

**Texas Commission on Environmental Quality
Nonpoint Source Program (NPS)**

**2013 Request for Grant Applications (RFGA)
Stakeholder Conference Call
Meeting Summary**

Date, Time: April 24, 2012; 10:00 – 11:30

Call Number: 1-877-820-7831; Participant Pass Code: 379619 #

Goal: *Preview the 2013 RFGA criteria and project priorities*

1. TCEQ 319h grant program

- a. Texas Program – Congress enacted Section 319 of the CWA in 1987, establishing a national program to control nonpoint sources of water pollution. The Texas Nonpoint Source (NPS) Program implements Section 319 of the federal Clean Water Act (CWA). Section 319(h) sets forth the requirements for state nonpoint source (NPS) pollution control requirements. Since 1990, Congress has annually appropriated grant funds to States under Section 319(h) to help implement NPS pollution management programs. The state NPS program is a shared responsibility between the Texas Commission on Environmental Quality (TCEQ) and the Texas State Soil and Water Conservation Board (TSSWCB). The TSSWCB is the lead agency in the state for addressing NPS pollution resulting from agricultural and silvicultural activities. The TCEQ NPS program is the lead for addressing other categories of NPS pollution including urban runoff.
- b. Matching Requirements
 - i. Applicants must provide exactly 40% of project costs
 - ii. The match provided by applicants must be state or local funds, not federal dollars.
 - iii. We will also expect applicants to provide exactly 40% of costs for each invoice.
- c. Funding- CWA Section 319 Grant
 - i. FY13 RFGA funding ~ 2.5 Million
 - ii. We receive roughly 20 million dollars in grant applications each year.
 - iii. Our general (“base”) funds have been cut. Therefore we will primarily be able to fund the development of watershed-based plans for impaired waterbodies and the implementation of those plans.

- d. Website
 - i. Scope of Work Templates will be on the TCEQ NPS website in the coming weeks.
 - ii. RFGA Timeline and Selection Criteria document will be posted on the TCEQ NPS website today 4/24/12.
 - iii. Current & Recent Project information is available is currently available.
- e. Contracting
 - i. Normal deliverables of our contracts include:
 - 1. Progress Reports
 - 2. Invoices
 - 3. Task Reports
 - 4. Final Report
 - ii. These items must be included in your application
- f. Quality Assurance Requirements
 - i. Activities that generally need to be covered under a Quality Assurance Project Plan (QAPP) include:
 - 1. Monitoring
 - 2. Modeling
 - 3. Calculations
 - 4. Geospatial Data
 - 5. Acquired Data
 - 6. Data Analysis & Reporting
 - ii. All environmental data operations must be covered under a QAPP.
 - 1. Environmental Data Operations definition: any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. For EPA, environmental data include information collected directly from measurements, produced from models, and compiled from other sources such as data bases or the literature.
 - iii. Expected review time to approve QAPPs is on average 120 days from submittal to TCEQ.
 - 1. Activities that require coverage under a QAPP cannot begin until the QAPP is approved

2. Eligibility Requirements

- a. Cannot be to conduct activities that are primarily agricultural/silvicultural based. Those NPS related activities are managed by the Texas State Soil and Water Conservation Board.
- b. Cannot fund requirements of Texas Pollutant Discharge Elimination System permits
 - i. Most commonly run into issues with Municipal Separate Storm Sewer System (MS4) permit and their associated Storm Waters Management Plan (SWMP)
NPS Program has a [guidance document](#) on our website.
- c. Eligible Organizations include:
 - i. Governmental bodies
 - ii. 501(c)(3) organizations
- d. Organizations that are not eligible are: for profit entities and individuals
 - i. However, these groups can be subcontractors or beneficiaries of projects

3. RFGA Timeline and Selection Criteria

- a. Reviewed the [Draft RFGA Timeline and Selection Criteria](#) document

4. Draft update to the [Texas Nonpoint Source Management Program and Priority Watersheds Report](#)

The role of the Management Program in the national 319 Grant Program is one of three major components:

- 1. The Nonpoint Source Assessment Report – In Texas, nonpoint source pollution is identified as a part of the Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)
- 2. The Nonpoint Source Management Program – The Management Program is currently being updated. It is going to the TCEQ commissions for approval to send to EPA at the end of May.
- 3. The Grant Program – We are discussing this primarily today.

Major updates to the Texas Nonpoint Source Management Program that are important for applicants to correlate projects to include:

- a. Watershed Action Planning (WAP) process overview: The WAP is an approach that emphasizes the role of partner agencies and stakeholders, relies on sound technical information, and makes available multiple options to provide the flexibility needed to address varied watershed conditions and circumstances. The objective of the approach is to plan, implement, and track water quality management strategies to protect and restore water quality in an efficient, effective, and appropriate manner.
 - i. The first year of the WAP process was just completed.
 - ii. The results of the WAP process for NPS related water quality issues is found in Appendix C .
- b. Watershed-based plans – The EPA’s focus on watershed-based plans and the 9 key elements of these plans have been added as a focus.
- c. Program Milestones – A new milestones table has been added as Appendix E.

5. Discussion of specific types of projects of interest

The following projects are of specific interest:

- a. Implementing watershed-based plans for impaired water bodies
 - i. Watershed Protection Plans (WPPs)
 - ii. Total Maximum Daily Loads (TMDLs) and TMDL Implementation Plans (I-Plans)
- b. Developing watershed-based plans
 - i. WPPs
 - ii. TMDLs, TMDL I-Plans
- c. Implementation and promotion of Low Impact Development (LID)
 - i. Or Green Infrastructure projects
 - ii. And urban best management practices (BMPs) in general
- d. Implementation of the Texas Coastal NPS Pollution Control Program
 - i. Management measures for new development
 - ii. Management measures for watershed protection
 - iii. Management measures for the inspection of OSSFs

6. Importance of coordination and collaboration

It is very important that applicants:

- a. Work with organizations already working in watershed.
- b. Show a level of knowledge of activities in watershed.

7. Importance of not duplicating existing resources

With limited funds available, it is important that existing resources are not duplicated. Some examples of common areas of duplication that may occur include:

- a. Education Resources
- b. Demonstration BMPs

8. Project consultations

- a. Applicants are encouraged to consult with the TCEQ NPS Program about potential applications. Consultations can occur up to time of release of the RFGA. Contact:
 - i. Kerry Niemann
TCEQ Nonpoint Source Program
(512) 239-0483
Kerry.Niemann@tceq.texas.gov
- b. After the RFGA has been released, please DO NOT contact the NPS Program during RFGA period. Questions can be directed to:
 - i. Rick Lloyd
TCEQ Procurements and Contracts Section
(512) 239-3556
Rick.Lloyd@tceq.texas.gov

9. **Questions and Answers**

1. How do applicants document over-match since the budget must be exactly 60% federal and 40% match?

This can be documented in a couple of areas:

- a. General Project Description
- b. Matching Project Costs table.

Provide information in the Justification rows, not in the Total Amount column.

2. How do the requirements of MS4 permits and TMDLs intersect with the eligibility of projects for funding under the 319 grant?

The NPS Program cannot fund requirements of permits. However, additional information about the types of projects that can be funded in MS4 areas is outlined in the [Funding Eligibility for TCEQ 319 Grant Program Projects in MS4 Jurisdictions](#) document.

3. How does the 60% federal/40% match quarterly invoicing work?

Invoices (reimbursement requests) must be submitted with exactly 40% match from the first invoice to the last. Invoices can include costs that are within the contract period (not just for that specific billing period). Therefore, grantees/contractors should set up projects to have more than enough match from the first quarter on for estimated spending rates of federal reimbursable costs.

4. So, potential applicants can contact the TCEQ NPS Program up to the release of the RFGA?

Yes. Contacting the program is encouraged.