

391-3-21-.04 Section 319(h) Nonpoint Source Implementation Grant FY2005 – FY2011.

(1) Statutory Basis: O.C.G.A. 28-5-120.

(2) General Scope and Purpose of the Grant Program: Under Section 319(h) of the Clean Water Act, the U.S. Environmental Protection Agency awards a Nonpoint Source Implementation Grant to the State to fund eligible projects which support the implementation of the Georgia Nonpoint Source Management Program (Revision – August 2000). Section 319(h) Nonpoint Source Implementation Grant funds for the prevention, control and/or abatement of nonpoint sources of pollution are made available to eligible recipients in Georgia.

(3) General Terms and Conditions of the Grant: The general terms and conditions of the grant are:

(a) Section 319(h) Nonpoint Source Implementation Grant projects must specifically identify the nonpoint sources of pollution to be addressed and the activities proposed to prevent, control and/or abate these nonpoint sources of pollution.

(b) Maximum Federal reimbursement for a Section 319(h) Nonpoint Source Implementation Grant project is 60 percent of the total project cost.

Therefore, each recipient must provide non-Federal matching funds or in-kind services for a minimum of 40 percent of the total project cost.

(c) Types of activities which are eligible include: regulatory or non-regulatory programs for enforcement, technical assistance, financial assistance, education, training, technology transfer, TMDL implementation projects, watershed restoration projects, demonstration projects, update and refinement of nonpoint source programs and assessments, monitoring to assess the success of specific nonpoint source implementation projects, urban stormwater control activities that are not specifically required by draft or final NPDES permit, and certain ground water activities. Lake protection and restoration activities are eligible provided that they are not used for “in-lake” work such as aquatic macrophyte harvesting or dredging unless the nonpoint sources of pollution will be remediated.

(d) Section 319(h) Nonpoint Source Implementation Grant projects must conform to all applicable legal requirements of Section 319, 40 CFR Part 31 and 40 CFR Part 35, Subpart A, and the requirements of OMB Circular A-87, A-102 and A-110, and must be consistent with the goals, objectives and priorities in the Georgia Nonpoint Source Management Program (Revision – August 2000).

(4) Eligible Recipients of the Grant: Eligible recipients of the Section 319(h) Nonpoint Source Implementation Grant funds include local, regional and State units of government, local authorities which operate local government service delivery programs, regional development centers, local school systems, State college and universities, and State agencies. Local governments must have Qualified Local Government status, in compliance with the requirements of the Georgia Planning Act of 1989 and Service Delivery Strategy Law of 1997.

(5) Criteria for the Award: The Section 319(h) Nonpoint Source Implementation Grant funds are limited. Therefore, a competitive process is used to ensure that the most appropriate projects are selected for funding. Each project proposal will be evaluated to determine if the proposed project is an eligible activity and all eligible project proposals

will be ranked based on the selection criteria below. Section 319(h) Nonpoint Source Implementation Grant awards are contingent upon review and approval of the U.S. Environmental Protection Agency and funding by Congress.

(6) Key Ranking Factors for Competitive Project Selection: Project proposals must specifically identify the nonpoint sources of pollution to be addressed and the activities proposed to prevent, control and/or abate these nonpoint sources of pollution. Project proposals must also support the milestones and/or implementation activities described in the Georgia Nonpoint Source Management Program (Revision – August 2000). Finally, project proposals must include an appropriate component to evaluate the effectiveness (i.e., measure of success) of the project (e.g., water quality monitoring, beneficial use assessment, environmental indicators).

If the project is implementing structural best management practices, the project must ensure that the practices will be operated and maintained for a period of at least five to ten years. In addition, the project must annually provide (for nitrogen, phosphorus and/or sediment) an estimate of load reductions achieved by the project and (for streambank and wetlands protection or restoration projects) the linear feet of streambank, or acres of wetlands, protected or restored.

If a project proposal includes water quality monitoring, a detailed Quality Assurance Project Plan (QAPP) is required. The requirements for QAPP are contained in EPA QA/G-5, EPA Requirements for Quality Assurance Project Plans for Environmental Data Operations.

The following selection criteria apply to all Section 319(h) Nonpoint Source Implementation Grant FY2005 – FY2011 project proposals:

- (a) Priority will be given to project proposals resulting in measurable (i.e., quantitative) improvements in water quality.
- (b) Priority will be given to project proposals implementing structural best management practices to prevent, control and/or abate nonpoint sources of pollution.
- (c) Priority will be given to project proposals implementing actions to alleviate the “criterion violated” identified in the Section 303(d) and Section 305(b) lists of waters which are partially or not supporting designated or beneficial uses due to nonpoint sources of pollution. Emphasis will be placed on projects addressing waters listed for biota, habitat, and/or sediment.
- (d) Priority will be given to project proposals implementing the nonpoint source components of TMDLs that have been finalized as of November 30, 2010 under Section 303(d) of the Clean Water Act.
- (e) Priority will be given to project proposals developing, revising and/or implementing TMDL Implementation Plans and/or Watershed Improvement Plans to prevent, control and/or abate nonpoint sources of pollution. Emphasis will be placed on projects implementing Extended Revisions of TMDL Implementation Plans, or plans developed with Section 319(h) funds.
- (f) Priority will be given to project proposals that support a watershed management approach utilizing cooperating partnerships and/or involving multi-governmental agencies. Emphasis will be placed on projects conducted in conjunction with other nonpoint source management activities within the watershed.
- (g) Priority will be given to projects that include structural and/or managerial improvements that prevent and/or correct the adverse hydrologic impacts of increased

impervious surface in a watershed. In order to receive this priority ranking, grantees must develop and implement or have in place development ordinances, stream buffer protections wider than state minimums, or other local mechanisms to ensure long-term success in minimizing the potential future impacts of hydrologic modifications.

(h) Priority will be given to project proposals that address and/or implement management measures, enforceable policies and mechanisms that will result in *Georgia's Coastal Nonpoint Source Management Program* being fully approvable under Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA).

(i) Priority will be given to projects located in priority watersheds, as determined by GAEPD and USEPA, that are implementing watershed-based implementation, restoration and/or planning.

(7) Directions and Deadlines for Applying: Requests for copies of the general guidelines for preparing a Section 319(h) Nonpoint Source Implementation Grant proposal should be made to:

Georgia Department of Natural Resources
Environmental Protection Division
ATTN: NonPoint Source Program
4220 International Parkway
Suite 101
Atlanta, GA 30354

Deadline for submitting proposals: **November 30, 2010.**

Authority 40 CFR Part 31, O.C.G.A. Sec. 28-5-120. **History.** Original grant description entitled "Non-point Source Management Grant Program" submitted June 27, 1994. **Submitted:** Grant description entitled "Non-Point Source Management Grant Program - FY 1995" received Aug. 15, 1994. **Submitted:** Grant description entitled "Non-point Source Management Grant Program FY 1996" received Sept. 20, 1995. **Submitted:** Grant description entitled "Non-point Source Management Grant Program FY 1997" received May 20, 1996. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1998" received Feb. 2, 1998. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1999" received Nov. 3, 1998. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1996" received Dec. 7, 1998. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1995, FY 1997, FY 2000" received Dec. 28, 1999. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1995, FY 1998, FY 1999, FY 2001" received Oct. 5, 2000. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1999, FY 2000, and FY 2001" received Sept. 28, 2001. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1996, FY 1997, FY 1998, and FY 2002" received Sept. 28, 2001. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY 1996 — 2004" received May 29, 2003. **Submitted:** Nov. 10, 2003. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY1996 – FY2005" received Mar. 2, 2004. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY1999 – FY2006" submitted Mar. 31, 2005. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY1999 – FY2007" submitted Jan. 26, 2006. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY1999 – FY2008" received Feb. 16, 2007. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant –FY2002 – FY2009" received June 3, 2008. **Submitted:** Grant description entitled "Section 319(h) Nonpoint Source Implementation Grant FY2005 – FY2011" received June 21, 2010.