1/31/2023</b>	<b>Contract development</b>
<b>July/August 2023</b>	<b>Funding becomes available</b>

### **Unanticipated Program Changes**

Information in this Call may be subject to change based on unforeseen changes to DEQ and U.S. Environmental Protection Agency (EPA) priorities. If changes become necessary, DEQ will post the changes on the 319 Project Funding website <https://deq.mt.gov/water/Programs/sw#accordion4-collapse3>.

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# 1.0 PURPOSE AND ELIGIBILITY

The 319 Nonpoint Source Program provides funding for design and implementation of projects that reduce and prevent nonpoint source pollution in impaired waterbodies while improving water quality and restoring natural stream, lake and wetland processes.

## 1.1 SPONSOR ELIGIBILITY

The following entities may be eligible to receive funding:

- Nonprofit organizations having a tax-exempt declaration of 501(c)(3) from the Internal Revenue Service.
- Governmental entities. A governmental entity is a local, state, or federal organization that has been established and authorized by law.

All project sponsors must meet the following minimum qualifications:

- **Have a current UEI number. Unique Entity Identifier.** Each project sponsor is required to have a current UEI number. *The UEI number replaces the old DUNS number.* If your organization had a DUNS number, you should have received a notification from the federal government indicating that your DUNS number has been changed to a UEI number. If you did not receive this notification, or if you never had a DUNS number, you will need to go to the federal government's System for Award Management (SAM - <https://sam.gov/content/home>) to obtain your UEI number.
- Be registered with the federal System for Award Management (SAM). The SAM registration website is <https://sam.gov/SAM/>
- Be registered with the Montana Secretary of State. All project sponsors must be registered with the Montana Secretary of State to do business in the state of Montana. Registration with the Secretary of State may be completed via the following website: <https://sosmt.gov/business/start-maintain-grow/>
- Have the necessary liability insurance and be in compliance with the Workers Compensation Act.
- Have sufficient technical and managerial resources available to facilitate completion of the project.

## 1.2 PROJECT ELIGIBILITY

All projects must:

- Address nonpoint source pollution.
- Implement actions consistent with recommendations in the 2017 Montana Nonpoint Source Management Plan (<http://deq.mt.gov/Portals/112/Water/WPB/Nonpoint/Publications/Annual%20Reports/2017NPSManagementPlanFinal.pdf>).
- Implement activities or practices identified in a DEQ-accepted Watershed Restoration Plan (WRP). If you do not have a DEQ-accepted WRP by the application deadline, you must submit a draft prior to applying for funding. DEQ staff will review the draft and estimate the likelihood of it being ready for DEQ acceptance prior to January 31, 2023. See DEQ's interactive [Watershed Plan Viewer](#) map for information on existing plans.
- Address impairments identified on Montana's 2020 List of Impaired Waters. In some instances, projects on streams that are not listed as impaired may be acceptable. These projects must reduce pollutant loading to an impaired, downstream receiving water OR protect existing uses from becoming impaired.
- Be completed within 3 years.

In addition, the following project-specific requirements must be met.

- Projects addressing stream flow through improved water use efficiency must include reasonable assurance that unused water will remain in the stream (e.g., through a change of use to instream flow, or a signed commitment from the water right holder).
- Projects involving grazing management (e.g., riparian fencing, creation of riparian pastures) must include a grazing management plan as a task deliverable.
- Projects involving riparian or wetland buffer creation must have a minimum buffer width of 35 feet, as measured from the ordinary high water mark. If the buffer must be less than 35 feet in some places to accommodate bridges, water gaps or other infrastructure, the buffer should be made proportionately wider in other areas.

The following activities are NOT eligible for funding:

- Development of a Watershed Restoration Plan (WRP)
- Activities required as a condition of a point source (MDPES) discharge permit
- Watershed characterization studies
- Pollutant source identification
- Water quality monitoring, except for monitoring the effectiveness of funded projects
- Statewide education and outreach campaigns
- Projects whose primary purpose is to protect infrastructure from stream channel migration
- Use of non-native plant species in restoration projects
- Rip-rap, except in instances where it is necessary to protect a new bridge or culvert designed to restore aquatic organism passage
- Projects designed to address violations of state and federal law (e.g., projects that stem from a 310 violation or an Army Corps violation)
- Projects that result in a net loss of wetlands or wetland function

### ***Compliance with Prevailing Wage Laws***

It is the responsibility of project sponsors/contractors to comply with State or Federal prevailing wage laws and ensure their subcontractors do the same. If the nature of the work performed, or services provided, under a contract resulting from this RFA meet the statutory definition of a "public works contract" in §18-2-401, MCA, and exceeds \$25,000, payment of prevailing wages is required. Work performed may fall under the wage determinations for Heavy Construction or Non-Construction as defined by the Commissioner of the Montana Department of Labor and Industry. Projects funded in whole or in part with federal funding require payment of the higher of the state or federal wage rate. Questions related to prevailing wage rates may be addressed directly to the following:

Compliance and Investigations Bureau  
1805 Prospect Avenue  
PO Box 201503  
Helena, MT 59620-1503  
(406) 444-6543

[DLIERDWage@mt.gov](mailto:DLIERDWage@mt.gov)

Website: <http://erd.dli.mt.gov/labor-standards/public-contracts-prevailing-wage-law>

The guidance below is intended to help you anticipate whether prevailing wage laws may apply to your project.

In accordance with §18-2-401 through §18-2-432, MCA, and all associated administrative rules:

- **Montana Resident Preference.** Unless superseded by federal law, Montana law requires that contractors and subcontractors give preference to the employment of Montana residents for any public works contract in excess of \$25,000 for construction or non-construction services. The Commissioner of the Montana Department of Labor and Industry has established the resident requirements in accordance with §18-2-403 and §18-2-409, MCA.
- **Standard Prevailing Rate of Wages.** Montana law requires that all public works contracts greater than \$25,000, contain a provision defining the following:
  - job classification;
  - applicable standard prevailing wage rate, including fringe benefits, travel, per diem;
  - and zone pay that the Contractors, subcontractors, and employers shall pay during the public works contract.

In accordance with §18-2-417, MCA, any public works contract that has a potential term of 30 months or more must allow for adjustment to the prevailing wage rates as noted below:

- If the initial contract term is for more than 12 months, the standard prevailing wage rate paid to workers under a contract must be adjusted 12 months after the date of contract award. The amount of the adjustment must be a 3% increase. The adjustment must be made and applied every 12 months for the term of the contract. This adjustment is the sole responsibility of Contractor and no cost adjustment in the contract will be allowed to fulfill this requirement.
- If the initial contract term is 12 months with options to renew, the contract is subject to the 3% adjustment when the contract length becomes more than 30 months. The 3% rate increase becomes effective upon the second renewal, and the 3% is paid starting in the third year of the contract beginning with the 25th month. The adjustment must be made and applied every 12 months thereafter for the term of the contract. This adjustment is the sole responsibility of Contractor and no cost adjustment in the contract will be allowed to fulfill this requirement.
- **Notice of Wages and Benefits.** In accordance with §18-2-406, MCA, all contractors, subcontractors, and employers who are performing work or providing services under a public works contract must post in a prominent and accessible site on the project staging area or work area, no later than the first day of work and continuing for the entire duration of the Contract, a legible statement of all wages and fringe benefits to be paid to the employees in compliance with §18-2-423, MCA.
- **Wage Rates, Pay Schedule, and Records.** In accordance with §18-2-423, MCA, employees receiving an hourly wage must be paid on a weekly basis. Each contractor, subcontractor, and employer shall maintain payroll records in a manner readily capable of being certified for submission for not less than three years after the Contractor's, subcontractor's, or employer's completion of work on the public works contract.

## 2.0 FUNDING AVAILABILITY

Funding for this program comes from the United States Environmental Protection Agency (EPA) under Section 319(h) of the Federal Clean Water Act (CWA). DEQ anticipates approximately \$1,000,000 will be available for this Call, to be distributed in June/July/August of 2023.

### 2.1 COST SHARE

Project sponsors are required to meet a minimum 40% cost share (also known as match) for the project. Match can be from private, state, local, or non-profit sources; contributions from federal sources cannot be counted



toward the 40% cost share requirement. Use the following formula to calculate the amount of non-federal match required for your project.

$$[(319 \text{ dollars requested}) / .60] - (319 \text{ dollars requested}) = \text{required non-federal match}$$

## 2.2 FUNDING POTS

Funding will be divided into 3 pots, with unused funds from the Focus Watershed and Mini-Grant pots to be redistributed into the General Projects pot.

### General Projects

Estimated Total Amount Available: \$400,000 + any unused funds from the other two pots.

Recommended Range for Funding Requests: \$10,000-\$250,000

Specific Eligibility Requirements: None

Specific Application Instructions: Complete the [2023 Application Form – General and Focus Watershed](#) **AND** where necessary the [2023 Supplemental Project Form](#).

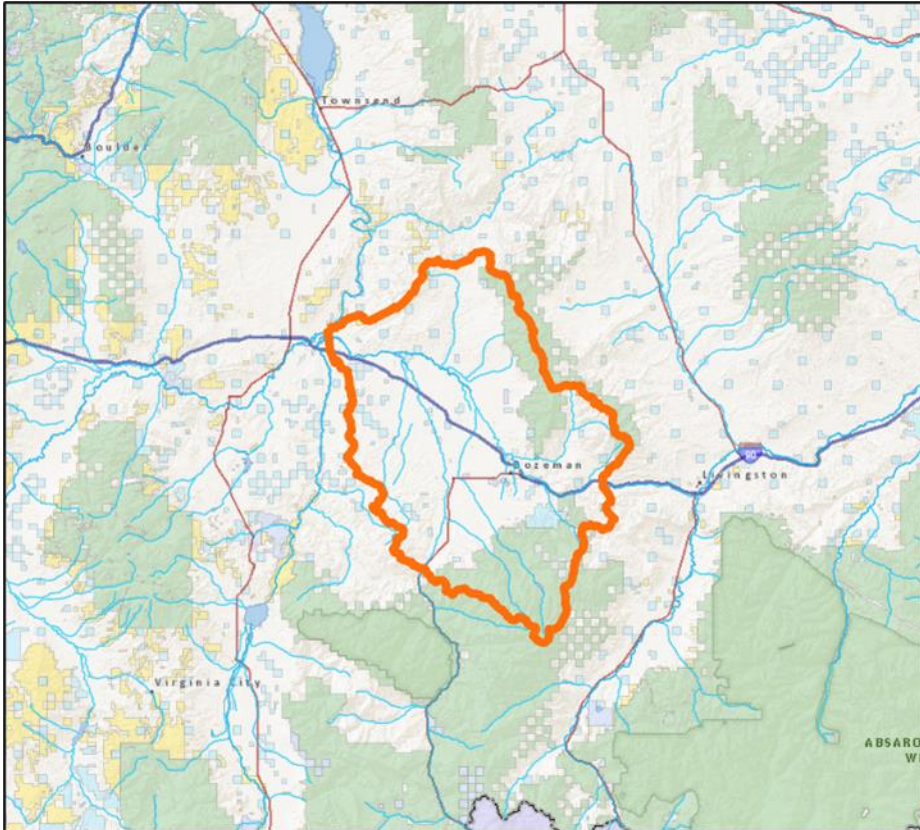
### Focus Watershed Projects

Estimated Total Amount Available: \$500,000

Recommended Range for Funding Requests: \$10,000-\$250,000

Specific Eligibility Requirements: Projects located in the Lower Gallatin watershed (see map below).

Specific Application Instructions: Complete the [2023 Application Form – General and Focus Watershed](#) **AND** where necessary the [2023 Supplemental Project Form](#).



## Mini-Grant Programs

Estimated Total Amount Available: \$100,000

Recommended Range for Funding Requests: \$30,000-\$60,000

Specific Eligibility Requirements: DEQ intends to fund up to 3 mini-grant or sub-award programs to provide small grants for education and outreach, local conservation organization capacity building, and small on-the-ground restoration projects. Mini-grant programs must have a statewide or regional (e.g., multi-county) focus, and activities funded or used as non-federal match for mini-grant programs must generally meet the same project eligibility requirements as all other 319-funded projects.

Mini-grant activities must address nonpoint source pollution and should, to the extent practicable, give priority to activities or practices identified in a DEQ-accepted Watershed Restoration Plan (WRP). See DEQ's interactive [Watershed Plan Viewer](#) map for information on existing plans.

Specific Application Instructions: Complete the [2023 319 Application Form – Mini-grant Programs](#). Mini-grant proposals will only compete against each other and will be scored using the Mini-Grant Scoring Sheet.

## 2.3 TASK REQUIREMENTS AND LIMITS

Each application must include an education and outreach task, a project effectiveness monitoring task, and a project administration task as described below. These task requirements apply to all applications and all funding pots.

## Education and Outreach Task

Each application must contain an education and outreach (E&O) task. Up to \$5,000 may be requested for the E&O task. (Note: the \$5k limit does not apply to education and outreach mini-grant applications.)

## Project Effectiveness Monitoring Task

Each application must contain a project effectiveness monitoring task. 319 funding applied to this task should generally not exceed \$3,000. The typical project effectiveness monitoring task activities will look similar to the ones below.

*Contractor shall, in consultation with the DEQ Project Manager, develop a reasonable method or set of methods for evaluating and reporting on the effectiveness of the project in addressing water quality issues. Contractor shall complete a monitoring plan to guide monitoring activities. Contractor shall complete the following monitoring activities:*

- *Collection of data necessary to estimate annual nitrogen, phosphorus and sediment load reductions (where applicable)*
- *For projects designed to address pollution from pollutants other than nitrogen, phosphorus and sediment, evaluate and report on the effectiveness of the project in addressing water quality issues.*
- *Use the following measures to evaluate the sustainability of on-the-ground projects:*
  - *Vegetation mortality rate.*
  - *Pre- and post-construction photo point monitoring consistent with the “Oregon Watershed Enhancement Board Guide to Photo Monitoring” methodologies, or a similar published photo point monitoring method accepted by DEQ. The U.S. Forest Service provides additional photo point monitoring guidance in the “United States Forest Service Photo Point Monitoring Handbook” that may be useful toward enhancing the quality of photo point monitoring or providing more information for certain photo point monitoring situations.*
- *Use the following measures to estimate or document the success of outreach and education efforts:*
  - *[varies depending upon the nature and number of E&O activities]*
  - *[Participant surveys]*

## Project Administration Task

Each application must contain a project administration task. 319 funding applied to this task must not exceed 10% of the total amount of 319 funding requested, or \$12,000, **whichever is lower**. The typical project administration task activities will look similar to the ones below.

*Contractor shall oversee and be accountable for the completion of all tasks. Contractor shall maintain regular contact with the DEQ project manager. Contractor shall prepare and submit Mid-Year, Interim, Annual and Final Reports and Attachment B Billing Statements according to the format and schedule described below.*

### Report Format

- *Contractor shall submit each Attachment B Billing Statement, Mid-Year Report, Interim Report, Annual Report and Final Report using the most current reporting guidance and templates provided by the DEQ project manager.*
- *Contractor shall ensure each Mid-Year, Interim, Annual and Final Report contains adequate documentation to justify accompanying reimbursement requests and match reporting, to the satisfaction of the DEQ project manager.*
- *Contractor shall ensure that the Final Report is a standalone document describing all contract activities and containing copies of all contract deliverables (even if the deliverables were previously submitted).*

### *Reporting Schedule*

- *Mid-Year Reports: Due June 15th of each year the Contract is in effect.*
- *Annual Reports: Due December 15th of each year the Contract is in effect.*
- *Interim Reports: Due whenever reimbursement is requested outside of the normal Mid-Year, Annual and Final reporting periods while the Contract is in effect.*
- *Draft Final Report: Contractor shall submit a complete draft Final Report for DEQ review and comment at least 15 days prior to the contract expiration date.*
- *Final Report: Contractor shall submit a Final Report, addressing DEQ comments on the draft Final Report, on or before the Contract expiration date.*
- *Attachment B Billing Statements: Contractor shall submit an Attachment B Billing Statement with each Mid-Year, Interim, Annual, or Final Report submitted to DEQ while the Contract is in effect. To maintain cash flow, Contractor may submit interim Attachment B Billing Statements as frequently as monthly during the term of the Contract. However, each interim Attachment B Billing Statement must be accompanied by an Interim Report.*
- *Exception to the Reporting Schedule: The Final Report and associated Attachment B Billing Statement will replace the last required Mid-Year or Annual Report.*

## **3.0 PRIORITIES**

Some projects and restoration techniques are more effective and efficient at reducing nonpoint source pollution. Some also provide longer-term, sustainable benefits to water quality, and some may have important ancillary benefits to society. Please carefully review the funding priorities below. The Scoring Sheets (Attachments A and B) are designed to give preference to projects that reflect these priorities. For further clarification on the definition of each priority, please see the examples in Section 5.3.

### **3.1 PRIORITIES FOR ON-THE-GROUND PROJECTS**

These priorities are applicable to the design, implementation, and monitoring of on-the-ground projects. For further clarification on the definition of each priority, please see the examples in Section 5.3.

#### ***Reducing and Preventing Nonpoint Source Pollution***

Projects should make significant progress in reducing and preventing NPS pollution. Whenever possible, projects should address the root causes and most significant sources of NPS pollution. Projects should focus on cost-effective solutions.

#### ***Restoring and Protecting Natural Stream, Lake, and Wetland Processes***

Natural processes such as channel migration, flooding, scouring, sediment deposition, and the growth and propagation of riparian vegetation are critical to maintaining water quality and the overall health of a watershed. Human activities designed to inhibit or restrict these processes require ongoing maintenance, have a high rate of failure, and rarely provide the same ecological benefits as free-flowing natural systems. Projects should focus on restoring natural processes to support water quality improvement and associated beneficial uses.

#### ***Sustainable Solutions***

For water quality improvements to be sustainable, they should meet the following conditions:

- They must be championed by the landowner and preferably the community as well.
- After initial construction and vegetation establishment, they should be able to rely on natural processes for ongoing maintenance.
- Wherever possible, they should be protected by long-term or perpetual agreements.

### ***Readiness and Need***

Projects need to be well-planned, well-timed, and well-supported. Potential implementation roadblocks need to be anticipated and accounted for. The project should include appropriate levels of landowner and partner involvement, including, where reasonable, contributions of time, money and other resources.

## **3.2 MINI-GRANT PROJECT PRIORITIES**

These priorities are applicable to mini-grant projects. For further clarification on the definition of each priority, please see the examples in Section 5.3.

### ***Reducing and Preventing Nonpoint Source Pollution***

Mini-grant projects must be directly tied to reducing and preventing nonpoint source pollution or increasing local capacity, interest, and awareness for addressing nonpoint source pollution. Projects should make significant progress in reducing and preventing NPS pollution. Whenever possible, projects should address the root causes and most significant sources of NPS pollution. Projects should focus on cost-effective solutions.

### ***Readiness and Need***

Mini-grant programs should be well-planned and well thought out. Target audiences (potential recipients of the mini-grants) should be well-defined and must have adequate interest to ensure full use of available funds. Appropriate project partners should be on board and committed to participating. Programs should not be duplicative of other funding opportunities and should focus on engaging new audiences to address nonpoint source pollution.

### ***Efficient Program Delivery***

Mini-grant programs benefit from being nimble, providing quick access to funds to address small but abundant nonpoint source pollution problems. Well-designed application and reporting procedures, and excellent communication between applicants, project sponsors and funding entities are essential to keep the programs running smoothly. Ongoing program evaluation and adaptive management keeps the program relevant and encourages participation from funders and other project partners.

## **3.3 EDUCATION AND OUTREACH PRIORITIES**

These priorities are applicable to all education and outreach (E&O) tasks associated with general/focus watershed applications and mini-grant program applications. For further clarification on the definition of each priority, please see the examples in Section 5.3.

### ***Defined Goals and Measurable Outcomes***

Education and outreach efforts need to have a defined nonpoint source goal and means of measuring whether that goal has been reached.

### ***Appropriate Target Audience***

The target audience must be clearly defined and must have the ability to take action to reduce or prevent nonpoint source pollution. The target audience should be able to help address root causes and primary sources of nonpoint source pollution.

### ***Appropriate Method of Delivery (activity)***

Education and outreach activities must be designed and marketed in a way that reaches the target audience and inspires them to take action to address NPS pollution.

## **3.4 BIGGER PICTURE PRIORITIES**

NPS pollution reduction and prevention projects are part of DEQ's broader mission to champion a healthy environment for a thriving Montana. The positive impact of these projects often stretches beyond simply improving water quality. The following priorities reflect some of the potential 319 projects have for serving the greater good. For further clarification on the definition of each priority, please see the examples in Section 5.3.

### ***Environmental Justice***

Projects are encouraged to provide equitable access and opportunities to a clean and healthy environment for economic and socially disadvantaged populations and provide meaningful involvement in the decision-making process from all affected stakeholders. DEQ encourages project sponsors to support projects that take into consideration the protection of public health and the environment. The [EPA EJScreen](#) is a useful environmental justice screening and mapping tool that combines environmental and demographic indicators.

### ***Climate Change/Resilience***

There is strong scientific evidence indicating that the earth's surface temperatures are warming and precipitation regimes are shifting. A changing climate will have a significant impact on water quality, affecting the timing and quantity of the precipitation and snowmelt that feed our rivers, the temperature of lakes and streams, and nutrient cycling within aquatic environments. Some nonpoint source pollution prevention projects have the ability to lessen the impacts of climate change on water quality and quantity.

### ***Impacts to Downstream Communities and Natural Systems***

The effects of nonpoint source pollution are often felt by downstream communities and natural systems. Nonpoint source pollution can increase the cost and complexity of treatment for communities that rely on streams as a source of drinking water. It can cause nuisance algae growth, limiting recreational opportunities. It can also increase the risk of flooding. Nonpoint source pollution can also put a strain on downstream animal and plant populations and sensitive designated use reaches.

## **4.0 HOW TO APPLY**

Please follow the steps below.

### **STEP 1 – CONTACT THE DEQ NONPOINT SOURCE AND WETLANDS SECTION STAFF**

While this step is not required, it is highly encouraged. In past years, project sponsors who involved DEQ staff in the development of their applications had an easier time navigating the application process and frequently outscored their competitors. With sufficient advance notice, DEQ staff can:

- Help you determine whether your project is eligible for 319 grant funding
- Provide guidance on how to make your proposal more competitive
- Conduct a site visit and provide technical guidance on restoration techniques
- Help you identify and develop project effectiveness evaluation procedures
- Share a wealth of experience gained from years of helping other project sponsors develop successful applications
- Answer questions about the application form, scoring sheets, application process, etc.
- Review draft applications

## **STEP 2 – READ THE CALL FOR APPLICATIONS**

Congratulations! If you're reading this, you're already more than halfway through reading the Call. Pay special attention to the calendar at the beginning for important deadlines and the Priorities section for ways to improve the competitiveness of your application.

## **STEP 3 – DOWNLOAD, FILL OUT AND SUBMIT THE APPROPRIATE APPLICATION FORM(S)**

Links to the application forms and instructions:

- [General and Focus Watershed application form](#)
- [Supplemental Project Form](#)
- [Instructions for the General and Focus Watershed application form](#)
- [Mini-Grant Application Form](#)
- [Instructions for the Mini-Grant application form](#)

Adobe Reader software is required and can be downloaded for free: <https://get.adobe.com/reader/>.

**Signed applications and required materials must be received by DEQ by Friday, 10/7/2022, 5:00 pm.**

Project sponsors must submit all application materials, including attachments, in either PDF or Microsoft Office Suite compatible file format. DO NOT send electronic files through Dropbox, WeTransfer, Google Docs, or any other commercially available file transfer service. Electronic documents smaller than ten megabytes (10 MB) may be delivered via email to Mark Ockey: [mockey@mt.gov](mailto:mockey@mt.gov). Electronic documents larger than ten megabytes (10 MB) must be delivered using the State of Montana's File Transfer Service. Signup instructions are available at <https://transfer.mt.gov/Home/Instructions>.

Contact Mark Ockey to make sure that all documents were received: [mockey@mt.gov](mailto:mockey@mt.gov) or 406-444-5351.

## **STEP 4 – PARTICIPATE IN THE 319 AGENCY REVIEW PANEL MEETING**

All applications are reviewed by an Agency Review Panel, by DEQ, and by EPA. Successful project sponsors are then offered a contract for 319 funding. The purpose of the Agency Review Panel is for DEQ to draw upon the knowledge and experience of other natural resource professionals to better inform DEQ's decisions about which projects to recommend to EPA for funding.

A scoring sheet will be used during the evaluation process and is included as Attachment A. The scoring sheet is intended to support the Agency Review Panel discussion. It is not a final decision-making matrix. The Panel will use the scoring sheet to make general recommendations to DEQ regarding funding levels and project quality.

Project sponsors are encouraged to review the scoring sheet and consider how well their application meets these individual criteria. The criteria in the scoring sheet reflect the priorities described above in Section 4.0.

Applications will be reviewed and evaluated by the Agency Review Panel on Thursday, November 3, 2022, in Helena. The Panel will be chaired by DEQ and will include representatives from various state and federal agencies. The Agency Review Panel meeting will consist of two parts. In the morning (and early afternoon if need be), each project sponsor will be given a set amount of time to respond to questions from the Panel members. In the afternoon, the Panel will deliberate and come up with a set of funding recommendations for DEQ's consideration.

Project sponsors are encouraged to attend the entire Agency Review Panel meeting in-person if they are available, and to have key project partners and landowners on hand to answer questions during the allotted question and answer time. However, a remote/phone-in option will be made available. To ensure a fair and competitive process, the only time project sponsors will be allowed to interact with the Review Panel will be during their allotted question and answer time. DEQ staff will be on hand throughout the meeting to answer additional questions and provide clarification on 319 program requirements. The public is also invited to attend the meeting.

In the past DEQ has also offered each project sponsor a few minutes to present their project. Due to the increase in applications in recent years, this option is no longer practical.

Please check the DEQ 319 Project Funding website (<https://deq.mt.gov/water/Programs/sw#accordion4-collapse3>) for potential schedule changes.

Following the Agency Review Panel meeting, DEQ staff will review the recommendations made by the Panel. By **Friday, November 18, 2022**, DEQ plans to issue tentative notices of intent to award to all successful project sponsors. Final funding decisions will be dependent on EPA review and approval.

## **STEP 5 – CONTRACT DEVELOPMENT** *(FOR SUCCESSFUL APPLICATIONS)*

319 funds are administered as contracts. Contracts are legally binding agreements that identify specific products or work that must be completed prior to receiving reimbursement. Expenses and match incurred by project sponsors prior to the signing of a contract, and after the expiration date of the contract, CANNOT be applied to the contract.

If your application is successful, a DEQ project manager will be assigned to immediately begin working with you to develop a contract based on the information you provided in your application and recommendations made by the Agency Review Panel and DEQ Management. Your project manager will prepare a draft scope of work and may prepare documents for an Endangered Species Act consultation with the United States Fish and Wildlife Service. The goal will be to develop a mutually agreeable scope of work by the end of January, 2023, so it can be submitted to EPA for approval in early spring.

The EPA has final approval authority over all projects selected by DEQ for funding. EPA reviews the final scopes of work for consistency with the 2017 Montana Nonpoint Source Management Plan, consistency with EPA NPS program guidelines, and overall impacts on water quality. Upon receipt of EPA approval, DEQ will issue contracts to successful project sponsors (anticipated in July or August of 2023). Again, expenses and match incurred by project sponsors prior to the signing of a contract, and after the expiration date of the contract, CANNOT be applied to the contract.



Payment requests are on a reimbursement basis. Project sponsors may request payment no more frequently than monthly and no less frequently than semi-annually. With each payment request, project sponsors are required to submit a report that includes a description of the work completed and justification for expenses incurred. At a minimum, sponsors must submit semi-annual (interim) reports, yearly annual reports, and a final report. Templates and reporting guidance for these reports can be found under “Guidance for Funding Recipients” on the 319 Project Funding website: <https://deq.mt.gov/water/Programs/sw#accordion4-collapse3>. Projects are expected to be completed within 3 years of the date the contract is signed.

## 5.0 ADDITIONAL RESOURCES

The following resources may also be useful in preparing your application.

### 5.1 WEB RESOURCES

- The 2017 Montana Nonpoint Source Management Plan (NPS Plan):  
<http://deq.mt.gov/Portals/112/Water/WPB/Nonpoint/Publications/Annual%20Reports/2017NPSManagementPlanFinal.pdf>
- A map showing watersheds with approved total maximum daily loads (TMDLs) and final TMDL documents:  
<https://gis.mtdeq.us/portal/apps/webappviewer/index.html?id=b8bd98aca20040048850803c46873b3c>
- Information on existing Watershed Restoration Plans (WRPs) and WRP development:  
<https://gis.mtdeq.us/portal/apps/webappviewer/index.html?id=b8bd98aca20040048850803c46873b3c>
- The Clean Water Act Information Center (CWAIC) database is available to help you search for information on the impairment and TMDL status of Montana waterbodies. The database can be searched online at [www.cwaic.mt.gov](http://www.cwaic.mt.gov)

### 5.2 STAFF CONTACTS

Eric Trum, Section Supervisor

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Mark Ockey, Water Quality Specialist

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Hannah Riedl, Water Quality Specialist

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Meagan Gilmore, Water Quality Specialist

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## 5.3 EXAMPLES

### PRIORITIES FOR ON-THE-GROUND PROJECTS

These priorities are applicable to the design, implementation, and monitoring of on-the-ground projects.

#### Reducing and Preventing Nonpoint Source Pollution

##### Good Examples

- Installing livestock exclusion fencing to create a riparian buffer along 3,000 feet streambank.
- Restoring natural hydrology to a formerly channelized and drained floodplain.
- Relocating a frequently flooded farmstead up and out of the floodplain.

##### Poor Examples

- Installing doggy poo-bag dispensers and signage along a popular upland hiking trail in a watershed where land use is dominated by row crops and feedlots.
- Building a rain garden in a watershed with 240,000 acres of irrigated cropland.
- Armoring a streambank to reduce erosion caused by historic stream straightening.

#### Restoring and Protecting Natural Stream, Lake, and Wetland Processes

##### Good Examples

- Relocating an unpaved road up and out of a narrow stream corridor.
- Removing an abandoned railroad grade and restoring floodplain connectivity.
- Planting native riparian species and installing livestock exclusion fencing to restore and protect native vegetation communities.

##### Poor Examples

- Armoring a streambank with rock or a log matrix to prevent a natural channel avulsion.
- Realigning a stream and hardening the channel to prevent it from migrating through a hay field.
- Using a log weir, J-hook, or rock barb to divert the energy of a stream away from a road grade.

#### Sustainable Solutions

##### Good Examples

- The landowner attends the 319 Agency Review Panel in-person to advocate for his/her project.
- The stream re-meandering project includes a 75-foot riparian buffer and an extensive revegetation component.
- The landowner completes a change of use agreement to ensure 2 cfs of water used previously for irrigation remains in the stream.

#### Poor Examples

- The landowner indicates they only came to the watershed group for help after the local conservation district threatened to issue a 310 violation.
- The revegetation budget for a major stream reconstruction project is less than 2% of the total project budget.
- The project proposal calls for implementation of a best management practice that has a 20-year expected lifespan, but it's apparent that if natural processes were to allowed to continue, the problem would resolve itself in the same amount of time.

#### Readiness and Need

##### Good Examples

- The landowner and their downstream impacted neighbor both participate in the Agency Review Panel meeting.
- At the time of application, the project sponsor has already involved the local fisheries biologist and floodplain coordinator in the planning process.
- The project sponsor has either a history of successful contract management or applicable education.
- The project proposal includes specific metrics for evaluating the nonpoint source pollution benefits of on-the-ground work.
- The landowner and other project beneficiaries have committed to provide time, money and other resources to the project commensurate with their ability to do so.

##### Poor Examples

- The project proposal includes riparian restoration along 3,000 feet of Purple Cow Creek. So far, only two of the 3 landowners involved have indicated support for the project.
- The project proposal includes design and implementation of a channel realignment project in a mapped floodplain on federal land. NEPA has not been started and there have been no communications with the local floodplain coordinator.
- The project will greatly improve fisheries on a private ranch owned by an extremely wealthy individual, but the landowner is only contributing \$100 to the project.

#### **MINI-GRANT PROJECT PRIORITIES**

These priorities are applicable to mini-grant projects.

#### Reducing and Preventing Nonpoint Source Pollution

##### Good Examples

- Mini-grants to pay for fencing, off-stream watering, wind shelters and hardened crossings to reduce grazing impacts on streambanks and riparian areas.
- Mini-grants to provide scholarships for high school and college students to attend stream restoration conferences and trainings.
- Mini-grants to subsidize native riparian plant distribution to lakeshore homeowners.

##### Poor Examples

- Mini-grants to pay for bio-control agents to control noxious weeds.
- Mini-grants to pay for installation of a 10-foot wide riparian buffer.

## Readiness and Need

### Good Examples

- A conservation district partners with the local stockgrowers association to provide mini-grants to ranchers for off-stream watering.
- A statewide conservation organization provides scholarships for conservation district administrators and watershed group coordinators to participate in contract management training.
- A statewide conservation organization partners with MSU Extension to provide mini-grants and technical assistance to grazing districts to help set up forage use and riparian grazing monitoring programs.

### Poor Examples

- A project sponsor plans to partner with 7 conservation districts to offer mini-grants to landowners for purchasing and planting native riparian plants. Only 2 of the 7 CDs provide letters of support.
- A statewide conservation organization proposes to offer mini-grants to landowners to implement projects that address nonpoint source pollution generally, but provides very few additional details.
- An environmental advocacy organization proposes to offer mini-grants to ranchers in eastern Montana to create 200-foot wide riparian buffers to exclude grazing, with no evidence of local support.

## Efficient Program Delivery

### Good Examples

- Program includes well-defined, simple methods for measuring the success of individual projects and the program as a whole.
- The application process for an organization seeking a mini-grant involves a 2-page application form and a 30-day turnaround for a funding decision.
- Reporting requirements for a \$4,000 mini-grant include providing a maximum 3-page report with project photos and results of pre-defined metrics for reporting nonpoint source pollution prevention benefits.

### Poor Examples

- Applicants for individual mini-grants must fill out a 10-page form, provide 5 letters of support and send in 3 years of financial statements in order to apply for funding.
- Mini-grant recipients are required to submit monthly project progress reports.
- Mini-grant program sponsors can only be reached by phone, and then only on Friday afternoons, and prefer to receive all reports by fax.

## **EDUCATION AND OUTREACH PRIORITIES**

These priorities are applicable to all education and outreach (E&O) tasks associated with general/focus watershed applications and mini-grant program applications.

## Defined Goals and Measurable Outcomes

### Good Examples

- To raise awareness of the value of native riparian buffers in urban areas, a watershed group decides to hold a parade of homes tour. It will feature homeowners who have benefited from maintaining or restoring native vegetation along their streambanks. The goal is to have at least 40 creek side landowners participate and 5 accept an invitation to have a revegetation specialist provide personalized recommendations for their property.

- A conservation district is planning a large riparian fencing and off-stream watering project on a ranch along Purple Cow Creek. The district develops an outreach plan to use the project as a demonstration to encourage neighbors with grazing-impacted ranches to do similar work. The district tracks which landowners attend the tour and how landowners respond to an invitation to engage in similar work on their property.
- A conservation district administrator requests funding to attend a public procurement training and a stream restoration conference to learn how to better manage contracts and develop NPS pollution prevention projects. The administrator provides a description in a status report of what he/she learned and how they will apply it.

#### Poor Examples

- A watershed group holds a seminar to teach real estate agents how to help landowners understand the importance of riparian buffers. At the end of the presentation, the real estate agents are given a brief survey to gauge what they have learned. No further follow-up occurs to determine whether any of the information from the seminar ever made it into the hands of landowners.
- A conservation district adds photos and a brief description of their newest stream restoration project to their monthly newsletter. No response is requested and no further follow-up occurs.

#### Appropriate Target Audience

##### Good Examples

- E&O activities will focus on real estate agents in a watershed experiencing rapid population growth and lots of new construction.
- E&O efforts will focus on reaching farmers with fields that are adjacent to a stream impaired due to excess nitrogen and phosphorus.
- E&O efforts will focus on irrigators in a watershed where several streams are impaired due to hydrologic modification from irrigation diversions and return flows.

##### Poor Examples

- E&O activities include providing regular project updates at watershed group board meetings.
- E&O activities will focus on a campaign to encourage pet waste cleanup in a rural watershed with 80,000 acres of irrigated cropland and 67,000 head of cattle.
- E&O activities will include a mass-mailing of livestock grazing BMP publications to every address in the entire county.

#### Appropriate Method of Delivery (activity)

##### Good Examples

- A conservation organization representative personally attends local grazing district meetings to share information on the benefits of riparian condition monitoring.
- A local watershed group commissions a local artist to paint a mural on the side of an active grain elevator depicting the benefits of a healthy riparian area.
- A watershed group coordinator attends local homeowners' association meetings to explain the benefits of proper septic maintenance.

##### Poor Examples

- A watershed group uses their website and twitter account to advertise an upcoming cost-share opportunity for funding riparian fencing and off-stream watering facilities.
- A watershed group creates a 2-hour YouTube video to teach homeowners the finer points of septic system maintenance.

- A conservation organization holds a public informational meeting at 7:30pm on a Friday night.

### **BIGGER PICTURE PRIORITIES**

NPS pollution reduction and prevention projects are part of DEQ's broader mission to champion a healthy environment for a thriving Montana. The positive impact of these projects often stretches beyond simply improving water quality. The following priorities reflect some of the potential 319 projects have for serving the greater good.

#### Environmental Justice

##### Good Examples

- Stream restoration in a handicap accessible public park.
- Riparian buffer creation adjacent to government-subsidized housing.
- Use of indigenous plants of cultural significance.
- Selection of BMPs that will not create an ongoing maintenance burden on local communities.
- Demonstration of tribal participation and perspective in project planning.
- Key community members involvement and leadership.

##### Poor Examples

- An in-stream habitat restoration project on a wealthy landowner's spring creek.
- Selection of BMPs that will require consistent maintenance funded by county residents.

#### Climate Change/Resilience

##### Good Examples

- Designs that include restoring natural process-based flood mitigation strategies, such as addition of meanders and adjacent wetlands to mitigate downstream flooding and late season drought.
- Complex riparian buffer planted along meanders to reduce stream temperature, provide cold water refuge for native trout, and promote biodiversity.
- Planting woody vegetation and using beaver dam analog structures to raise the local water table and encourage beaver recolonization.
- Replacement of a perched culvert with a bridge.

##### Poor Examples

- Streambank armoring.
- Establishing a monoculture along a streambank.
- A water consumption reduction project without a mechanism to guarantee water savings will remain in the stream.

#### Impacts to Downstream Communities and Natural Systems

##### Good Examples

- Reduction of nonpoint source pollution just upstream of a city's drinking water intake.
- Removal of toxic mine tailings in a headwaters stream that later meanders through a suburban neighborhood.
- Sediment pollution reduction upstream of a popular fishery.
- A floodplain reconnection and wetland restoration project that will attenuate flood waters upstream of a town.

- Creation of a wide riparian buffer to restore habitat connectivity between upstream and downstream sections of a river.

Poor Examples

- Relocating a small horse corral out of the riparian area 30 miles upstream of the nearest town or impaired water.
- A habitat restoration project designed to benefit non-native rainbow trout.

# ATTACHMENTS

Attachments are available for download on DEQ's website: <https://deq.mt.gov/water/Programs/sw#accordion4-collapse3>.

Adobe Reader software is required and can be downloaded for free: <http://get.adobe.com/reader/>

## ATTACHMENT A – SCORING SHEETS

[A-1 – General and Focus Watershed Scoring Sheet](#)

[A-2 – Mini-Grant Program Scoring Sheet](#)

The scoring sheets (A-1 and A-2) are intended to support the Agency Review Panel discussion. However, they are not a final decision-making matrix. The Agency Review Panel will use the scoring sheets to make general recommendations to DEQ regarding funding levels and project quality. Project Sponsors are encouraged to review the applicable scoring sheet and consider how well their application meets these individual criteria.

## ATTACHMENT B – APPLICATION FORM INSTRUCTIONS

[B-1 – General and Focus Watershed Application Form Instructions](#)

[B-2 – Mini-Grant Program Application Form Instructions](#)

## ATTACHMENT C – APPLICATION FORMS

[C-1 – General and Focus Watershed Application Form](#)

[C-2 – Supplemental Project Application Form](#)

[C-3 – Mini-Grant Program Application Form](#)