

**FY24 WATERSHED-BASED PLANNING and  
WATERSHED PROJECT IMPLEMENTATION  
SOLICITATIONS FOR APPLICATIONS  
QUESTIONS and ANSWERS**

## **Distribution List**

The following people or organizations indicated in writing their interest in one or both Solicitations for Applications (SFAs).

<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>	<b>Email address</b>
Scudieri	Cathy	Natural Channel Design, Inc.	<a href="mailto:cathy@naturalchanneldesign.com">cathy@naturalchanneldesign.com</a>
Jansens	Jan-Willem	Ecotone Landscape Planning, LLC	<a href="mailto:jwjansens@ecotonelandscapeplanning.com">jwjansens@ecotonelandscapeplanning.com</a>
Schaub	Charles	Bureau of Land Management	<a href="mailto:cschaub@blm.gov">cschaub@blm.gov</a>
Woodall	Allison	Angel Fire Wetland Conservation Committee	<a href="mailto:allisontw59@gmail.com">allisontw59@gmail.com</a>

## **Questions and Answers**

Note: The questions below have been edited for clarity.

**1) Does the applicant need to be a registered entity in SAM.gov in order to be considered for award of Section 319 grant funds?**

Yes. Before an applicant which is a non-federal entity can become a sub-grantee, we are required to verify the non-federal entity has not been debarred or suspended by the federal government, and we use SAM.gov to demonstrate that. Therefore, the applicant needs to be registered in SAM.gov before NMED could award a sub-grant.

**2) Does the applicant need to be a registered entity in a state-level government registry in order to be considered for award of Section 319 grant funds?**

Yes. The applicant will need to be a vendor registered with the State of New Mexico using a form called "Substitute Form W-9" (available at <https://www.nmdfa.state.nm.us/financial-control/resource-information/forms/>), prior to sub-grant award. Completed Substitute W-9 forms or additional inquiries (e.g., to determine whether your organization is already a registered vendor) may be sent to [wpsprogram.manager@env.nm.gov](mailto:wpsprogram.manager@env.nm.gov).

**3) What are the maximum hourly rates that can be paid through these grant opportunities?**

The federal portion of fees paid to consultants shall not exceed a wage rate of \$675.80 per day or \$84.47 per hour. This requirement does not apply to staff or contractors such as heavy equipment operators and skilled tradespeople who are not consultants. Hourly rates must reflect current market value. In addition, sub-grantees must charge NMED for actual costs

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incurred. As reflected in the budget table template, sub-grantees may list employee benefits and withholdings as a separate cost item, and they may also add an item for indirect costs in the “other” category. Sub-grantees may charge up to 10% of their total modified direct costs (MTDC) for implementing a project that is funded through these SFAs.

Some additional guidance related to this direction follows. Employee costs can be complex and therefore may not be known with certainty until after the expenditure is incurred. For this reason, the budget table in both SFAs instructs applicants to “enter the *estimated* costs of benefits and withholdings, if applicable, in one or more rows.” The sub-grantee’s accounting system should allow the sub-grantee to apportion costs of employee benefits and leave based on what the employee worked on (and what accounts they billed to), and then bill NMED for actual costs after they are incurred. If necessary, the sub-grantee may provide credit or additional charges in subsequent invoices, based on final accounting which may not be promptly available.

- 4) We are considering applying for support to write a WBP for the Ojo Caliente sub-watershed of the Rio Chama (including the Rio Tusas, Rio Vallecitos, and their tributaries). Which stream segments are listed as impaired, and of these, which have TMDLs? Is there any draft TMDL information available for any streams in this watershed?**

The Rio Vallecitos from the Rio Ojo Caliente to its headwaters has TMDLs for chronic aluminum, temperature, and turbidity. Of these parameters, it is currently only listed as impaired by temperature. The Rio Tusas has TMDLs for temperature and nutrients (and is listed as impaired by these), and Placer Creek (Hopewell Reservoir to headwaters) has a TMDL for temperature and is listed as impaired by temperature. Just to complete the impairment picture for this sub-watershed, Jarosa Creek has been mostly assessed, and it does not have any recognized impairments. It has been assessed for its domestic water supply, high quality cold water aquatic life, irrigation, and wildlife habitat uses, but not for its livestock watering or primary contact uses. Placer Creek (Rio Vallecitos to Hopewell Reservoir) has been assessed for all of its designated uses and doesn’t have any recognized impairments. Hopewell Lake has a nutrient impairment (but no TMDL). The Rio Ojo Caliente (Arroyo El Rito to Rio Vallecitos) has a nutrient impairment but no TMDL. The Rio Ojo Caliente (Rio Chama to Arroyo El Rito) hasn’t been assessed.

Links to all of the aforementioned TMDLs are available in a spreadsheet you can download using this link: <https://cloud.env.nm.gov/water/?r=8086&k=38e77da211>. There isn’t any draft TMDL text or analysis for the other impairment parameters listed above. There is a report that included Hopewell Lake, at <https://www.env.nm.gov/wp-content/uploads/sites/25/2019/10/LakesSurveys-1999.pdf>.

A planning project must include at least one “priority stream” (category 4A with a TMDL and corresponding impairment, or category 4B, or category 4C), but in addition may also include streams with impairments for which there is not yet a TMDL, and in addition may include water quality protection planning in areas without water quality impairments. The primary focus should be on developing a more detailed plan to implement one or more TMDLs, however. The TMDL confers the advantage of a somewhat stronger impairment decision

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(having generally received more scrutiny, supplemental data collection, and gone through a public process), and provides basic goals for load reduction. Without a TMDL, you may need to do an analysis similar to that required for a TMDL before proceeding with additional analysis.

- 5) For the Watershed Project Implementation SFA, could we include watersheds that, while not specifically on the Section 303 (d)/ Section 305 (b) Integrated Report, could still benefit from restoration activities? For example, we are interested in the Arroyo de los Pinos (HUC12: 130202040201), Querencia Arroyo (HUC12: 130202020306), and Arroyo La Jara (HUC12: 130202020305).**

Yes, under some circumstances. First some notes of clarification – the Section 303(d)/Section 305(b) Integrated Report lists waters, rather than watersheds. Most of this answer is with regards to projects that implement watershed-based plans (which in turn are geared towards implementation of Total Maximum Daily Loads). Watersheds affected by major wildfires as further defined in the SFA, and watersheds with wetlands action plans (WAPs), are eligible for funding of implementation projects.

If a watershed lies upstream of an impaired water, actions in that watershed may be appropriate to improve water quality in the downstream water. The Arroyo de los Pinos watershed (HUC12: 130202040201) is within the large Rio Puerco basin, which has a Watershed-Based Plan (WBP), and is thus eligible for consideration of applications. The Arroyo de los Pinos watershed is downstream of the impaired waters within the Rio Puerco basin, and far upstream of an impaired assessment unit without a TMDL called “Rio Puerco (non-pueblo Rio Grande to Arroyo Chico),” and even further upstream of the impaired assessment unit “Rio Grande (San Marcial at USGS gage to Rio Puerco)” which also has a TMDL, so a project here may not score well compared with other projects. The Querencia Arroyo watershed (HUC12: 130202020306) is tributary to the Rio Salado, which drains to the Jemez River near San Ysidro. The Querencia Arroyo watershed is not covered by a WBP, does not have a wetlands action plan, and is not affected by a recent major wildfire, and thus is not eligible for funding under the implementation SFA. The Arroyo La Jara watershed drains to the Querencia Arroyo watershed and similarly does not have a WBP, WAP, or recent major wildfire, so is not eligible under this funding source.

An interesting side-note is that the WAP for cienegas (available at <https://www.env.nm.gov/wp-content/uploads/sites/25/2017/07/WAP-Arid-Land-Cienegas-NM-2018-Final-for-Printing.pdf>) identifies several cienegas in the general area of these three example watersheds (but not in them). The map viewer at <https://gis.web.env.nm.gov/oem/?map=swqcb> can be used to identify these cienegas. At the viewer, select “Wetland Action Plans” under the legend tab. A project to implement some of the recommendations for these cienegas, outlined in the WAP, would likely be eligible for funding.