

STATE OF COLORADO

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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

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Request for Proposals

To all Nonpoint Source Project Proponents:

The Water Quality Control Division, Nonpoint Source Management Area (NPS program) and its state water quality partners, the Nonpoint Source Alliance (Alliance), are pleased to announce that we are now accepting proposals to be awarded under Section 319(h) of the Clean Water Act. The NPS program is considering nonpoint source proposals for nonpoint source projects that mitigate water quality impairments due to nonpoint source pollution develop or update watershed restoration plans, and projects that provide education and outreach activities that help maintain or restore water quality.

Based on previous grant allocations, the NPS program anticipates that approximately \$2.0 million dollars will be available for projects in 2009. The actual amount depends on the 2009 federal budget approved by Congress and the amount allocated to the State of Colorado by the U.S. Environmental Protection Agency (EPA).

I – Funding Criteria

For the purpose of implementing the NPS program's strategies, the NPS program has adopted the following definition for "impaired waters": "Any body of water that has been identified in the State's 303(d) list of impaired water bodies, or water bodies that have an EPA approved Total Maximum Daily Load.

One half of the NPS grant funding will be available for implementation projects in watersheds with impaired water quality due to nonpoint sources of pollution and where a Watershed Restoration Plan has been developed or is in the process of being developed.

Please consult the following links to see the 2008 Colorado 303(d) List of Impaired Waters (Regulation 93: <http://www.cdphe.state.co.us/regulations/wqccregs/100293wqlimitedsegtmdls.pdf>) and to see the list of completed TMDLs: <http://www.cdphe.state.co.us/wq/Assessment/TMDL/TMDLs.html>.

The other half of the funding will be available statewide for projects to develop and update Watershed Restoration Plans and for implementation projects that address nonpoint source pollution in general.

The NPS program will set aside a percentage of the \$2.0 million grant to fund statewide Education and Outreach projects.

II – Proposal Evaluation

For the 2009 Grant Application Cycle, the NPS program is adopting electronic application forms, found at www.npscolorado.com. The application form contains all the necessary sections for a fully developed Nonpoint source project. For the proposals requested with this announcement those sections addressing the Project Implementation Plan (PIP) are *not* required. Project proponents only need to complete those sections listed below for this request for proposals. Proposals score a maximum of 100 points (exclusive of priority points, described below):

Section 1: This is a summary section, required for the proposal but not scored.

Section 2.1: Statement of Need – 10 points

Section 2.3: GIS maps – 5 points

Section 2.5: Information/data availability – 10 points

Section 3.1: Goals – 10 points

Section 3.2: Objectives and Tasks – 10 points

Section 3.3: Milestones – 5 points

Section 3.4: Permits needs – 5 points

Section 3.6: Operation and Maintenance – 5 points

Section 4.1: Partners and collaborators – 10 points

Section 4.2: Local support (political, buy-in) – 5 points

Section 5.2: Evaluation Method / Monitoring Strategy – 10 points

Section 6.1: Budget Tables – 10 points

Section 7.1: Public Involvement / Outreach – 5 points

Project proponents whose proposals are selected for funding will use the same form to complete the PIP. Sections that were not required for the proposal will need to be completed, after notification of funding, for a fully developed PIP.

III - Proposal Priorities

The NPS program has identified the following priorities for this year's request. Proposals that address these priorities will receive additional weight based on the following priorities.

Priority 1 - Projects that address impairments in watersheds with impaired water quality due to nonpoint sources of pollution and where a Watershed Restoration Plan has been developed or is in the process of being developed and that are located in the Upper Colorado, Lower Colorado and North Platte River basins will accrue 15 extra points.

Priority 2 - Projects that address impairments in watersheds with impaired water quality due to nonpoint sources of pollution and where a Watershed Restoration Plan has been developed or is in the process of being developed and that are located in the rest of the state will accrue 10 extra points.

Priority 3 - Projects to develop and update Watershed Restoration Plans will accrue 5 extra points.

Priority 4 - General, statewide nonpoint source projects will not accrue any extra points.

2009 NPS Proposal Priorities			
Priority	Projects	Priority Points	Extra Points*
Priority 1	Projects that address impaired waters in the Colorado River or North Platte Basins with watershed plan in place or in development	15	5
Priority 2	Implementation projects that address impaired waters in other parts of the state with a watershed plan in place or in development	10	5
Priority 3	Watershed Restoration Plans Statewide	5	
Priority 4	Implementation projects statewide	0	

* - In addition to the priorities and possible points accrued as described above, proposals in **priority watersheds** (Attachment A) will accrue 5 extra points during the evaluation process; these points are counted in addition to the points system described above. Priority watersheds have been identified by the Restoration and Protection Unit as watersheds in the state where there is a higher level of expectation for improving water quality conditions in the impaired watersheds, using the watershed approach. In general, these are watershed that combine existence of a TMDL document and some NPS program effort, for example a watershed plan or an implementation project.

Regardless of the priority funding hierarchy, proposals will be evaluated **first** on the quality, completeness and strength of the proposal. Proposal that fail to meet the minimum requirements described in Section II and Section IV, despite being a NPS program priority, will be disqualified.

IV - General Section 319(h) Guidelines

- 1) Section 319(h) funds may NOT be used to pay for best management practices (BMPs) which are either required or anticipated to be required under the Colorado Discharge Permit System (CDPS) or any other permit.
- 2) Section 319(h) funds may NOT be used for projects located in areas designated in the EPA National Priority List (Superfund site).

- 3) Section 319(h) funds require non-federal, local match, no less than 40% of total project funding. Match can be accrued as cash or in-kind services. Project sponsors are required to keep match supporting documentation for 10 years starting from the project contracting date.
- 4) NPS implementation projects are required to have an education component which will serve to increase NPS awareness within the watershed.
- 5) NPS Watershed Restoration Plans are required to have an outreach component which will serve to involve stakeholders and partners.
- 6) Project sponsors may sub-contract portions of their section 319(h) funds or corresponding match for technical or other services associated with the implementation of the scope of work. ***All sub-contracts require prior formal approval from the NPS program Coordinator.***
- 7) Projects must include environmental and project implementation evaluation plans.
- 8) Implementation projects must include pollutant load reduction reporting and data or rationale that support the results reported.

V - Application Materials and Technical Assistance

The Nonpoint Source project funding application form and guidance documents can be found at the www.npscolorado.com website. **Please plan to visit and use this website frequently as updates and other valuable nonpoint source information will be posted here.**

The NPS program staff and the Alliance are available to provide assistance to project proponents in two pre-proposals consultation opportunities. Project proponents may choose to present a “**project concept paper or abstract**” for review and comments. Concept papers or abstracts need to address, at a minimum, the need for the project, the water quality problem, goals, milestones or implementation schedule, a budget and the project evaluation method. Concept papers should not be longer than a page. This consultation process is available **electronically only** and project proponents interested in this should submit the concept paper (or abstract) to lorettalohman@comcast.net beginning September 22nd. The NPS program and Alliance personnel will provide feedback to sponsors until October 10th.

To facilitate the electronic concept review process, we will establish discussion threads on the Alliance list server (<http://groups.google.com/group/npsalliance>). The concept review affords project proponents constructive criticism and helpful recommendations from a panel of experts in time for them to incorporate ideas and feedback into their proposal by the Consultation Day.

If you're interested in participating in the electronic concept review sessions, look for an e-mail from Loretta for instructions on how to get signed up for the list server. As we work on getting set up, look for additional information via e-mail.

Project proponents may also choose to participate in a “**Consultation Day**”. This is available for technical, programmatic, financial and feasibility evaluation. A team of experts will be available in late October; project proponents may participate by attending the consultation day in person or via webcasting. More information on this and a firm date for the consultation can be found at www.npscolorado.com.

Project proponents are encouraged to contact the Nonpoint Source Team members during the proposal development process. Project proponents are also encouraged to attend the Consultation Day. *Attachment B contains a list of NPS contacts.*

VI - Additional Funding Sources

A description of several funding sources can be found at www.npscolorado.com. Some funding sources may qualify for match for the NPS projects.

VII - Important Deadlines

December 1st, 2008: deadline to submit proposals. All proposals shall be submitted electronically using the application forms found at www.npscolorado.com by 5:00 p.m., by e-mailing them to lorettalohman@comcast.net

March 9, 2009: NPS program staff presents project funding recommendations to the Water Quality Control Commission (WQCC).

March 31st, 2009: NPS program staff communicates, in writing, the final funding decisions to all parties that submitted proposals.

VIII – Final Project Preparations:

March 9, 2009 and beyond:

1. Approved proposals will need to submit draft PIPs to the NPS program by June 1st, 2009. **Projects that do not submit a draft PIP by June 1st will not be funded.** A PIP is considered final when all NPS program and EPA's comments and concerns have been addressed and EPA gives formal approval of the PIP. Therefore, project sponsors must work closely with the NPS program project coordinators on finalizing the PIPs.
2. EPA approves PIPs and awards grant funds on a project-by-project basis.
3. NPS program will begin contracting with each project sponsor as EPA approves each PIP and awards the funds associated with that project.
4. Mine Restoration and Reclamation projects that involve on the ground activities may be required to include an Environmental Covenant. If, during the PIP process it is determined that an Environmental Covenant is required a signed Covenant will need to be filed with the county(s) where the project is physically located and submitted to the WQCD prior to executing the final contract agreement.
5. EPA coordinates biologic evaluations for each on-the-ground project as they receive the PIPs, to fulfill the Endangered Species Act Section 7 consultation requirements with the US Fish and Wildlife Service. Final PIPs must include information on the presence or absence of endangered species that may be impacted by the project, to facilitate the review process.
6. Project sponsors are expected to be "business ready", that is, prepared to execute a contract with a State agency, capable of managing federal and local sources of money, and able to keep track of supporting documentation, prepare project progress reports, and provide proof of liability insurance.

Because of the overall application schedule, *sponsors should plan their project start dates no earlier than October 2009.*

We appreciate your interest in nonpoint source grants and look forward to working with you in addressing nonpoint sources of pollution and helping the Water Quality Control Division meet its goal of “Preserving and Restoring Water Quality in Colorado.”

Sincerely,

Lucia Machado
Nonpoint Source Coordinator
Water Quality Control Division

Attachment A

Priority Watersheds

Priority watersheds have been identified by the Restoration and Protection Unit as impaired watersheds within the state where there is a greater need for improving water quality conditions. In general, these are watersheds for which an EPA approved TMDL exists, there is a watershed plan in place, and the NPS program has had success with implementation projects in that watershed.

Upper Colorado River

Peru Creek: Peru Creek to the Snake River.

303(d) listed segment: COUCBL07 (metals)

Eagle River: Belden to Lake Creek and some tributaries.

303(d) listed segment: COUCEA06 (sediment)

South Platte River

Boulder Creek: Coal Creek and Gamble Gulch.

303(d) listed segments: COSPBO07b (E. coli), COSPBO04a ((Cu, Zn, pH)

Clear Creek: 303(d) listed segments: COSPCL02, COSPCL03a, COSPCL03b, COSPCL06, COSPCL09a, COSPCL09b, COSPCL11 (metals)

Saint Vrain River: Left Hand Creek.

303(d) listed segment: COSPSV04a (metals and pH)

Upper South Platte: 303(d) listed segment: COSPUS02a (sediment)

Gunnison River Basin

Uncompahgre River: Uncompahgre Valley below Montrose.

303(d) listed segments: COGUUN04b, COGUUN04c (Se)

Upper Gunnison River: Palmetto Gulch.

303(d) listed segment: COGUUG31 (Cd, Zn)

San Juan River

Dolores River: Silver Creek below the Town of Rico.

303(d) listed segment: COSJDO09 (Zn)

Mancos River: Mancos River and tributaries above Hwy 160, near the Town of Mancos.

303(d) listed segment: COSJLP04 (Cu)

Arkansas River Basin

Upper Arkansas R.: California Gulch to Lake Fork, Lake Fork to Lake Creek and Lake Creek to Pueblo Reservoir.

303(d) listed segments: COARUA02b (Cd and Zn), COARUA02c (Zn), COARUA03 (Zn)

Lower Arkansas R.: John Martin Reservoir to the Kansas stateline.

303(d) listed segment: COARLA01c (Se)

Purgatoire River: I-25 to the Arkansas River (east of the City of Trinidad).

303(d) listed segment: COARLA07 (Se)

Rio Grande

Kerber Creek: Kerber Creek and most tributaries.

303(d) listed segments: CORGCB09a (Ag, Cd, Pb, pH), CORGCB09b (Cd, Cu, Zn)

Attachment B

Colorado Nonpoint Source Team

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Restoration and Protection Unit Manager, WQCD
(303) 692-3582

Lucia Machado
Nonpoint Source Coordinator, WQCD
(303) 692-3585

Kathleen Reilly, Project Coordinator, WQCD
(303) 692-3573
Upper Arkansas/Rio Grande Basins, Upper South Platte, Clear Creek and Bear Creek
Mine Restoration and Reclamation

Bonie Pate, Project Coordinator, WQCD
(303) 692-3557
Lower Colorado, Upper Colorado Basin including Roaring Fork, Yampa and White Rivers
Watershed Restoration Plan Development

Randal Ristau, Project Coordinator, WQCD
(303) 692-3571
Lower South Platte, Lower Arkansas Basins
Agriculture

Loretta Lohman, CSU Water Resources Research Institute
(303) 549-3069
NPS Information, Education and Outreach

Internet Sites

Colorado Nonpoint Source Program

<http://www.cdphe.state.co.us/wq/nps/index.html>
<http://www.npsc Colorado.com>

Environmental Protection Agency – Nonpoint Source

<http://www.epa.gov/OWOW/NPS/>
<http://www.epa.gov/region08/water/nps/index.html>