

# West Virginia's Nonpoint Source Program Guidance for Developing and Submitting §319 Watershed Project Proposals



<https://go.wv.gov/nonpoint>

The purpose of this manual is to provide guidance on the development and submittal of proposals for Clean Water Act (CWA) §319 Watershed Project Proposals, which may result in a grant award. The West Virginia Department of Environmental Protection's (WVDEP) Nonpoint Source (NPS) Program administers §319 grants, which are awarded on a federal fiscal year schedule by the U.S. Environmental Protection Agency (USEPA) Region III. The grants are dedicated to projects that seek solutions to nonpoint source pollution impairments and threats.

This manual provides information on proposal eligibility, content and form, submittal, evaluation, reporting, financial requirements etc.



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**Note:** Updates will occur periodically as §319 grant conditions change. Any interim revisions will be posted to the website, so we strongly encourage referring to it periodically to make sure you are aware of any program changes. Most of the changes associated with this guidance manual will occur within the **watershed project** and **additional grant opportunity** (AGO) sections of the NPS website. Typically, this manual is updated when deemed necessary.

**Cover:** Rain Garden in the Piney Creek watershed - downtown Beckley; acid mine drainage maintenance performed by Friends of Deckers Creek volunteers on a Kanawha Creek project; rain barrel workshop in downtown Charleston; stream restoration and riparian planting along Mill Creek near Martinsburg.

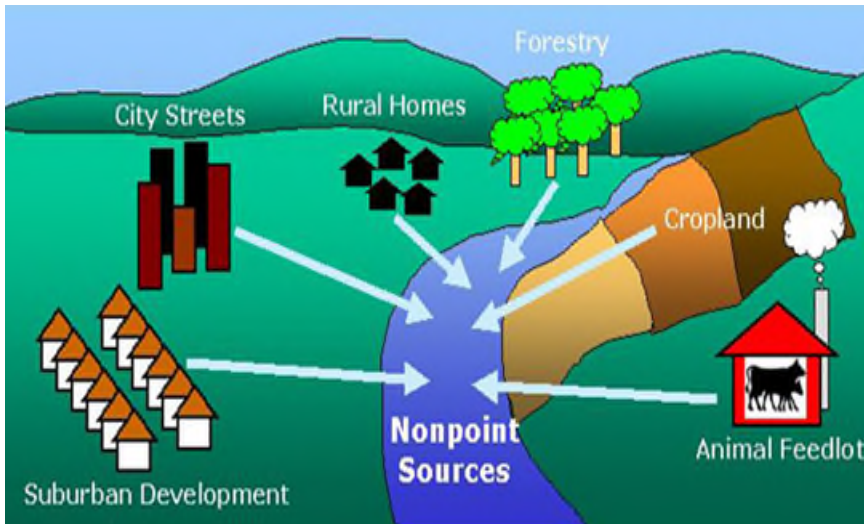
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## What is NPS pollution?



Nonpoint source (**NPS**) pollution is defined as man induced pollution carried into streams by rain or snowmelt runoff from land surfaces. The pollution can impact surface waters as well as groundwater and comes from diffuse sources, in contrast to "point" source pollution, which is discharged through a pipe.

Typical examples of activity which contribute to NPS pollution are runoff from cropland, animal feedlots, urban areas, construction sites, abandoned mine lands, logging roads, failing septic tanks, landfills, salted winter roads and removal of streamside vegetation. The most typical

nonpoint source pollutants are sediment, nutrients, pesticides, bacteria, oil and grease, metals, and thermal variations. Recent studies and surveys by USEPA and State water quality agencies indicate that most of the remaining water quality impairments in our nation's rivers, streams, lakes, estuaries, coastal waters, and wetlands result from nonpoint source pollution.

## What is the NPS Program?

The NPS Program, part of WVDEP's **Watershed Improvement Branch**, emphasizes management strategies and programs to address nonpoint source problems and threats. The management programs are balanced between two priorities. One priority is to implement, on a statewide basis, the overall program, which includes technical and financial assistance as well as educational efforts. These efforts are funded through what are called Nonpoint Program Grants.

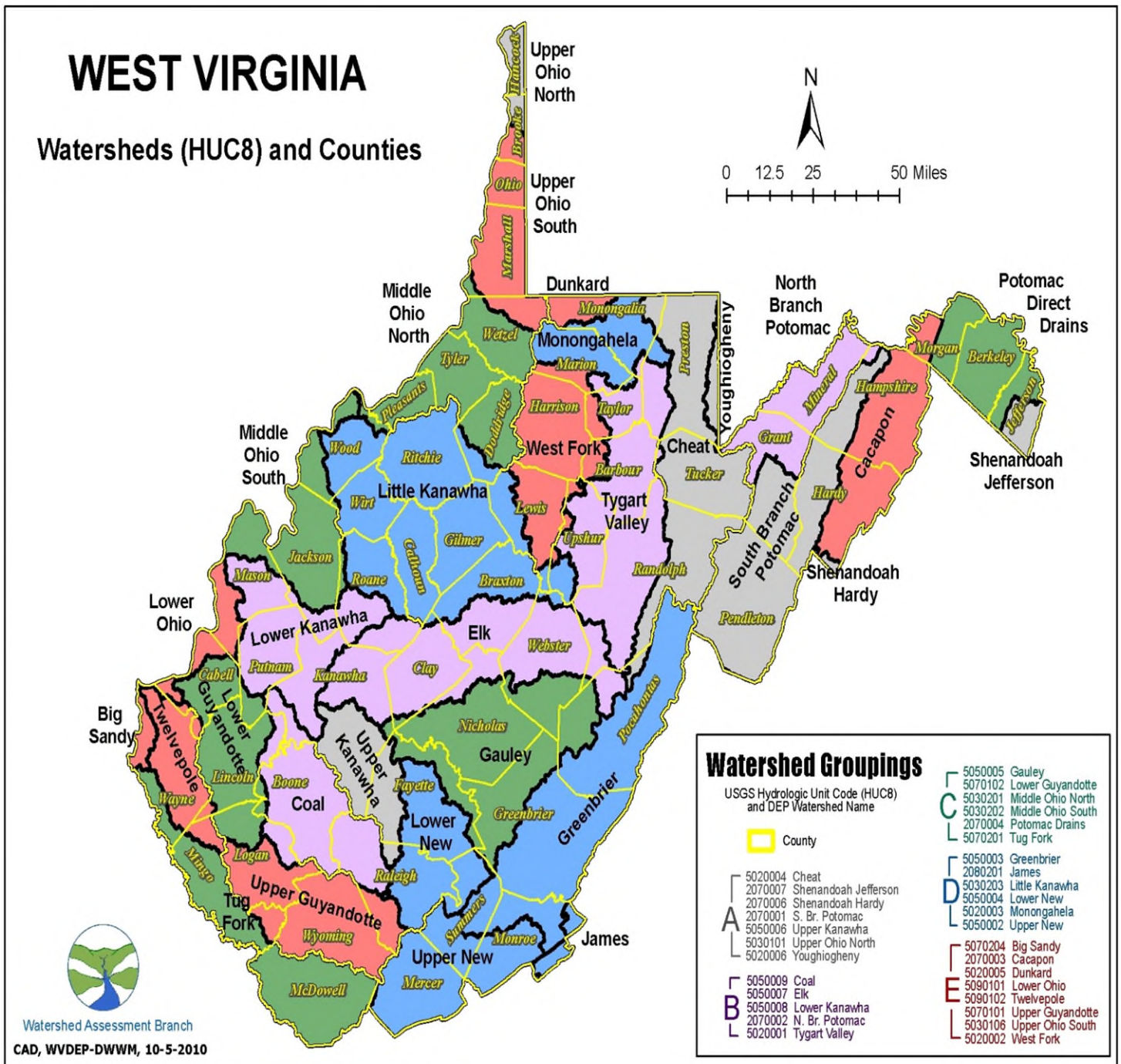
A second priority involves targeting specific watersheds to improve degraded water quality or protect high quality areas that may be threatened. Grants dedicated to specific watersheds are called watershed project grants. It is these types of grants that this manual explains. Watershed grants fund specific projects intended to restore impaired watersheds or protect high quality watersheds. The ultimate goals of these projects are to insure the short and long term health of the watersheds.

**Table 1.** WVDEP's Watershed Assessment Branch (WAB) sampling cycle.

Group A	Group B	Group C	Group D	Group E
Cheat River Shenandoah River South Branch Potomac Upper Kanawha River Upper Ohio North Youghiogheny River	Coal River Elk River Lower Kanawha River North Branch Potomac Tygart Valley River	Gauley River Lower Guyandotte River Middle Ohio North Middle Ohio South Potomac Direct Drains Tug Fork River	Greenbrier River James River Little Kanawha River Lower New River Monongahela River Upper New River	Big Sandy Cacapon River Dunkard Creek Lower Ohio Twelvepole Creek Upper Guyandotte River Upper Ohio South West Fork River



Figure 1. West Virginia' major watershed groups (HUC 8).



## What is a watershed project grant?

The NPS Program is charged with the mission of implementing nonpoint source Total Maximum Daily Loads (TMDLs). The goal is the full restoration of the targeted stream with its removal from the State's 303(d) list. The 303(d) list is the list produced by WVDEP every two years that identifies streams that are not meeting water quality standards. Watershed project funds are grants to reduce or eliminate nonpoint source pollution in these targeted watersheds.

Before any watershed project grants can be approved, watershed plans are developed through local stakeholder involvement. Projects that are developed within a watershed must be designed to implement the plan. The plan will identify all the partnerships, projects, funding sources, monitoring, and timelines. A watershed plan can be based on a watershed strategy or a TMDL (or both) and more clearly defines the specific responsibilities of each stakeholder group in implementing efforts to restore a watershed to compliance with water quality standards.

The §319 grants are a major source of funding for projects involving nonpoint sources statewide. Once the project proposals are approved by EPA and the funding is acquired, project implementation can begin. Incremental grants are set in the federal fiscal year in which they were applied for and are active for four years. New projects to implement the WBPs can be applied for even while older projects are being implemented.

Watersheds are selected for TMDLs based on the groupings and schedule based on the Watershed Management Framework. A TMDL is the total amount of a pollutant that can be assimilated by the receiving water while still achieving water quality standards. TMDLs can be expressed in terms of mass per time such as tons/year or by other appropriate measures. TMDLs provide a water quality budget for a specific water body. The expenses of the budget are comprised of the sum of individual wasteload allocations for point sources, load allocations for nonpoint sources, and natural background levels. In addition, the TMDL must include a margin of safety. The assets of the budget would be all those factors that allow the water body to dilute or absorb pollutants. As with any budget, when expenses are greater than assets then problems occur.

A TMDL sets load reductions from the various sources to bring the budget back into balance. It allows for various management options that will achieve the desired source load reductions. A load reduction is the amount of pollutant that is prevented from entering a stream. Achieving load reductions is the goal of most NPS projects.

## Developing a project proposal

Project proposals seeking funding from §319 funding must follow specific guidelines to be eligible for such funding. The project must support the NPS Program in accomplishing its goals as stated in the Management Plan. The project must also meet all the requirements of the CWA and USEPA's guidelines for §319 Grants.

### Eligible projects

1. The project contributes to the implementation of the NSP Management Plan.
2. The project is in a watershed with a **TMDL** or in a watershed listed on the 303(d) list with a TMDL scheduled.
3. The project addresses nonpoint source water quality impairment. The goal of the project must be to reduce the load of one or more nonpoint source pollutants.
4. A demonstration project can install **best management practices** (BMPs) that are innovative, holistic, or hard to sell. Education, load reduction and technology transfer are the purposes of the project so defined efforts to publicize the project are required.

All watershed project proposals must be a part of a comprehensive **watershed-based plan** (WBP). We recommend that a WBP be developed before prior to submitting watershed project proposals; however, in some cases projects may be considered if the plan is currently being developed. Requests for proposals will be targeted at watersheds where a WBP has been or is being developed.

Note: All grant recipients must have a [FEIN](#), [UEI](#) and a W-9 (Tax ID number) and be able to verify that the appropriate accounting, [procurement](#) and purchasing procedures, as well as other business and organizational standards (e.g. board of director charter, budget documents, meeting minutes etc.) are in place. See [Appendix 3](#) for the Financial History Checklist

### Criteria for a project proposal

1. The proposal is linked to the objectives of the NPS Program’s Management Plan and the West Virginia Watershed Management Framework.
2. The proposal includes appropriate and effective measures of success.
3. The project recruits and facilitates partnerships, support and involvement from governmental entities, educational institutions, business, and citizen’s groups.
4. The project obtains funds and develops efforts to continue nonpoint source pollution management after § 319 funding ends.
5. The project is cost effective. Funds are targeted at providing maximum nonpoint source pollution control. The funds requested for administration and other non-implementation activities are kept to a minimum and cannot exceed 10% of the total watershed project grant.
6. The entity requesting § 319 funds must support the project with a 40% match of the total project cost. In-kind support from the requested entity is acceptable. The 40% match cannot come from other federally funded programs or funds.
7. The proposal incorporates an effective public education and outreach component.
8. The project activities can be achieved within a reasonable time.

An organization can submit an Initial proposal or a [letter of intent \(LOI\)](#) at least four months’ prior of OUR due date. The document must include the organizations contact information and consist of a brief description of the project’s goals and objectives, and a budget with justification. NPS personnel evaluate the LOIs to determine which organizations will be invited to submit formal grant proposals. Our decisions are based on our priorities, the amount of funding available, the quality of the proposal, and the organizations capacity to implement the project. Figure 2 shows the online LOI form.

The NPS Program encourages the submission of project ideas at any time through our on-line form. If the projects meet our guidelines the NPS Team will work with the organization to develop a full project proposal, which may be eligible for future funding. The organizations are then contacted regarding the next steps. They may be invited to submit a formal proposal (workplan) and must do so within 15-30 days of the invitation.

Normally proposals are submitted based on our schedule - the deadline for submitting §319 proposals are on/before **May 1<sup>st</sup> of every year**. After receiving proposal submissions, the NPS Team reviews the proposal and provides feedback. There is a short window of time during our annual grant submission process where proposals are evaluated and submitted in a grant package to USEPA. See the [Grant awards and timelines](#).

Additional information from the Code of Federal Regulations is provided in [Appendix 2](#). We highly recommend that any entity considering submitting a Watershed Project Proposal or any other NPS grant become familiar with the contents of this manual, the information provided within the NPS Programs website, and [EPA’s revised guidance](#).

**Figure 2.** Example - Letter of intent submission form.

Organization:					
Contact name(s):					
Mailing address:		Zip code:		State:	
Email:					
Phone:					
Project title:					
Cost estimate:					
Project description:					
8,000 character limit					

The online form is a portal for your basic idea; **it is not for submissions of full §319 proposals** (workplans). Before completing this form, please review all related information provided within the NPS Program's website and the [Guidance Manual](#).

### Ineligible projects

Any activities that control pollution from point source discharges and are regulated by National Pollution Discharge Elimination System (NPDES) permits are ineligible for §319 funding. Examples include sewage treatment plants, industrial facilities, concentrated animal feeding operations (CAFOs), active mines or mines abandoned after 1977, urban stormwater activities that require a Municipal Separate Stormwater (MS4) Phase I or II permit, and construction activities greater than one acre. The exceptions, in some cases, are certain activities in MS4 designated areas.

Decisions regarding which activity is eligible for §319 funding will be determined on a case-by-case basis. §319 funds cannot be used to construct BMPs or carry out activities required as part of one of the Minimum Control Measures (MCM) listed in the MS4 permit unless those BMPs or activities are above and beyond the requirements of the permit. MS4s cannot include §319 funded activities as part of their required permit reporting.

### Project proposal format

#### Cover page

1. The cover page identifies the project, the lead agency, and the budget summary.
2. The project title, located near the top of the page, should be consistent throughout the entire proposal. There should be an identification that this proposal is for a CWA §319 Project.
3. State the entity (lead agency) that is implementing the project and requesting the money.
4. Include the date of the submission and a budget summary. The budget summary lists only the requested amount of §319 funds, the amount of match and the total project amount.
5. Include the HUC 12, 303(d) stream list code and TMDL sub-watershed (**SWS**) number.

#### Project summary

This is a brief description (abstract) of the project. The project summary should be presented in narrative form, not as a list. Note: Be brief; each component should only contain a few sentences. The project summary description should contain the following:

- Background (overview and problem descriptions)
- Goals and objectives
- Methods employed (measures of success)



## Background

This section lays out the foundation for the entire proposal. From this section, any reviewer should be able to learn the “where, what, when why and who” of the entire project. This section establishes the need for the project, its justification and the credibility of the organization applying for the funds. Background information on the watershed is important to set the nonpoint source problem and the justification for the project. Examples of watershed background information can include but is not limited to ecology, geology, land uses, water quality, TMDL status, economic and recreational uses, and public support within the watershed.

**Watershed information and location:** All proposed projects must provide the following information.

1. Name of the major watershed and its HUC-8 code.
  2. Name of the specific sub-watershed and its HUC-12 code.
  3. TMDL sub-watersheds (SWS) number
  4. 303(d) list stream code number
  5. Note: Submitting a map with the proposal is very helpful and will be required during the reporting phase of the grant.
- Nonpoint problems and sources: All 319 watershed projects must be focused on solving nonpoint pollution problem. To set achievable goals and objectives, anyone submitting a proposal must have prior knowledge of the problems and their causes. Clearly state what the problem is and how it affects water quality. Describe the sources or causes of the nonpoint source pollution and how this project will address those aspects.
  - Type of project: Nonpoint projects should address the focus areas of the program. Briefly describe the type of project being proposed and how it relates to the NSP focus areas. For example, is the project an agricultural project intended to protect riparian zones by fencing livestock out of the stream? Or is it an acid mine drainage project using passive treatment systems to raise pH and remove metals? In other words, this part should not be a detailed description of the project, which will come later. This part is only intended to categorize the project and its area of focus.
  - The Lead Agency and contacts: The lead agency is defined as the entity that is coordinating or implementing the project. The NPS normally works through government agencies; however, it is not necessary that the lead agency be a government agency. Any entity that receives program funds must be listed as a registered vendor with the State of West Virginia. Private businesses are not eligible for applying for §319 funds. Not for profit (NGO) groups may apply but it helps facilitate the process if they coordinate through a local Conservation District or government. In this part the applying entity must describe their organization and provide contact information. Briefly describe the purpose and goals of the organization and any operational information that may be pertinent to the proposal. A brief description of past accomplishments that may illustrate the competency of the organization to successfully implement the project should be included.

## Goals and objectives

This important section outlines the anticipated load reductions, educational outputs, and restoration benefits of the project. EPA guidelines for §319 grants require that each proposal estimate the nonpoint load reductions the project should achieve. When models are used to make these estimates the name and description of the model must be included. Any project that seeks to reduce nutrients such as nitrogen or phosphorus, restore and protect streambanks to reduce sediment, or reduce the influence of pollution from metals or acidity must provide a numerical goal for the project. Note: It is important to keep in mind that certain types of projects may have multiple load reductions, and these should be accounted for. If applicable estimate the acres of wetlands restored or created, the feet of streambank restored or stabilized, and the length of stream restored.

All benefits expected from the project should be explained. Goals for the educational components of the project should be noted. This may include, but is not limited to, the number of workshops planned; the number of people trained or educated, the number of public relations/education events planned, etc.

## Project description

In this section the applicant defines the project site and the activities that will occur with the implementation of the project. The dimensions of the site, problem area or the area to be placed under management should be given.

- **Project workplan:** Describe the activities, structures, BMPs and technologies employed to implement the project. This should provide enough detail to illustrate that a viable plan has been developed. A lack of detail may be indicative of a poorly devised plan. Submitting drawings of a conceptual design is optional and may be helpful but do not submit blueprints unless requested. Requesting §319 funds for engineering and design is permitted.
- **Partner involvement:** Describe how the various partners involved in the project will contribute to its completion.
- **Education and outreach:** Describe any efforts to educate the public, public officials, or industry by the project. If applicable and agreeable by the landowner a sign designating the project and the sponsors (i.e., NPS, EPA and any partners) should be placed at the site during the project and if possible, for a short period afterwards.

In some cases, carry-over funds or other alternative funding sources may become available. Often, the EPA will consider funding additional proposals with these monies. To be eligible for funding, EPA requires the submission of a workplan. Funding cannot be secured until an initial review of the work plan is completed, and the plan is accepted by EPA. Additional details will be required after funding is awarded.

## Monitoring

In this section the applicant must describe how the success of the project will be measured and reported. All entities receiving §319 funds must file semi-annual reports to the NPS Program. These measures must relate to the goals and objectives of the plan. For water quality projects monitoring for load reductions or water quality improvements will be required. In accordance with [40 CFR 30.54](#) and [31.45](#), the recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. The Quality Assurance Project Plan (QAPP) should be prepared in accordance with [EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans](#).

The QAPP must be submitted to the DEP Nonpoint Source Coordinator at least 60 days prior to the initiation of data collection or data compilation. Prior to the data collection or compilation, the QAPP must be approved by WVDEP and the US EPA. A summary of all monitoring results must be submitted to the NPS on a semi-annual basis on or before the appropriate reporting time. The NPS water quality data must also be entered into [EPA's Water Quality Exchange](#), previously STORET database. Measures of success for nonpoint projects must have reductions in nonpoint pollutant loads but can also include:

- Measurable improvement in the chemical, physical or biological integrity of the stream or river.
- The number of developed plans for erosion and sediment control, nutrient management, pesticide management, etc.
- Photographs or videos to document improvements
- Number of BMPs installed.
- Qualitative measures such as photographs or videos to document improvements, number of presentations, workshops, trained individuals, etc.
- Improvements in fisheries.

## Milestones

The milestone schedule provides an estimated timeline for the life of the project. The milestones include all project activities and interim steps needed to implement the project. The schedule should include milestones for the planning, development, construction, evaluation, and reporting of the project's implementation. The milestone dates are only projected dates based on an anticipated grant award. Those dates may change depending on the timing of the grant award.

**Table 2.** Simplified milestone schedule for the phases of an AMD project.

Duration years	2009				2010				2011				2012			
Quarters	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
<b>Task</b>																
Pre-construction sampling																
Surveying/engineering																
Permitting																
Construction																
Post- construction sampling																

**Budgets**

A detailed budget must be if shows a breakdown of anticipated expenses by category and by §319 funds and matching funds. The most effective format for showing the budget is a spreadsheet format with rows being the budget categories and columns showing the funding sources and totals. The maximum §319 reimbursement for a project is 60% of the total project cost. There must be at least 40% non-federal matching funds for each project. The match is based on the federal funds. See the example below:

- Project funds requested [**\$125,000**]
- A federal 60% contribution is [ $\$125,000 \div 0.6$ ] = **\$208,333**
- A 40% match is [ $\$208,333 \times 0.4$ ] = **\$83,333**

Budget categories are dependent on the project type and specifics but may include:

- Personnel: List the position titles (not names of individuals) and the amount of anticipated time that will be contributed to the project. No position included in this item can be a federally funded position. Personnel costs should be divided between administration and project management; administrative costs should not exceed 10% of the §319 request.
- Supplies: Identify supplies that are over \$500 or are significant to the project such as monitoring supplies.
- Equipment: Identify any equipment purchased or leased whose value exceeds \$500. Donated equipment may be used as match.
- Contractual: List all anticipated costs for services to be contracted. This would include construction costs even if construction will be done “in-house”.
- Travel: Any entry for travel must pertain to the project implementation within the state.
- Operating costs: Include any indirect/overhead items such as building space, utility costs, incidental supplies, or other administrative costs.

The administrative costs **may not exceed 15 percent of §319 funding** (CWA section 319(h)(12); [40 CFR 35.268](#)). This limitation is going up to 15% as of October 1, 2024, and will be applicable to FY25 and beyond. Administrative costs include salaries, overhead, or indirect costs for services provided and charged against general activities and programs carried out with the grant. The costs of enforcement and regulatory activities, education, training, technical assistance, technology transfer and demonstration projects are not subject to the 10 percent limitation. This requirement does not apply to a [PPG](#) that includes §319 funds ([40 CFR 35.134\(c\)](#)).

**Table 3.** Example budget from an AMD proposal.

Category	Items	\$ 319 Request	Match		Totals
			WCAP	FODC	
Contracts	Engineering costs	\$30,000			\$30,000
	Construction costs	\$94,300	\$93,600		\$187,900
	Analytical costs	\$3,000		\$2,500	\$5,500
	Outreach			\$3,000	\$3,000
Personnel	Project manager	\$10,000		\$1,000	\$11,000
	Administrator	\$2,000		\$6,000	\$8,000
	Water monitor			\$1,500	\$1,500
Travel	Project manager	\$1,200		\$150	\$1,350
	Monitoring			\$500	\$500
Supplies	Monitoring			\$800	\$800
Equipment	Monitoring				
Operations	Administrative	\$2,500			\$2,500
<b>Overall totals</b>		<b>\$143,000</b>	<b>\$93,600</b>	<b>\$15,450</b>	<b>\$252,050</b>

### Miscellaneous information

Other information can be included in the proposal, in appropriate sections, if it is necessary or contributes significantly to the proposal. Examples are:

- Literature cited: Studies or other references that are quoted or used to support statements of fact should be listed.
- Obstacles: Anticipated obstacles or difficulties could be mentioned in the background section; for example: local resistance to installing BMPs could be used to justify an educational component.
- Other efforts: Providing a connection between a §319 project and other state, private or federal projects intended to improve water quality from nonpoint source pollution in the watershed should be explained.

The funding for watershed and nonpoint program grants is authorized by §319 of the CWA and is appropriated by Congress. The amount of funding available for §319 projects will depend upon the amount of funds appropriated in any given fiscal year. Recent trends have seen a reduction in §319 funding of about 20 – 40 percent.

### Reporting requirements

The NPS Program submits reports to USEPA on a semi-annual basis and updates the [Grants Reporting and Tracking System \(GRTS\)](#). All projects are tracked within the GRTS using multiple fields and GIS. Specific practices installed are matched to water quality improvements in a specific reach of the stream or portion of the watershed, usually at the SWS level within a given HUC 12.

### Report format

To comply with the USEPA reporting requirements, all §319 grant recipients are also required to report their progress on a semi-annual basis to the NPS Program. The semi-annual report should be no more than four to six pages in length including photos and maps (not including the cover page). Your report may be longer if multiple projects are included. The report must contain the following information:

1. A brief narrative describing the progress that has occurred during the appropriate **six-month** time frame (digital photos welcomed).



2. An easy to read listing of all pollutant load reductions that are estimated to, or have occurred because of the project, if you are reporting on an existing project report new load reduction.
3. A milestone schedule that illustrates if the project is on schedule and percent completed.
4. A table with descriptions of important expenditures for the period.
5. A map that shows the streams and the project site(s).
6. The report needs to identify to the lowest level possible (**SWS**) where BMP implementation and load reductions have occurred.
7. A table (spreadsheet) that provides the expenditures for the period. The **spreadsheet** must be submitted as a separate file along with the report.

The report cover must contain the **grant number, award year, and contact information** (Name, mailing address, phone number and E-mail) of the Project Manager or other primary contacts.

§319 grants are timed to a Federal fiscal year, which is from October 1st to September 30th. The first semi-annual report covers the period from October 1 through March 31 and is due on **May 1**. The second semi-annual report covers April 1 through September 30 and is due on **November 1**. Note: If reports are not submitted in a timely manner, reimbursement of your funds could be **compromised**.

When the project is completed a **final report and final inspection** are required no more than 30-days following the completed project and prior to the end of the performance period. This report indicates the completion of the project and its results. The inspection is usually completed by the Basin Coordinator, Project Manager, or other(s) when appropriate.

All reports should be submitted in electronic formats to the NSP Coordinator. The final report summarizes the project and its results, which include the goals and objectives accomplished, pollutant load reductions, expenditures, challenges etc.

### Grant awards and timelines

Any entity accepting a grant award must complete an IRS W-9 form and submit it to WVDEP. All grant recipients must also have a FIEN and federal DUNS number and must provide those to the NPS Program. The organization must also verify their abilities to perform basic business practices.

It is recommended that projects be coordinated through a state or local agency to facilitate these requirements; however, some watershed groups can meet the requirements. Invoices for reimbursement may be submitted any time after the award and should include specifics on the money spent and what was accomplished.

**Timeline** - §319 grants are timed on a Federal fiscal year, which runs from October 1 to September 30. Project planning and work plan developments are focused on the next fiscal year while reporting activities are focused on the current or previous fiscal year. The following timeline is general for any fiscal year.

### Application schedule

Note: The application schedule has been recently revised


- May 1 – First draft proposals are due to WVDEP’s NPS Coordinator
- June 1 – Final draft proposals are due to WVDEP’s NPS Coordinator
- July 1 – NSP overall grant application is submitted to the USEPA.
- October/December – Responses and corrections to USEPA’s comments on the grant application
- April/May – Grant awarded to state (this date may vary considerably, see the note below)
- July 1 – Anticipated start date of projects submitted from the previous year.

**Note:** After the overall grant is submitted to EPA, the information is reviewed and often revised multiple times before the grant is approved. The NPS Program will be notified of any changes required by USEPA. **The final grant approval process isn't quick.** WVDEP is usually notified by the spring or summer of the following fiscal year.

### Timely reports and reimbursement requests

Your organization must maintain accurate records of all projects related documents (e.g., receipts, bids, engineering drawings, communications, reports, Emails etc.). This information may be requested at any time by WVDEP and EPA for audit purposes. It is VERY important that you maintain appropriate records and SUBMIT **timely financial reimbursement request, semi-annual and final reports.** Failure to do so can result in non-compliance, which may result in remedial actions such as those listed below:

- Withholding payment until the condition complies
- Disallowing costs
- Suspending or terminating current award
- Withholding future awards

WVDEP SUB GRANT INVOICE			
		Request Number: <input type="text"/>	
Award Fiscal Year: <input type="text"/>		(must be consecutive)	
Date:	GRTAWD #:		
Sub Recipient Name:	OASIS Vendor Id:		
Sub Recipient Contact:	Total Amount Requested:		
Sub Recipient Address:	Funding Period:		
	CFDA #		
Sub Recipient FEIN:			
Phone No:			
Email:	REF:		
COMMENTS:			
Project Description			
SUB RECIPIENT APPROVALS <i>(must be in BRIGHT BLUE INK)</i>		WVDEP APPROVALS <i>(must be in BRIGHT BLUE INK)</i>	
Sub Recipient Official's Signature	Date	Program Approval	Date
		Financial Approval	Date

### Request for funds

All Federal §319 grant funds are **reimbursable** only. You must provide adequate justification for any request for funds. The recipient will submit the WVDEP request for funds form along with supporting documentation to obtain reimbursement for allowable expenses.

Supporting documentation includes a spreadsheet or other budget breakdown on expenses incurred during the specified period and based on budget categories as outlined in the original project proposal.

Typically requests for funds (RFF) are submitted periodically throughout the life of the grant. Make sure your organization submits all RFFs in advance of the end of your grant's performance period so that all payments can be processed well in advance of the grant's expiration date.

All grant recipients must have a W-9, **FIEN** and federal SAM **UEI** and must provide those to the NPS Program. These must be revised on a timely basis so that reimbursements can be paid. An out-of-date UEL will cause significant delays.

**ALL reimbursement requests must be submitted prior to the end of the project grants performance period.** WIB strongly encourages a regular schedule (monthly or quarterly) for reimbursement submission so that expenses can be reimbursed in a timely manner. Waiting until the end of the grant cycle is unacceptable and will compromise future funding for your organization, as well as the overall §319 grant award.

WVDEP-WIB only accepts electronic reimbursement requests. The reimbursement form and all supporting documentation must be scanned, dated, and signed. It is submitted via email to the NPS Coordinator.

**Note:** Request for funds have been getting increasingly complex, as WVDEP's Fiscal Section and the WV State Auditor's Office have implemented a variety of new conditions. For specifics contact the §319 Coordinator. The conditions/guidelines for an

approvable payment request are provided in the packet associated with the notice of grant award (NOA), which must be reviewed, and agreed upon by all sub-grantees.

### Watershed-based plans

The **nine** elements in a WBP (A – I) are based upon the outline presented in EPA [Handbook for Developing Watershed Plans to Restore and Protect Our Waters](#).

**Table 4.** Watershed plan elements.

- A. An identification of the causes and sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in this watershed-based plan (and to achieve any other watershed goals identified in the watershed-based plan), as discussed in item (b) immediately below. Sources that need to be controlled should be identified at a significant subcategory level with estimates of the extent to which they are present in the watershed (e.g., X number of dairy cattle feedlots needing upgrading, including a rough estimate of the number of cattle per facility; Y acres of row crops needing improved nutrient management or sediment control; or Z linear miles of eroded streambank needing remediation). Consider the following:
  1. Sources of impairment are identified and described.
  2. Specific sources of impairment are geographically identified (i.e., mapped).
  3. Data sources are accurate and verifiable, assumptions can be reasonably justified.
  
- B. An estimate of **all load reductions** expected for the management measures described under paragraph (c) below (recognizing the natural variability and the difficulty in precisely predicting the performance of management measures over time). Estimates should be provided at the same level as in item (a) above (e.g., the total load reduction expected for dairy cattle feedlots; row crops; or eroded streambanks). Consider the following:
  1. Load reductions achieve environmental goals (e.g., TMDL allocations).
  2. Desired load reductions are quantified for each source of impairment.
  3. Expected load reductions are estimated for each management measure described in (C) and the overall watershed.
  4. Data sources and/or modeling processes are accurate and verifiable, assumptions can be reasonably justified.
  
- C. A description of the nonpoint management measures that will need to be implemented to achieve the load reductions estimated under paragraph (b) above (as well as to achieve other watershed goals identified in this watershed-based plan), and an identification (using a map or a description) of the critical areas in which those measures will be needed to implement this plan. Consider the following:
  1. Specific management measures are identified and rationalized.
  2. Proposed management measures are strategic and feasible for the watershed.
  3. Critical/priority implementation areas have been identified.
  4. The extent of expected implementation is quantified (e.g., miles of streambank fenced etc.).
  
- D. An estimate of the amounts of technical and financial assistance needed associated costs, and/or the sources and authorities that will be relied upon, to implement this plan. As sources of funding, States should consider the use of their § 319 programs, State Revolving Funds, USDA's Environmental Quality Incentives Program (EQIP), Conservation Reserve Program, and other relevant Federal, State, local and private funds that may be available to assist in implementing this plan. Consider the following:
  1. Cost estimates reflect all planning and implementation costs.
  2. Cost estimates are provided for each management measure.
  3. All potential Federal, State, Local and Private funding sources are identified.

4. Funding is strategically allocated; activities are funded with appropriate sources (e.g., NRCS funds for BMP cost share).
- E. An information and education component that will be used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing the various nonpoint management measures that will be implemented under this category. Consider the following:
1. A stakeholder outreach strategy has been developed and documented.
  2. All relevant stakeholders are identified, and procedures for involving them are defined.
  3. Education/outreach materials and dissemination methods are identified.
- F. A schedule for implementing the nonpoint management measures identified in this plan that is reasonably expeditious. Consider the following:
1. Implementation schedule includes specific dates and expected accomplishments.
  2. Implementation schedule follows a logical sequence.
  3. Implementation schedule covers a reasonable time frame.
- G. A description of interim, measurable milestones for determining whether nonpoint management measures or other control actions are being implemented. Consider the following:
1. Measurable milestones with expected completion dates are identified to evaluate progress.
  2. A phased approach with interim milestones is used to ensure continuous implementation.
- H. A set of criteria that can be used to determine whether load reductions are being achieved over time and substantial progress is being made towards attaining water quality standards and, if not, the criteria for determining whether this watershed-based plan needs to be revised or, if a nonpoint TMDL has been established, whether the NPS TMDL needs to be revised. Consider the following:
1. Proposed criteria effectively measure progress toward achieving load reduction goals.
  2. The criteria include: (1) quantitative measures of implementation progress (BMPs and pollutant load reductions); and (2) qualitative measures of overall program success (including public involvement).
  3. Interim water quality indicator milestones are clearly identified. Note: indicator parameters may be different from water quality standards.
  4. An adaptive management approach is in place with threshold criteria identified to trigger modifications.
- I. A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established under item (H) immediately above. Consider the following:
1. Monitoring plan includes an appropriate number of monitoring stations.
  2. Monitoring plans have an adequate sampling frequency.
  3. Monitoring plan will effectively measure criteria identified in (H).

### **Tracking watershed-based plans**

EPA tracks the progress of WBP and TMDL load reduction. The goals are calculated from TMDL allocations and key BMPs goals identified from WBPs. These goals are entered in the Watershed Plan Tracker (WPT) database. This step requires a dialogue with the author(s) of the WBPs and the state TMDL program to assure that information taken from the WBP is properly interpreted. The next step requires that the implementation data in GRTS be checked to assure that it matches the TMDL boundaries identified in the WBP already entered in the WPT.



## Watershed Improvement Branch

In July 2015, multiple programs with similar missions were combined into a new branch within WVDEP - the “Watershed Improvement Branch”.



The mission of WVDEP’s Watershed Improvement Branch (WIB) is to inspire and empower people to value and work for clean water. WIB administers programs that educate, aid, plan and implement water quality protection, improvement, and restoration projects. The programs within the WIB include:

1. *Nonpoint Source Program* provides education, technical assistance, watershed planning and best management practice implementation funding.
2. *Save Our Streams* provides education, project and technical assistance, and volunteer stream monitoring hands-on training and certification.
3. *Stream Partners Program* provides grants to support the efforts of local watershed volunteers.
4. *Water Education for Teachers* is an interdisciplinary water education program.
5. *In Lieu Fee Stream and Wetland Mitigation* provides stream and wetland restoration and protection as part of compensatory mitigation.
6. *Chesapeake Bay Program* focuses on the implementation of WV’s watershed implementation plan (WIP), technical assistance for urban stormwater and other initiatives in the seven-county region that drains into the Chesapeake Bay.

These programs are delivered through our regional Basin Coordinators and individual **Statewide** Program Coordinators as well as other staff. For more information go to: <http://go.wv.gov/wib>.

## WIB Program contacts

Scott Settle, Assistant Director  
WVDEP - Watershed Improvement Branch  
Office: (304) 575-2015  
Email: [dallas.s.settle@wv.gov](mailto:dallas.s.settle@wv.gov)

Timothy Craddock, NPS Program Coordinator  
WVDEP - Watershed Improvement Branch  
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Sam Canfield, Chesapeake Bay Program Analyst  
WVDEP - Watershed Improvement Branch  
Office: (304) 822-7266  
Email: [samuel.a.canfield@wv.gov](mailto:samuel.a.canfield@wv.gov)

Administrative Support – Brandi Cook  
WVDEP - Watershed Improvement Branch  
(304) 574-4465  
Email: [brandi.d.cook@wv.gov](mailto:brandi.d.cook@wv.gov)

## Basin Coordinators

Western	Tomi Bergstrom	<a href="mailto:tomi.m.bergstrom@wv.gov">tomi.m.bergstrom@wv.gov</a>	(304) 926-0499 x 43862
Southern	Izabella Hubbard	<a href="mailto:izabella.b.hubbard@wv.gov">izabella.b.hubbard@wv.gov</a>	(304) 574-4465
Potomac	Vacant		
Northern	Martin Christ	<a href="mailto:martin.j.christ@wv.gov">martin.j.christ@wv.gov</a>	(304) 368-2000

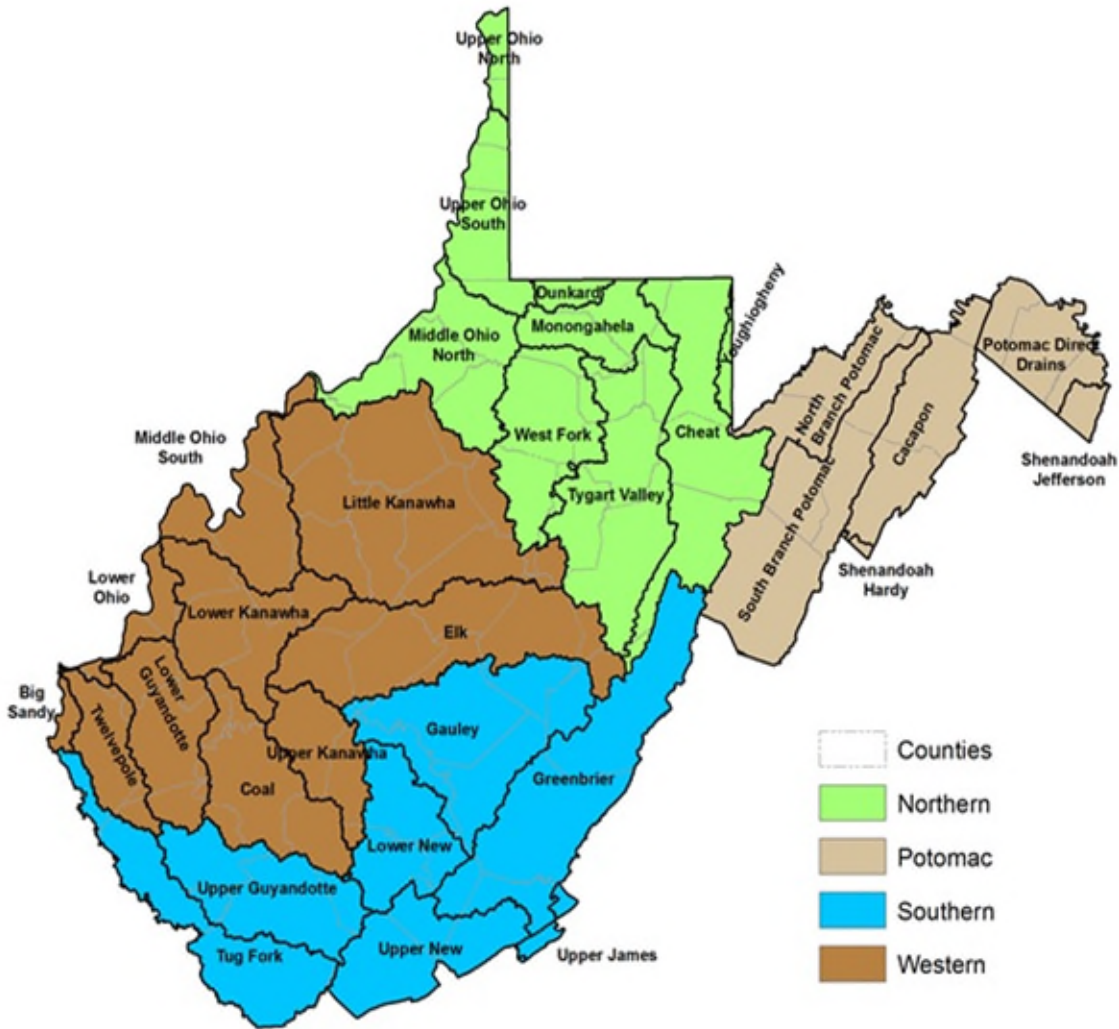
## Statewide Program Coordinators

WV Save Our Stream	<a href="mailto:callie.c.sams@wv.gov">callie.c.sams@wv.gov</a>	<a href="https://go.wv.gov/sos">https://go.wv.gov/sos</a>
Project WET Program	<a href="mailto:tomi.m.bergstrom@wv.gov">tomi.m.bergstrom@wv.gov</a>	<a href="https://go.wv.gov/pwet">https://go.wv.gov/pwet</a>

## References

1. USEPA 841-B-08-002, March 2008. [Handbook for Developing Watershed Plans to Restore and Protect Our Waters](#)
2. USEPA 240/R-02/009, December 2002. [Guidance for Quality Assurance Project Plans](#)
3. WV NPS Program's [Watershed Project Grant Tutorial](#)
4. USEPA EPA 841-R-24-009, May 2024. [Nonpoint Source Program and Grants Guidelines for States and Territories](#)

Appendix 1. Basin Coordinator map



Basin Coordinator	Region	Watersheds
Tomi Bergstrom	Western	Big Sandy, Coal, Elk, Little Kanawha, Lower Guyandotte, Lower Kanawha, Lower Ohio, Middle Ohio South, Twelvepole and Upper Kanawha
Vacant	Southern	Gauley, Greenbrier, James, Lower New, Tug Fork, Upper Guyandotte and Upper New
Vacant	Potomac	Cacapon, North Branch Potomac, Potomac Direct Drains, Shenandoah, and South Branch Potomac
Martin Christ	Northern	Cheat, Dunkard Creek, Middle Ohio, Monongahela, Tygart Valley, Upper Ohio North, Upper Ohio South, West Fork and Youghiogheny

## Appendix 2. Title 40 Part 35 Subpart-A – Environmental Program Grants

### Nonpoint Source Management (§319(h))

#### §35.260 - Purpose

- a) *Purpose of section.* Sections 35.260 through 35.268 govern Nonpoint Source Management Grants to States (as defined in section 502 of the Clean Water Act) authorized under section 319 of the Act.
- b) *Purpose of program.* Nonpoint Source Management Grants may be awarded for the implementation of EPA-approved nonpoint source management programs, including ground-water quality protection activities that will advance the implementation of a comprehensive approved nonpoint source management program.

#### §35.265 - Maximum federal share

The Regional Administrator may provide up to 60 percent of the approved work plan costs in any fiscal year. The non-federal share of costs must be provided by non-federal sources.

#### §35.266 - Maintenance of effort

To receive section §319 funds in any fiscal year, a State must agree to maintain its aggregate expenditures from all other sources for programs for controlling nonpoint pollution and improving the quality of the State's waters at or above the average level of such expenditures in Fiscal Years 1985 and 1986.

#### §35.268 - Award limitations

The following limitations apply to funds appropriated and awarded under section 319(h) of the Act in any fiscal year.

- a) *Award amount:* The Regional Administrator will award no more than 15 percent of the amount appropriated to carry out section 319(h) of the Act to any one State. This amount includes any grants to any local public agency or organization with authority to control pollution from nonpoint sources in any area of the State.
- b) *Financial assistance to persons:* States may use funds for financial assistance to persons only to the extent that such assistance is related to the cost of demonstration projects.
- c) *Administrative costs:* Administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against activities and programs carried out with these funds shall not exceed 10 percent of the funds the State receives in any fiscal year. The cost of implementing enforcement and regulatory activities, education, training, technical assistance, demonstration projects, and technology transfer programs are not subject to this limitation.
- d) *Requirements:* The Regional Administrator will not award section 319(h) funds to a State unless:
  1. *Approved assessment report:* EPA has approved the State's assessment report on nonpoint sources, prepared in accordance with section 319(a) of the Act.
  2. *Approved State management program:* EPA has approved the State's management program for nonpoint sources, prepared in accordance with section 319(b) of the Act.
  3. *Progress on reducing pollutant loadings:* The Regional Administrator determines that the State made satisfactory progress in the preceding fiscal year in meeting its schedule for achieving implementation of best management practices to reduce pollutant loadings from categories of nonpoint sources, or nonpoint sources, designated in the State's management program. The State must have developed this schedule in accordance with section 319(b)(2)(c) of the Act.
  4. *Activity and output descriptions:* The work plan briefly describes each significant category of nonpoint source activity and the work plan commitments to be produced for each category; and
  5. *Significant watershed projects:* For watershed projects whose costs exceed \$50,000, the work plan also contains:
    - i. A brief synopsis of the watershed implementation plan outlining the problem(s) to be addressed.
    - ii. The project's goals and objectives; and
    - iii. The performance measures or environmental indicators that will be used to evaluate the results of the project.



### Appendix 3. NPS Program Grant Guidelines

**Date:** The most recent guidelines were issued in May of 2024. These guidelines apply to all § 319-funded grant activities beginning in fiscal year 2025.

#### §319 Guideline Revisions

Clean Water Act Section 319(h) funds are provided only to designated state and tribal agencies to implement their approved nonpoint source management programs. State and tribal nonpoint source programs include a variety of components, including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and regulatory programs. Each year, EPA awards §319 funds to states in accordance with a state-by-state allocation formula that EPA has developed in consultation with the states.

§319 funding decisions are made by the states. States submit their proposed funding plans to EPA. If a state's funding plan is consistent with grant eligibility requirements and procedures, EPA then awards the funds to the state.

In May of 2024 EPA published the revised §319 guidelines.

These guidelines apply to grants made with funds appropriated by Congress under §319 of the CWA in Fiscal Year 2025 and subsequent years. They replace the Nonpoint Source Program and Grants Guidelines for States and Territories that have been in effect since the FY 2014 grant cycle.

Learn more at: <https://www.epa.gov/nps/cwa-ss319-grant-current-guidance>

### Appendix 4. Grant Conditions for Clean Water Act Section 319

#### Administrative Conditions

##### General Terms and Conditions

1. The SUBGRANTEE agrees to comply with the current EPA general terms and conditions, as applicable, available at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>. These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.
2. All procurements and expenditures must be allowable under OMB 2 CFR Part 200 and conform with the procurement standards in Parts 200.317 – 200.326. This CFR can be downloaded at <http://www.ecfr.gov/>. Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions for the organization are unallowable.
3. SUBGRANTEE shall submit reimbursement requests on a regular schedule. These requests must be submitted at a minimum quarterly, or more frequently. Final reimbursement requests must be submitted at least 30 days prior to the end of the performance period. If that is not possible due to construction delays or other scenarios, SUBGRANTEES must contact the §319 Coordinator. Failure to do so will jeopardize the subgrantees' opportunity for future funds. Late payments and reimbursements are reported to the EPA. Therefore, delays have a negative impact on the overall satisfactory progress that is required by our grant conditions.
4. SUBGRANTEES must submit a written notice to WVDEP if/when signatory contacts change.

#### Programmatic Conditions

1. SUBGRANTEE agrees to submit a semi-annual and a final project report for all projects identified in this grant award document. The reports must contain the elements described on the NPS Program's website at: <https://go.wv.gov/nonpoint>
2. The SUBGRANTEE agrees to submit semi-annual performance reports that include brief information on each of the following areas:
  - a. comparison of actual accomplishments to the outputs/outcomes established in the work plan for the period,
  - b. the reasons for slippage if established outputs/outcomes were not met, additional pertinent information.

Reporting periods are as follows:

- October 1 – March 30 report is due **May 1**
  - April 1 – September 30 report is due **November 1**
  - A **final report** is due at the completion of the grant, not more than 30 days following the end of the performance period. <https://dep.wv.gov/WWE/Programs/nonptsource/Pages/Reports.aspx>
5. SUBGRANTEE agrees to work with WVDEP to enter or provide water quality monitoring data, for data collected in a waterbody pursuant to the implementation of a Section 319 project, into EPA's Water Quality Exchange (WQX). All water quality data generated with § 319 funding, either directly or by sub-award, are required to be transmitted into WQX. <https://www.epa.gov/waterdata/water-quality-data-wqx>
  6. Funds awarded by this grant and identified as watershed project funds shall be used to implement the best management practices (BMPs) and/or programs that will result in direct measurable environmental results such as load reductions and/or water quality improvements, and which implement a specific goal, action or project clearly identified in the watershed based plans (WBPs).
  7. SUBGRANTEE agrees to ensure that all permits are obtained prior to implementation of any grant funded activity that may fall under applicable federal, state, or local laws. The project implementation plan must identify permits that may be needed to complete work plan activities. The SUBGRANTEE must keep documentation regarding necessary permits in the project file.
  8. SUBGRANTEE shall ensure the continued proper operation and maintenance (O&M) of all management practices that have been implemented for projects funded under this grant. Such practices should be operated and maintained for the expected lifespan of the specific project in accordance with commonly accepted standards. The SUBGRANTEE shall include a provision in every applicable sub-grant or contract awarded under this grant requiring that the management practices of the project be properly operated and maintained.
  9. SUBGRANTEE shall submit a contingency plan 60 days prior to construction for abandoned mine drainage (AMD) projects that have high potential for a sudden uncontrolled release of fluid or sediment. The following activities including, but not limited to, should be covered by a Contingency Plan: (a) in-stream digging or excavation of mine waste materials; (b) moving, relocating or disposing of mine waste rock or tailings adjacent to a stream; (c) constructing fluid impoundments or retention basins for waste storage or treatment.  
<https://dep.wv.gov/WWE/Programs/nonptsource/NPSnews/Documents/319AMDCP.pdf>
  10. The SUBGRANTEE agrees that announcements through the web or print materials for workshops, conferences, demonstration days or other events as part of a project funded by a 319 assistance agreement shall contain a statement that the materials or conference has been funded by the United States Environmental Protection Agency.
  11. SUBGRANTEE agrees, if an outreach component is a part of the project, to provide signage that informs the public that the project is funded by EPA. The signage shall contain the EPA logo. To obtain the appropriate EPA logo or seal graphic file, the recipient should send a request directly to OPA and include the EPA Project Officer in the communication. Instructions for contacting OPA are available at: <http://www2.epa.gov/stylebook/using-epaseal-and-logo>.
  12. The EPA Logo will be displayed meeting the following specifications described in the pdf. If the physical design of the sign allows, it should also include the following text: "This project has been funded by the United States Environmental Protection Agency" or "This cooperative project has been funded in part by the United States Environmental Protection Agency". Exceptions to including the EPA logo may be made by the Regional 319 Coordinator on recommendation by the State.  
[http://www.epa.gov/oqd/tc/epa\\_logo\\_seal\\_specifications\\_for\\_infrastructure\\_grants.pdf](http://www.epa.gov/oqd/tc/epa_logo_seal_specifications_for_infrastructure_grants.pdf)
  13. **Use of Logos:** If the EPA logo is appearing along with logos from other participating entities on websites, outreach materials, or reports, it must not be prominently displayed to imply that any of the recipient or subrecipient's activities are being conducted by the EPA. Instead, the EPA logo should be accompanied by a statement indicating that the [Insert Recipient] received financial support from the EPA under an Assistance Agreement. More information is available at: <https://www.epa.gov/stylebook/using-epa-seal-and-logo#policy>.
  14. The SUBGRANTEE agrees to notify the WVDEP Project Officer listed in this award document of public or media events, publicizing the accomplishment of significant events related to construction projects because of this

agreement and providing the opportunity for attendance and participation by state and federal representatives with at least ten (10) working days' notice.

15. To increase public awareness of projects serving communities where English is not the predominant language, recipients are encouraged to include in their outreach strategies. communication in non-English languages. Translation costs for this purpose are allowable, provided the costs are reasonable.

**Appendix 5. Financial History Checklist (Example)**

Organization name	Mailing address
<hr/>	<hr/>
<hr/>	<hr/>

Date	Verified	<input type="checkbox"/>	Documents
<hr/>	<input type="checkbox"/>		Financial statements (2-years)
<hr/>	<input type="checkbox"/>		Bank statements (12-months)
<hr/>	<input type="checkbox"/>		Financial management procedures
<hr/>	<input type="checkbox"/>		Internal control procedures
<hr/>	<input type="checkbox"/>		Procurement process
<hr/>	<input type="checkbox"/>		Annual budget documents
<hr/>	<input type="checkbox"/>		Board of Directors Charter <hr/>
<hr/>	<input type="checkbox"/>		Minutes of the last six board meetings
<hr/>	<input type="checkbox"/>		FEIN number <hr/>
<hr/>	<input type="checkbox"/>		UEI number <hr/>
<hr/>	<input type="checkbox"/>		W-9 form <hr/>

<hr/>	<hr/>
Date	Signature/Title

The completion of form is required for each grant recipient. The items must be **verified in person** by the Regional Basin Coordinator, NPS Coordinator or another designee. Note: Grant funds cannot be used for lobbying, other political activities, and litigation against the State.