



Federal Clean Water Act Section 319 Grant Federal Fiscal Year 2024: Watershed-Based Planning

Notice of Solicitation for Applications

Nonpoint source pollution is the leading cause of water quality degradation in the United States and poses a substantial problem for the health of New Mexico's streams, rivers, and lakes. To address this problem, funds are available under Section 319(h) of the Federal Clean Water Act (CWA) through a competitive project selection process.

The New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB) is now accepting applications for sub-grants for planning projects within the watersheds of specified priority stream reaches to identify practical approaches that improve water quality in New Mexico's surface waters and meet the requirements of U.S. Environmental Protection Agency (USEPA) *Nonpoint Source Program and Grants Guidelines for States and Territories* (<https://www.epa.gov/nps/319-grant-current-guidance>). Projects funded through this project may develop new watershed-based plans (WBPs), update or revise existing WBPs, or develop water quality improvement plans for Category 4C (flow impaired) streams. The objective of watershed-based planning solicited through this request for applications is to identify effective strategies for water quality improvement sufficient for the impairment designation to be removed, and to foster the coordination and cooperation required for effective implementation.

Applications are due no later than 5:00 pm Mountain Standard Time on January 3, 2023. The applicant should check the New Mexico Environment Department website <https://www.env.nm.gov/subgrants/> for the most recent updates to this Solicitation for Applications (SFA), including questions and answers, and addendums.

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Attachment A: Application Form - <https://www.env.nm.gov/subgrants/>

Attachment B: Sample Agreement - <https://www.env.nm.gov/subgrants/>

1. Program overview

NMED's Section 319 grant program is seeking applications for projects to complete, update, or revise

WBPs to reduce nonpoint source pollution (NPS) in New Mexico's streams, rivers, and lakes. Eligible projects must be in watersheds of specified priority stream reaches. Priority stream reaches for this opportunity are the streams listed as impaired in the *2022-2024 State of New Mexico Clean Water Act Section 303(d)/Section 305(b) Integrated Report (Integrated Report)*, and which have one or more EPA-approved total maximum daily loads (TMDLs) to describe at least one impairment (identified in the Integrated Report as Category 4A streams). Also included as priority stream reaches are any stream sections identified in the Integrated Report in Categories 4B and 4C. The Integrated Report is available at www.env.nm.gov/surface-water-quality/303d-305b, and TMDLs are available at www.env.nm.gov/surface-water-quality/tmdl (via links in the "List of New Mexico TMDLs" documents). Where these watersheds cross state lines, the project areas must include portions of the watershed in New Mexico but may also include portions of the watershed not in New Mexico.

2. Funding

Funding for selected projects will be provided through Federal Clean Water Act Section 319 grant funds. According to EPA's *Nonpoint Source Program and Grants Guidelines for States and Territories*, "States must use at least 50% of the annual appropriation of Section 319 funds to implement watershed projects guided by WBPs." The Guidelines describe nine planning elements that must be included in a WBP for EPA to recognize that this planning requirement has been met. WBPs developed with support from NMED are available at <https://www.env.nm.gov/surface-water-quality/accepted-wbp>. EPA also listed five elements for "Alternatives to Nine-Element Watershed-based Plans" in the Guidelines, applicable to Category 4C (flow-impaired) streams.

Grant Request

NMED anticipates that approximately \$400,000 in Federal funds will be available to support projects identified through this SFA, contingent upon Congressional appropriation. The terms of the resulting agreements are not expected to exceed four years.

Match requirements

Grantees are required to contribute at least 40% of the total project cost as a cash or in-kind match. The grant award may cover no more than 60% of the total project cost. For example, if the total project cost is \$100,000, the maximum amount of grant funds this project could receive would be \$60,000; the grantee must provide a match of at least \$40,000.

Examples of acceptable match include hourly salaries of personnel paid from non-federal sources, a projection of the fair market value of time donated to project related activities (e.g. writers, youth group volunteers, environmental organizations, etc.), fair market value for utilization of privately-owned equipment, etc. Detailed rules for match are at CFR 200.306 (Cost sharing or matching).

Note: *salaries and equipment derived from federal funds cannot be used to meet match requirements.*

3. Eligibility

Those eligible for funding include: citizen watershed groups, non-profit organizations, for-profit organizations, individuals, and federal, state and local agencies (including those of Indian Nations, Pueblos, and Tribes).

4. Application review process

Applications received by the deadline will be reviewed using a three-phase process. Late applications will not be considered for review.

Phase I – Minimum requirements review

The SWQB will determine if eligibility requirements are met. Any application found to be ineligible will be eliminated from further evaluation.

Minimum requirements:

- Complete application: Application form submitted via email as Microsoft Word or Adobe PDF document.
- Eligible applicant (eligibility includes ability to provide sufficient match)
- The project completes, updates, or revises a WBP for at least one Category 4A or 4B stream and/or completes an alternative to a nine-element WBP for a Category 4C stream.

Phase II – Evaluate applications

Only those applications found to pass Phase I will be considered in Phase II. NMED may request clarification from one or more applicants. The clarifications will be made in writing for evaluation purposes. The response to the request for clarification will be considered along with the original application for application scoring.

An Evaluation Committee will review and score project applications. Reviewers will evaluate applications using the evaluation criteria found in the grant application form.

Phase III – Select finalist(s)

After scoring, applications are ranked to determine project funding, merit and available dollars.

Notification

NMED anticipates all applicants will be notified of award within approximately sixty days of the application due date. Scores and comments on the applications will be provided upon request.

Successful applicants will be invited to enter into a Sub-Grant Agreement with NMED, following the format in the Sample Agreement (Attachment B and <https://www.env.nm.gov/subgrants/>).

NMED staff will work with selected applicants to adapt their applications into project work plans which will be attached to their sub-grant agreements. Project work plans are subject to approval by U.S. EPA, and sub-grant agreements (including work plans) are subject to approval by NMED. **NMED anticipates work may begin in July 2023.**

5. Application instructions

Responses to application questions must be typed, following format and page limits specified in the grant application form (**Attachment A: Application Form**, available at <https://www.env.nm.gov/subgrants/>).

6. Application questions

Applicants who have questions regarding this SFA must email questions to the SWQB Program Manager at wpsprogram.manager@state.nm.us, subject line: **“FY24 WBP Grant Application Questions,”** no later than **11:59 pm Mountain Standard Time on December 5, 2022**. Applicants who submit questions will be added to a distribution list for this SFA.

A final list of all questions and answers during the open Q & A period will be sent to the distribution list and posted on the NMED website <https://www.env.nm.gov/subgrants/> by **5:00 pm Mountain Standard Time on December 12, 2022**. It is the applicant’s responsibility to check the NMED website for the most recent updates, including questions and answers and addendums.

NMED-SWQB personnel are not authorized to discuss this SFA with applicants. Contact regarding this SFA with any NMED-SWQB personnel except as described above may result in disqualification.

7. Application submission

Applications must be received electronically by the SWQB no later than **5:00 pm Mountain Standard Time on January 3, 2023**. Email applications to SWQB’s Watershed Protection Section (WPS) Program Manager at wpsprogram.manager@state.nm.us with the subject line: **“FY24 WBP Grant Application.”**

The email properties header will reflect the date and time submissions are received. Application submissions received after the deadline will not be considered eligible. NMED is not responsible for any errors or delays caused by technology-related issues, even if they are caused by NMED.

Applications submitted via any other method, including but not limited to fax, mail, or in-person deliveries, will not be accepted.

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED’s non- discrimination programs, policies or procedures, you may contact:

Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
505-827-2855
nd.coordinator@env.nm.gov

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at www.env.nm.gov/non-employee-discrimination-complaint-page to learn how and where to file a complaint of discrimination.
