

Georgia Department of Natural Resources

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DRAFT MEMORANDUM

TO: Regional Councils

THROUGH: Regional Planning Contractors

FROM: Bennett Weinstein
Project Manager, State Water Plan Implementation

RE: Available Funding for Implementation of Nonpoint Source Pollution Management Practices in the Recommended Regional Water Plans

This memo has been prepared to inform the Regional Water Planning Councils (Councils) of a funding opportunity to support the implementation of nonpoint source pollution management practices identified in the recommended Regional Water Development and Conservation Plans (Regional Water Plans). If a Council opts to take advantage of this voluntary opportunity, EPD will provide up to \$100,000 in non-competitive Section 319(h) funds to a specified funding recipient(s) in each Water Planning Region. EPD is making these funds available to encourage Council discussions about nonpoint source pollution impacts on water quality and to facilitate implementation of nonpoint source pollution management practices. These funds will be provided to a jurisdiction(s) identified by the associated Council to serve as recommended eligible funding recipient.

The information in this memo will guide the Councils (and their planning consultants) in the selection of an implementable nonpoint source pollution management project to be included in their recommended Regional Water Plan. Important eligibility and project selection criteria are provided below. If the Councils opt to take advantage of this funding opportunity EPD's Section 319(h) Grant Unit staff is available to support the Councils, ABCs, Liaisons and planning consultants in assisting the Councils in the development of these projects. Funds for these projects will be available by Fall 2011 and project recipients can expect to execute contracts and begin work by January 2012.

Eligibility Criteria

In order to be eligible for this non-competitive funding, the nonpoint source pollution management implementation project identified in the Regional Water Plan and recommended by the Council to receive these funds must meet and follow all Section 319(h) funding requirements and guidelines as published in the 319(h) FY11 General Guidelines, in addition to the following criteria:

- The project must be included, or, at minimum, referenced in Sections 6, 7 and 8 in the Council's recommended Regional Water Plan. To allow for ease of review, approval and funding of the recommended project, the funding recipient identified by the Council must prepare a standard 319(h) application and work plan, prepared in accordance with 319(h) FY11 Grant Guidelines, to be included in the Regional Water Plan's supplemental materials;

- If the project is contained wholly within a single local jurisdiction in the Water Planning Region, the Council must identify the appropriate jurisdiction to serve as the funding recipient. If a project embraces multiple jurisdictions or is regional in nature, the Council must identify either the appropriate single jurisdiction or eligible regional entity (e.g. a Regional Commission, Georgia Soil and Water Conservation Commission, Georgia Forestry Commission, etc.) to serve as the funding recipient. Once the contract is executed, the funding recipient is permitted to select sub-contractors following the State's or that recipient's own federally approved procurement process;
- The funding recipient (and partners, if applicable) must demonstrate implementation commitment by providing a minimum of 40% in non-Federal matching funds or in-kind services for use in completion of the project;
- Project(s) and funding recipients recommended by the Council must adhere to appropriate Federal laws and requirements and may not use these funds to address any requirements of Federal permits or any related enforcement activities.

Project Selection Criteria

The nonpoint source pollution management implementation project (and funding recipient) recommended by the Council to receive these non-competitive funds must meet these criteria:

1. Project must address one or more of the following EPD priorities:
 - a. Stormwater Practices: Including, but not limited to, those practices that work with the landscape such as rain gardens, bio-swales, and constructed wetlands; or
 - b. Practices Designed to Remove Barriers to Low Impact Development: Including, but not limited to, preparation, adoption and/or revision of ordinances, and conducting active, intensive outreach to inform public and private stakeholders regarding available tools to promote the use of Low Impact Development practices; or
 - c. Practices Designed to Restore or Protect Impaired Streams: Including, but not limited to, establishing buffers beyond State minimum requirements, livestock exclusion, Level 1 and/or 2 stabilization, Rosgen stream restoration, and agricultural waste control; and
2. Project must implement practices to address waterbodies identified in the Assimilative Capacity Resource Assessments as having "Moderate," "Limited," or "None/Exceeded" Assimilative Capacity; and/or
3. Project must implement practices that work towards alleviating the criterion violated identified in the Section 303(d)/305(b) List of Waters; and/or
4. Project must implement practices identified in the nonpoint source management components of other existing relevant plans such as TMDL implementation plans, local Comprehensive Plans, or other watershed improvement or management plans (excluding plans associated with permit requirements). If the existing plan selected for implementation by the Council does not contain an actionable and fundable set of implementation actions, the Council must revise the existing plan, in accordance with EPD Guidance, in order to clarify and specify those actions the Council seeks to recommend for funding; and
5. Project must be designed to provide measures of project success and/or effectiveness such as estimates of load reductions achieved by the project, monitoring results showing improved water quality, data for use in Resource Assessment Models, ordinances passed, or other measures approved by EPD; and
6. Project must: a) have an implementation timeline no longer than 2 years, b) focus on HUC-10 or smaller watersheds if at all possible, and c) specifically identify the pollutant(s) to be addressed and the activities proposed to prevent, control and/or abate pollution.