

Illinois Environmental Protection Agency
Section 319(h) – Nonpoint Source Pollution Control Financial Assistance Program

Notice of Funding Opportunity
Summary Information

	Data Field	
1.	Awarding Agency Name:	Illinois Environmental Protection Agency (Illinois EPA)
2.	Agency Contact:	Scott Ristau epa.bowgrants@illinois.gov 217-782-3362
3.	Announcement Type:	<input checked="" type="checkbox"/> Initial announcement <input type="checkbox"/> Modification of a previous announcement
4.	Type of Assistance Instrument:	Grant
5.	Funding Opportunity Number:	2021 Section 319 NPS
6.	Funding Opportunity Title:	Section 319(h) – Nonpoint Source Pollution Control Financial Assistance Program
7.	CSFA Number:	532-60-0378
8.	CSFA Popular Name:	Section 319(h)
9.	CFDA Number(s):	66.460
10.	Anticipated Number of Awards:	10 - 18 grant awards
11.	Estimated Total Program Funding:	\$4.5 Million
12.	Award Range:	Not applicable. No set maximum or minimum amount
13.	Source of Funding:	<input checked="" type="checkbox"/> Federal or federal pass-through <input checked="" type="checkbox"/> State <input type="checkbox"/> Private / other funding
14.	Cost Sharing or Matching Requirement:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15.	Indirect Costs Allowed: Restrictions on Indirect Costs:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the citation governing the restriction:
16.	Posted Date:	June 17, 2020
17.	Application Range:	June 17, 2020 through 5:00 p.m. (CST) on August 3, 2020
18.	Technical Assistance Session:	Session Offered: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Session Mandatory: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Illinois Environmental Protection Agency
Section 319(h) – Nonpoint Source Pollution Control Financial Assistance Program

Notice of Funding Opportunity
Detailed Information

A. Program Description

This Notice of Funding Opportunity (NOFO) is to advise potential applicants of the availability of grant funds through the Section 319(h) – Nonpoint Source Pollution Control Financial Assistance Program (Section 319(h)). The Illinois Environmental Protection Agency (Illinois EPA) is seeking proposals for nonpoint source (NPS) pollution control projects (projects) to prevent, eliminate, or reduce water quality impairments to Illinois' surface and groundwater resources.

NPS pollution, unlike pollution from industrial and wastewater treatment plants, comes from many diffuse sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, and even underground sources of water. It has been determined that over 60% of the (national) documented water pollution problem can be traced to nonpoint sources.

The Illinois EPA receives federal funds from the United States Environmental Protection Agency (U.S. EPA) through Section 319(h) of the Clean Water Act ([33 U.S.C. § 1329\(h\)](#)) to help implement performance measures as outlined in Chapter 7 (Short and Medium-Term Objectives and Milestones) in the Illinois' Nonpoint Source Management Program (INPSMP) (Illinois EPA, 2013).

Section 319(h) prioritizes projects addressing Illinois waters for which NPS pollution is a significant cause of water quality impairment. Assessment information for Illinois' waterbodies can be found in the most recent [Integrated Water Quality Report and Section 303d List](#). Appendixes B-2 and B-3 have specific assessment information and Appendix A-2 has 303(d) list details.

Eligible Section 319(h) projects include:

- Implementation of an Illinois EPA approved watershed-based plan (WBP)
- Implementation of NPS components of an Illinois EPA approved Total Maximum Daily Load (TMDL)
- Development or update of a WBP
- Development or update of a TMDL implementation plan
- Best Management Practice (BMP) Implementation
- Information and Outreach
- Technical Assistance
- Monitoring (requires an Illinois EPA approved QAPP submitted by application deadline)

Examples of BMPs that may be funded through Section 319(h) are provided below and in the INPSMP. The list is not all-inclusive, and inclusion of a BMP here or in the INPSMP does not equate to an automatic eligibility for funding under Section 319(h).

Streams (Rural and Urban)

- Stream channel and streambank stabilization
- Meandering a channelized stream
- In-stream habitat restoration
- Reconnecting stream to floodplain
- Levee removal or modification

Wetlands (Rural and Urban)

- Wetland restoration or enhancement
- Wetland area protection
- New wetland development

Lakes (Rural and Urban)

- Lakeshore stabilization
- In-lake practices
- Detention practices (sediment and nutrient)
- Aeration\destratification

Agricultural

- Nutrient management planning and plan implementation
- Erosion and sediment control
- Livestock exclusion
- Livestock waste management (limited to non-permitted activities)
- Buffers and filter strips

Urban ([*Urban BMPs – Supplemental Guidance For Funding Eligibility*](#))

- Rain gardens and rain barrels
- Permeable and porous pavements
- Green roofs
- Bioswales, bioretention, and urban filter strips

Resource Extraction (limited to mine land abandoned prior to 1972)

- Acid mine drainage control
- Soil erosion and sediment control

Riparian Zone (Rural and Urban)

- Native vegetation planting
- Tree and shrub planting
- Riparian wetland restoration

Education and Outreach Activities

Education and Outreach projects to promote awareness and implementation of activities that help restore degraded waters or protect waters from degradation due to NPS pollution. Projects could include statewide or community-based efforts such as training, displays, and workshops. Projects could also include the development of technical and administrative guidance tools to assist responsible units of government and agencies in the selection and implementation of BMPs and administrative mechanisms for controlling NPS pollution.

Monitoring for Environmental and/or Social Indicators

Environmental and social indicator monitoring to help document the need for NPS pollution control or to validate the accomplishments of ongoing and completed NPS pollution control projects.

All applications that include monitoring activities (environmental, social indicator, or data management) are required to submit an Illinois EPA approved Quality Assurance Project Plan (QAPP) by the application deadline. Monitoring activities will be removed from consideration for funding for any application that does not include an Illinois EPA approved QAPP. U.S. EPA guidance for QAPPs can be found at: <http://www.epa.gov/quality/gapps.html>.

Illinois EPA will prioritize and select projects, according to the ranking criteria outlined in Section E.2., that are most cost-effective and yield the largest potential for water quality improvement through NPS pollution control. Applications that meet a minimum cut score (outlined in Section E.2.) will receive additional points for projects identified in an Illinois EPA approved WBP or TMDL, or are located within a priority watershed or [Environmental Justice area](#). Project match requirements and selection criteria are provided later in this NOFO.

The anticipated start date for approved projects is July 31, 2021. Project length is two years (24 months), unless otherwise approved by Illinois EPA.

B. Funding Information

This grant award is utilizing federal pass-through funds received from U.S. EPA and distributed by Illinois EPA under Section 319(h) of the Clean Water Act. Illinois EPA expects to award a total of approximately **\$3.5 million of federal funds** and anticipates distributing this amount across six (6) to twelve (12) projects. The actual amount depends upon the final U.S. EPA budget approved by Congress and the allocation awarded to Illinois by U.S. EPA. Section 319(h) does not have a set maximum or minimum total project cost or grant amount. However, in the past, federally funded projects have had total project costs that generally ranged from \$80,000 to \$2,000,000 and federal grant assistance has generally ranged from \$48,000 to \$1,200,000. No more than 50% of the federal funds, per funding cycle, shall be allocated to any one applicant or project.

This grant award is also utilizing State funds received from repayment of loans issued under the Water Pollution Control Loan Program (WPCLP). Illinois EPA expects to award a total of approximately **\$1 million of State funds** and anticipates distributing this amount across four (4) to six (6) projects. Section 319(h) does not have a set maximum or minimum total project cost or grant amount. However, State funded projects have total project costs that generally range from \$50,000 to \$450,000 and State grant assistance generally range from \$30,000 to \$270,000.

Section 319(h) is a reimbursement program. The grantee must perform the work, pay project costs, and submit an invoice with supporting documentation before Illinois EPA will reimburse the grantee for any approved eligible costs. Illinois EPA shall only make reimbursements to the grantee and shall reimburse the grantee no more frequently than monthly.

The Illinois EPA may elect to partially fund an application by funding discrete portions or phases of the project scope of work. This could be due to ineligible or low priority components identified in the application or inadequate funds available to complete the entire project.

C. Eligibility Information

1. Eligible Applicants

Section 319(h) funds are available to any Grant Accountability and Transparency Act (GATA) Pre-Qualified entity that has legal status to accept funds from the State of Illinois. These may include local watershed groups, land conservancies or trusts, public and private profit and nonprofit organizations and institutions, units of government (county, municipal, township, or State), universities and colleges, park districts and other local land managing agencies, soil and water conservation districts, and conservation organizations.

During GATA pre-qualification, verifications are performed including a check of the federal Debarred and Suspended list and status on the Illinois Stop Payment List. An automated email notification from the GATA Portal to the entity alerts them of 'qualified' status or informs how to remediate a negative verification (e.g., inactive DUNS, not in good standing with the Secretary of State). A federal Debarred and Suspended status cannot be remediated.

The Illinois EPA cannot make a Section 319(h) award to an applicant who fails to meet the GATA Pre-Qualification criterion defined in Section E.1.

Section 319(h) applicants must have the financial ability to initiate the project, pay expenses, and then request reimbursement from the Illinois EPA, while continuing to finance their normal operating expenses.

Section 319(h) applicants must have the authority and ability to implement the proposed project or propose to subcontract portions of the project to the appropriate entities for implementation.

2. Project Match

Section 319(h) may provide up to 60% of the approved project costs. The remaining 40% is the responsibility of the grantee and constitutes the match. The grantee must document the required match at, or before, the time of invoice for reimbursement. Match may include money spent or in-kind services utilized to complete the approved project tasks. Match cannot be federal funds or funds used to match another federal program. Match can be provided by the grantee, sub-contractor, or project partners (e.g., State programs, private foundations, landowners). A grantee may match greater than 40%.

If an applicant wants to use a grant from another funding agency as match, the applicant should check with the funding agency issuing the grant to ensure that it may be used as match for Section 319(h). The following applies when using other grants to match Section 319(h):

- The matching grant scope of work must directly satisfy a portion of the Section 319(h) scope of work
- The date that the grantee incurs costs for the matching grant must fall within the effective and expiration dates of the Section 319(h) grant agreement
- The costs incurred under the matching grant must be eligible according to the Section 319(h) criteria

3. Indirect Cost Rate

In order to charge indirect costs to a grant, the applicant must have an annually negotiated indirect cost rate agreement (NICRA). There are three types of NICRAs:

1. Federally Negotiated Rate. Organizations that receive direct federal funding may have an indirect cost rate that was negotiated with their federal cognizant agency. The State of Illinois will accept the federally negotiated rate. The applicant must provide a copy of the federal NICRA.
2. State Negotiated Rate. The applicant must negotiate an indirect cost rate with the State of Illinois if they do not have Federally Negotiated Rate or elect NOT to use the De Minimis Rate. The indirect cost rate proposal must be submitted to the State of Illinois within 90 days of the Effective Date of State Award.
3. De Minimis Rate. An organization that **has never received** a State or Federally Negotiated Rate may elect a de minimis rate of 10% of modified total direct cost (MTDC). Once established, the de minimis rate may be used indefinitely. The State of Illinois must verify the calculation of the MTDC annually in order to accept the de minimis rate.

An applicant has the discretion not to claim payment or match for indirect costs. Applicants that elect not to claim indirect costs cannot be reimbursed or credited match for indirect costs.

D. Application and Submission Information

Applicants **shall not apply** for Section 319(h) until the applicant has pre-qualified through the GATA Grantee Portal, www.grants.illinois.gov.

1. Content and Form of Application Submission

The applicant must describe how the project will be implemented and must propose specific, quantifiable outputs or accomplishments, such as BMPs to be installed (e.g., 1,000 feet of streambank stabilization), workshops to be held, or training materials to be developed, which will produce the desired consequences. Interim milestones for implementing the outputs or accomplishments (e.g., design specifications) must also be identified along with an associated schedule for completion of those milestones.

The applicant must describe the expected outcomes of the project in terms of NPS pollution control for surface and/or ground water quality improvement. The outcomes are the important changes that are to be set in motion or supported by the project. These changes may be environmental or social and may be expected to appear on different time scales.

- Short term outcomes can include things such as improved knowledge or reduced pollutant loads (e.g., 300 tons of sediment, 300 lbs. of phosphorus, and 600 lbs. of nitrogen) from the project area
- Intermediate term outcomes can include things such as increased local interest/investment in clean water and improved water quality in the watershed
- Long term outcomes can include removal of a waterbody from the list of impaired waters or the local benefits of clean water

A complete Section 319(h) application must include the following:

- a) Uniform Application for State Grant Assistance
- b) Section 319(h) Uniform Grant Budget Template
 - Entire budget with all worksheets included even if the worksheets are not relevant to the project
- c) Section 319(h) Project Details Section with attachment 1 (if more than 5 best management practices are proposed)
- d) Support Documentation (as applicable)
 - Location maps
 - Designs/drawings
 - Photos
 - Pollutant load and stormwater volume reduction calculations
- e) Quality Assurance Project Plan (if environmental, data management, or social monitoring is proposed)
- f) Illinois Works Forms (as appropriate)
 - Illinois Works Jobs Program Act - Apprenticeship Initiative Budget Supplement for Public Works Projects Funded by State Appropriated Capital Funds
 - Illinois Works Jobs Program Act – Request for Waiver or Reduction of Public Works Project Apprenticeship Goals

The Section 319(h) application is available at Illinois EPA's website at:

<https://www2.illinois.gov/epa/topics/forms/water-forms/Pages/financial-assistance.aspx>

Paper copies of the Section 319(h) application are available upon request by contacting the NPS Unit at (217) 782-3362.

The Illinois EPA requires the Section 319(h) applicants to use the current application forms provided in the link above or in the GATA Portal. These forms are designed to allow the Illinois EPA and the Evaluation Panel to obtain enough information to properly evaluate the proposed project.

All Section 319(h) forms that require a signature must be signed by persons authorized by the applicant organization to enter into formal contractual agreements.

The narrative application materials, including application and budget forms, must be formatted to letter-sized paper and type font must be 10-point or greater. Designs and drawings may be submitted formatted on larger paper.

All project descriptions, proposals, charts, tables, designs, and cost estimates on separate sheets must be labeled with the project title and be included with the application at the time of submission.

If an applicant makes significant changes to the scope of work after the application deadline, the application will be rejected.

Applications must be submitted in an electronic format. Submissions can be made either:

- a) By email using the [Illinois.Gov File Transfer tool](#) to epa.bowgrants@illinois.gov. Include the project title and applicant name in the "Message to Recipient" box. **Do NOT** email files direct, without the file transfer tool, as the Illinois EPA firewall might reject the application. Contact the NPS Unit at (217) 782-3362 regarding the use of the file transfer tool including file size limitations or potential firewall issues.

or

- b) By mailing or delivering the application on a CD or USB directly to:

US Postal Service Mailing Address:

Illinois Environmental Protection Agency
Bureau of Water, NPS Unit #15
P.O. Box 19276
Springfield, Illinois 62794-9276

Attention: Scott Ristau

Delivery Address:

Illinois Environmental Protection Agency
Bureau of Water, NPS Unit #15
1021 North Grand Avenue East
Springfield, Illinois 62702

Attention: Scott Ristau

2. Dun and Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM)

Each applicant (unless the applicant is an individual or federal or State awarding agency that is exempt from those requirements under 2 C.F.R. § 25.110(b) or (c), or has an exception approved by the federal or State awarding agency under 2 C.F.R. § 25.110(d) is required to:

- a) be registered in SAM **before** submitting its application (Register at: <https://www.sam.gov/>);
- b) provide a valid DUNS number in its application; and
- c) maintain an active SAM registration with current information at all times during which it has an active federal, federal pass-through, or State award or an application or plan under consideration by a federal or State awarding agency.

The Illinois EPA shall not make an award to an applicant unless the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with these requirements by the application deadline, the Illinois EPA shall determine the applicant as not qualified to receive an award. The Illinois EPA shall use that determination as a basis to make an award to another qualified applicant.

3. Submission Dates and Times

Section 319(h) applications are accepted by Illinois EPA until August 3, 2020. The complete electronic copy of the application must be received at Illinois EPA's Springfield office by 5:00 p.m. (CST) on August 3, 2020, to be considered for funding under Section 319(h).

The Illinois EPA shall not extend the application deadline date. Incomplete and late applications shall 1) not be considered for funding, 2) not be returned to the applicant, and 3) preclude the Illinois EPA from making an award to the applicant.

The Illinois EPA shall use the date of the email submittal, or the date-stamp applied by Illinois EPA to mailed or hand-delivered electronic applications when received, to determine whether an application has been submitted on or before the deadline.

The Illinois EPA shall send a letter to the applicant acknowledging receipt of the application. Applicants shall be notified, at this time, if their application was not considered for funding due to an incomplete or late application submittal or if they were not pre-qualified in the GATA Grantee Portal by the application deadline.

4. Funding Restrictions

An applicant's failure to meet an eligibility criterion will not result in the Illinois EPA returning the application without review but will preclude the Illinois EPA from making a Section 319(h) Grant Program award for that application.

Applicants may apply for more than one project. Partial funding may be offered if sufficient funds are not available to fund an entire application.

Match cannot be federal funds or funds used to match another federal program.

Costs incurred prior to the grant agreement's effective term date or after its term ends are ineligible for reimbursement. Costs incurred prior to the grant agreements' effective date or after its term ends are ineligible as match unless otherwise approved as match by Illinois EPA.

Grantees shall not use any subcontractors, outside associates, or consultants in connection with any services covered by a grant agreement unless specifically authorized by the Illinois EPA. Grantees shall use procurement procedures that reflect applicable local and State of Illinois laws and regulations relating to any sub agreements for the performance of grant projects funded under Section 319(h).

Examples of ineligible activities, tasks, and components that shall not be funded through Section 319(h) are provided below. The list is not all-inclusive:

- Activities that do not control, prevent, or address NPS pollution
- Any activity or project required by State or federal law or State or federal permit, including activities required or anticipated to be required by National Pollutant Discharge Elimination System (NPDES) regulations, including Phase 1 and Phase 2 stormwater permit requirements
- Routine maintenance or repair of existing on-site systems, such as culvert replacement, street sweeping, catch-basin cleaning
- Bonus or acceleration payments to contractors to meet contractual completion dates for construction; fees for failure to pay invoices on time, check overdrafts, etc.,
- Mitigation costs
- Projects mainly used for habitat improvement, flood control, sediment removal (dredging), support facilities (roads, sewer systems), historic preservation, water supply protection, recreation, or wastewater treatment. However, if the project serves both eligible and ineligible components, Section 319(h) funds may be provided for the eligible portion of the project, on a proportional basis.
- Ineligible activities based on current U.S. EPA guidelines for Section 319(h) grants

E. Application Review Information

1. Application Eligibility

If the answer to **any** of the following Administrative Criterion or GATA Pre-Qualification Criterion questions is **No**, the application shall not be considered for funding.

Administrative Criterion			Yes	No
Did the applicant meet all of the following requirements for Merit-Based Review eligibility?				
	Yes	No		
All fields completed with requested information and boxes checked, as applicable				
Application submitted electronically to the epa.bowgrants@illinois.gov address or delivered in an electronic format to Illinois EPA Headquarters (see page 8 for address)				
Application received by the Illinois EPA by 5:00 p.m. (CST) on August 3, 2020				
Uniform Application for State Grant Assistance with completed signature block included				
Section 319(h) Uniform Grant Budget Template with all pages and completed signature block included				
Section 319(h) – Project Details document with supporting map, design and drawings, as appropriate				
Included attachment 1, if applicable				
Included a QAPP, if applicable				
GATA Pre-Qualification Criterion			Yes	No
Did the applicant meet all of the following pre-qualification requirements through the GATA Grantee Portal, www.grants.illinois.gov , by 5:00 p.m. (CST) on August 3, 2020?				
	Yes	No		
Valid DUNS number				
Current SAM.gov account				
Not listed on the Federal Excluded Parties List				
In good standing with the Illinois Secretary of State				
Not listed on the Illinois Stop Payment list				
Not listed on the Department of Healthcare and Family Services Provider Sanctions list				

2. Criteria

All Section 319(h) applications shall be reviewed for completeness, technical merit, cost effectiveness, and adherence to the Clean Water Act, U.S. EPA Section 319(h) program guidance, and the competitive grant evaluation criteria described in this NOFO. Applications found to be complete shall undergo a comprehensive, merit-based review performed in compliance with GATA Legislation, 30 ILCS 708 and Uniform Administrative Requirements, 2 C.F.R. § 200. The merit-based review is designed to evaluate the applications against the following criteria:

Tier 1

General Quality of Application (0.1 – 1.0 points)

- Is the proposed project consistent with the NOFO?
- Are all required components addressed for an in-depth evaluation of the application?
- Is project easy to understand (including location, activities and techniques)?
- What is the extent and quality to which the application demonstrates relevance to solving an important NPS problem?
- Does the application document an effort to coordinate NPS pollution control with other watershed activities?

Quality of Proposal (0.1 – 2.0 points)

- Are clear project goals and measurable objectives identified?
- Are the proposed approach/actions/activities appropriate or technically/scientifically sound for NPS pollution control?
- Are the proposed approach/actions/activities recommended for a critical area in a WBP or TMDL Implementation Plan?
- Does the project include design, implementation, and monitoring to show measurable environmental results?
- Is the level of project development strong? (e.g., partner buy-in, letters of support, plans, designs, and permits completed, etc.)
- Does the applicant have the authority to complete the project?
- How were the project locations selected?
- Is the project a component of a larger water quality improvement project?
- Is the timeline appropriate for the tasks, milestones, and BMPs?
- Can the project be completed in two (2) years or less?

Anticipated Outputs and Outcomes (0.1 – 2.0 points)

- Is the project implementing components an Illinois EPA WBP or TMDL Implementation Plan?
- Does the application clearly articulate a set of performance and progress measures?
- What is the extent and quality to which the application demonstrates a sound plan for measuring progress toward achieving the expected outputs and outcomes?
- Does the application document how much pollutant load reduction will occur? (sediment, nitrogen, phosphorus, total suspended solids (TSS))
 - Including the percentage of an Illinois EPA approved WBP or TMDL Implementation Plan Load Reduction recommendation?
- What is the designed lifespan of the project (outreach and education, BMPs, etc.)?
- Does the project include a long-term operation and maintenance (O&M) plan, including responsible parties and funds to implement the O&M after grant is complete?

Cost Effectiveness (0.1 – 1.0 points)

- Is the budget clearly presented, appropriate, and cost-effective?
- Is the cost of the project reasonable to the environmental benefit achieved by the project?
 - How does the **cost/benefit** ratio compare with the other applications?
- Is the project's **cost/acre treated** ratio cost-effective?

Need and Environmental Significance (0.1 – 2.0 points)

- Will the project prevent or control NPS pollution that currently impacts the water quality of an Illinois river, stream, or lake?
- Are the facts and evidence that the proposed project supports the Section 319(h) mission provided?
- Is the proposed project identified for implementation in a WBP or TMDL Implementation Plan?

Financial Integrity (0.1 – 1.0 points)

- Are the budget line items justified in the project narrative?
- Does the budget include enough match and is the match secure?
- Does the applicant have the financial ability to complete the project?

Programmatic Capability, Technical Experience and Qualifications (0.1 – 1.0 points)

- Can the applicant successfully manage and complete the proposed project?
- Does the applicant have strong staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project?
- Does the applicant have a positive prior performance with Section 319(h) and other WMS projects?

Minimum Cut Score. Application points for the Tier 1 criterion listed above will be summed to arrive at a preliminary composite average score. A minimum cut score of 3.0 will be used to determine if points for the additional Tier 2 criterion listed below will be applied. Applications that score ≤ 2.9 will not be given any additional Tier 2 points for the criterion listed below, regardless if they apply.

Tier 2

Relationship to an approved WBP. (Point Range 0.0, 0.5, or 1) Priority will be given to those projects that implement NPS components of an Illinois EPA approved WBP. A WBP must include, at a minimum, nine specific elements required in U.S. EPA guidance. NPS pollution control projects that are identified as being within an approved WBP that eliminate impairments and/or restore impaired waters will receive higher consideration than projects submitted without the support of such a plan. Implementation of a WBP to address NPS pollution could include installation of BMPs that have been identified for specific critical areas; NPS water quality modeling, environmental and social indicator monitoring, and outreach activities that are specifically identified in the WBP. Applications that have no relationship and are not located within an approved WBP earn 0.0 points, while those with eligible projects in areas partially covered by an approved WBP earn 0.5 points. Those that have eligible projects which are entirely located within an approved WBP earn 1.0 points.

To a lesser degree, priority will be given to those projects that propose to develop or update a WBP to address NPS pollution. For additional information on watershed-based planning, please refer to Appendix C of the Nonpoint Source Program and Grants Guidelines for States and Territories (April 12, 2013) and the Guidance for Developing Watershed Action Plans in Illinois (Chicago Metropolitan Agency for Planning, 2007).

Illinois EPA considers projects that address NPS pollution control that are not identified in or supported by a WBP as low priority projects. These projects can include BMP implementation, BMP demonstrations, environmental monitoring, social indicator monitoring, and outreach efforts that are not yet identified for implementation in a WBP. Individual BMPs, treatment systems or outreach efforts are eligible for funding but will not be prioritized as highly as those projects specifically identified in a WBP.

Relationship to an approved TMDL Implementation Plan. (Point Range 0.0, 0.5, or 1.0) Priority will be given to those projects that implement NPS components of an Illinois EPA approved TMDL implementation plan. A TMDL is the maximum amount of a specific pollutant loading a waterbody can tolerate and still support all its intended uses. Applications that have no relationship to and are not located within an approved TMDL Implementation Plan earn 0.0 points, while those with eligible projects in areas that are partially covered by an approved TMDL Implementation Plan will earn 0.5 points. Those with eligible projects that are located within an approved TMDL Implementation Plan earn 1.0 points.

Lesser priority will be given to those projects that propose to develop a TMDL implementation plan to address NPS Pollution. The proposed TMDL implementation plan to be developed must be related to a 303d listed waterbody that is being impaired by NPS pollution. [Click here](#) for additional information about TMDL requirements as defined in U.S. EPA guidance. A TMDL implementation plan must also meet the requirements of a watershed-based plan. The TMDL implementation plan will spell out the actions necessary to achieve the goals of the approved TMDL. The plan specifies limits for point source and NPS discharges and recommends specific BMPs for nonpoint sources. It also estimates associated costs and lays out a schedule for implementation. [Click here](#) for additional information about Illinois EPA's TMDL Program and consult with the Planning Unit at (217) 782-3362 before applying for the development of a TMDL implementation plan.

Relationship to Illinois EPA Priority Watersheds. (Point Range 0.0, 1, or 2) Priority will be given to those projects that are located within Illinois EPA Priority Watersheds for NPS pollution control implementation or planning, as applicable. Illinois has 51 basins; all 51 basins will be a priority for watershed-based planning or plan implementation at least once every five years. Each year, a subset (8 – 11) of the basins will be a priority for planning. Two-years later those same basins will be a priority for plan implementation. Waterbody segments, except for main-stem waters, that are not attaining their designated water quality uses due to NPS pollution impairments are the priority waterbodies within the priority watersheds. The main-stem waterbodies have greater priority once NPS components of a WBP for their headwater areas have been developed and implemented. The 10 to 12-digit hydrologic units (HUC) that contain these impaired waterbody segments are the priority watershed. A higher priority for assistance will be given to those watersheds that have multiple NPS impaired waterbody segments. Priority will also be given to those projects that are located within a NPS Priority Watershed to Reduce Nutrient Loss. [Click here](#) to see a set of maps that depict the 5-year planning and implementation priority watershed rotation and the priority watersheds for nutrient reduction. Applications that have no relationship to and are not located within a Priority Watershed will earn 0.0 points, while those with eligible projects in areas partially located in a Priority Watershed will earn 0.5 points. Those that have eligible projects that are entirely located in a Priority Watershed will earn 1.0 points.

Relationship to Illinois EPA [Environmental Justice Areas](#) (Point Range 0.0, 0.5, or 1.0) Priority will be given to those projects that are located within an Illinois EPA Environmental Justice Area. "Environmental Justice" is based on the principle that all people should be protected from environmental pollution and have the right to a clean and healthy environment. Environmental justice

is the protection of the health of the people of Illinois and its environment, equity in the administration of the State's environmental programs, and the provision of adequate opportunities for meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Applications outside of an Environmental Justice Area will earn 0.0 points, while those with project areas that are partially located within an Environmental Justice Area earn 0.5 points. Those projects that are entirely located within an Environmental Justice Area(s) earn 1.0 points.

3. Review and Selection Process

The complete applications shall be reviewed by an Evaluation Panel that is composed of Illinois EPA, Bureau of Water (BOW), Watershed Management Section (WMS), NPS Unit staff and other BOW staff, as available.

If less than 50 applications are received, each application shall be reviewed in-depth by the entire Evaluation Panel. If 50 or more applications are received, at least two Evaluation Panel members shall review each application in-depth, and the remaining Evaluation Panel members shall attend a group presentation summarizing the application. During years when more than 50 applications are received, additional quality control on the review process will be made to ensure accurate and consistent scoring.

Illinois EPA's NPS Unit shall solicit peer reviews on the applications from:

- within the Illinois EPA regional offices in which the project is located;
- within Illinois EPA's Fiscal department for a fiscal and administrative review; and
- the Illinois Department of Natural Resources, Illinois Department of Agriculture, and the USDA Natural Resources Conservation Service.

The peer reviews shall not generate a numerical score but will provide information for the Evaluation Panel to consider while conducting the merit-based review.

The Evaluation Panel shall be convened to discuss the applications, peer review comments, and other relevant information. Using the merit-based review criteria, using either a full in-depth review (for < 50 applications received) or the group summarization (≥50 applications received) each member of the Evaluation Panel shall individually score each application on a scale of 0.7 (worst) to 10 (best) independently of the whole panel. Each Evaluation Panel member shall then give the application a numeric score. These individual scores shall be shared with the whole Evaluation Panel and recorded on a summary score sheet that shows the comparative scores. Any significant or substantial variance between member's scores shall be reviewed and documented, including voluntary revision of individual scores.

Minimum Cut Score. Application points for the Tier 1 criterion will be summed to arrive at a preliminary composite average score. A minimum cut score of 3.0 will be used to determine if points for the additional Tier 2 criterion will be applied. Applications that score ≤2.9 will not be given any additional points for the Tier 2 criterion. The final individual scores shall be converted into a composite average score for each application and ranked accordingly. Section 319(h) funds will be awarded per the NOFO, starting with the highest ranked project funded first, followed in order by rank and eligibility.

Additional review and selection processes are provided below.

- If the amount of available grant funding is not sufficient to fund a higher-ranked application in its entirety, the Evaluation Panel shall review the application to determine if a discrete portion or phase of the project meeting the mission of this NOFO can be funded. If the Evaluation Panel determines that it cannot fund the application in full or part, the next highest-ranked application will be reviewed for a discrete portion or phase to be funded to meet the mission of the NOFO.
- If the Evaluation Panel determines that an applicant incorrectly calculated or indicated the project cost, match, and/or total funding request based on the applicable cost estimate, required match, or eligible costs, the application shall still be accepted and reviewed. If the applicant is awarded a grant, the Illinois EPA shall contact the applicant and request a decision from the applicant as to whether it will accept the award based on the Illinois EPA's determination of the project cost, applicant match, and/or total funding requested. If the applicant does not accept the Illinois EPA's determination, the application shall not be funded.

4. Appeal Process

An appeal process is available to applicants and other interested parties; however, appeals are limited to the Illinois EPA evaluation process. Evaluation scores may not be protested. An appeal must be submitted in writing to the following address: Illinois EPA, Attn: Section 319(h), Bureau of Water, 1021 N. Grand Avenue, Mail Code #15, P.O. Box 19276, Springfield, Illinois 62794-9276 and must be received within 14 calendar days after the date that the grant award notice has been published by the Illinois EPA on Grants.Illinois.gov. The written appeal shall include at a minimum the following: the name and address of the appealing party, identification of the grant, and a statement of reasons for the appeal. Illinois EPA shall acknowledge receipt of an appeal within fourteen (14) calendar days from the date the appeal was received.

When an appeal is received, the execution of all remaining grant agreements that Illinois EPA intends to make under this NOFO shall be stayed until the appeal is resolved, unless the Illinois EPA determines the needs of the State require moving forward with execution of the remaining grant agreements. The State need determination and rationale shall be documented in writing.

Illinois EPA shall respond to the appeal within 60 days or supply a written explanation to the appealing party as to why additional time is required. The appealing party must supply any additional information requested by Illinois EPA within the time period set in the request. The Director of the Illinois EPA may appoint one or more Appeal Review Officers (ARO) to consider the grant-related appeal and make a recommendation to the Director of the Illinois EPA or designee for resolution. The ARO shall make a recommendation to the Director of the Illinois EPA or designee as expeditiously as possible after receiving all relevant, requested information. In determining the appropriate recommendation, the ARO shall consider the integrity of the competitive grant process and the impact of the recommendation on the Illinois EPA. The Illinois EPA shall resolve the appeal by means of written determination, which shall include, but not be limited to: review of the appeal, appeal determination, and rationale for the determination.

5. Anticipated Announcement and State Award Dates

Illinois EPA's NPS Unit shall present a summary of all the applications received to the Chief of the Bureau of Water and the Director of the Illinois EPA. This summary shall confirm that the NOFO was followed and will include the findings and recommendations of the Evaluation Panel, including application rank and funding recommendation.

Based on eligibility and merit criteria, and the evaluation panel scoring, the Illinois' Section 319 Nonpoint Source Work Plan (Work Plan) will be prepared and submitted to U.S. EPA for approval. The Work Plan identifies the selected applications (projects) proposed for funding by Illinois EPA, with a budget spreadsheet, a short narrative summary of each project, and a copy of the selected project applications. Submittal of the Work Plan to U.S. EPA should occur by November 1st.

By early to mid-January, U.S. EPA should issue comments to the Illinois EPA on the detailed Work Plan. Illinois EPA will then respond to U.S. EPA's comments to answer concerns and questions.

By early February, Illinois EPA expects to send written notice to each applicant whose project was not included in the Work Plan informing them that their application was not selected for funding.

Once U.S. EPA has approved the Work Plan, Illinois EPA will apply to U.S. EPA for Section 319 funding to implement the Work Plan. By early February, in anticipation of U.S. EPA approval of the grant application, Illinois EPA expects to begin drafting agreements for selected projects.

Following a decision of intent to award, the Illinois EPA is required by GATA to conduct a fiscal and administrative risk assessment and programmatic risk assessment of the applicant. Additional information may be required at that time from the successful applicant. To remain eligible for the award, the applicant must provide the requested information within the time specified by the Illinois EPA. The Fiscal and Administrative Risk Assessment Questionnaire is available on the GATA Portal. The Programmatic Risk Assessment, provided by Illinois EPA, evaluates the applicant's ability to successfully carry out the terms of Section 319(h) and assesses four risk categories: 1) quality of management systems and ability to meet the management standards; 2) history of performance; 3) reports and findings from audits performed on prior awards; and 4) the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on a grantee.

By May, U.S. EPA should award the grant to the Illinois EPA and the Illinois EPA expects to send a "Notice of State Award" to the successful grant applicants for signature. The Notice of State Award (NOSA) will specify the funding terms and specific conditions resulting from the pre-award risk assessments. The NOSA must be signed and returned by an authorized representative of the grantee organization. The NOSA is not an authorization to begin performance or incur costs.

By June, Illinois EPA expects to send a grant agreement to the grant recipients for signature.

By July, Illinois EPA expects to provide a fully executed grant agreement to the grant recipients. A fully executed grant agreement is authorization for the grant recipient to begin work on the project.

Action by Illinois EPA	
Notify applicants that their application was received.	September 1, 2020
Notify unsuccessful applicants that their application was not selected for funding.	February 15, 2021
Send a Notice of State Award to selected applicants for signature.	May 15, 2021
Send a Grant Agreement to selected applicants for signature.	June 15, 2021
Provide a fully executed Grant Agreement to the grantee.	July 31, 2021

The anticipated start date for approved projects is **July 31, 2021**.

F. Award Administration Information

1. Notice of State Award (NOSA)

The Illinois EPA shall issue a Notice of State Award (NOSA) to the successful grant applicants. The NOSA shall specify the funding terms and specific conditions resulting from the Fiscal and Administrative and Programmatic Risk Assessments. The NOSA must be accepted by an authorized representative before a grant agreement can be sent to the applicant. A NOSA is not an authorization to begin project activities or incur costs.

2. Administrative, State, and National Policy Requirements

The terms and conditions of the award shall be specified in the NOSA and the grant agreement.

No grantee shall receive a grant or any other State or federal assistance that would provide 100% or more of the eligible project costs.

If the grantee of a Section 319(h) grant is at any time given any State, federal, or local grant or any other funding source, to assist in the payment of expenses for which the Section 319(h) grant payment has been issued, the recipient shall reimburse the State of Illinois for any Section 319(h) grant funds used to pay expenses or offered to be paid under another grant or funding source.

Each grantee must agree to comply with all applicable federal and State requirements. **This includes Uniform Administrative Requirements, 2 C.F.R. § 200, Executive Order 12372 “Intergovernmental Review of Federal Programs”, and GATA.** These can have a significant impact on the costs and complexity of a project. Section 319(h) grantees will be expected to submit signed assurances that they will comply with all federal mandates, including:

- a) The Interagency Wetland Policy Act of 1989; 20 ILCS 830/: In accordance with the Interagency Wetland Policy Act of 1989, a grantee whose proposed project site is located on or within 250 feet of a wetland site listed on the National Wetlands Inventory will be required to comply with the requirements of the Act. This includes developing a plan to minimize adverse impacts on wetlands or providing written evidence that the proposed project will not have an adverse impact on a wetland. Project must also comply with Federal Wetlands Protection regulations at 24 C.F.R. § 58.5(b)(2), which may require preparation of an Eight-Step Wetlands Review.
- b) Illinois Endangered Species Protection Act; 520 ILCS 10/ and the Illinois Natural Area Preservation Act; 525 ILCS 30/: Compliance requires consultation with the Endangered Species Consultation Program of the Illinois Department of Natural Resources to assure compliance. The consultation process must be implemented to avoid or minimize adverse impacts to State-listed species and their essential habitats that may result from the actions of State and local units of government. Grantees must certify the completion of the consultation process.
- c) Illinois Prevailing Wage Act; 820 ILCS 130/: The Illinois Prevailing Wage Act requires the payment of prevailing wages for all construction funded in whole or in part with State funds, including funds passed through to private firms. Grantees shall comply with all requirements of the Prevailing Wage Act, including but not limited to, inserting into all contracts for construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the project shall be paid to all laborers, workers, and mechanics performing work under the award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract. Grantees will

be required to report on Prevailing Wage Act compliance. If your project involves construction and/or equipment installation, go to <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/prevailing-wage-act.aspx> for more information.

- d) Illinois Works Jobs Program Act; 30 ILCS 559/: Grantees must comply with requirements in the Illinois Works Jobs Program Act. For grants with an estimated total project cost of \$500,000 or more, the grantee will be required to comply with the Illinois Works Apprenticeship Initiative; 30 ILCS 559/20-20 to 559/20-25 and all applicable administrative rules. The “estimated total project cost” is a good faith approximation, at the time an applicant submits a grant application, of the costs of an entire project being paid for in whole or in part by appropriated capital funds to construct a public work. The goal of the Illinois Works Apprenticeship Initiative is that apprentices will perform either 10% of the total labor hours actually worked in each prevailing wage classification or 10% of the estimated labor hours in each prevailing wage classification, whichever is less. Grantees will be permitted to seek a waiver or reduction of this goal in certain circumstances pursuant to 30 ILCS 559/20-20(b). The grantee must ensure compliance for the life of the entire project, including during the term of the grant and after the term ends, if applicable, and will be required to report on and certify its compliance.
- e) Business Enterprise Program for Minorities, Females, and Person with Disabilities Act; 30 ILCS 575/: For grant awards of \$250,000 or more, the grantee will be required to comply with the Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act, which establishes a goal for contracting with businesses that have been certified as owned and controlled by persons who are minority, female, or who have disabilities. The grantee must document a plan for compliance prior to the establishment of the grant agreement and ensure compliance through the life of the grant.
- f) The National Emission Standards for Hazardous Air Pollutants for Source Categories; 40 C.F.R. § 63: These standards assure that, when existing buildings are demolished and/or renovated, people outside of those buildings (e.g., passers-by or neighborhood residents) are protected from airborne asbestos. If asbestos materials are involved in the rehabilitation work, the grantee must contact the Field Operations Section, Bureau of Air of the Illinois EPA to ensure compliance with Asbestos NESHAP.

In the grant agreement, the grantee shall be required to:

- Certify that it does and shall comply with all provisions of the federal Internal Revenue Code (26 USC 1), the Illinois Income Tax Act; 35 ILCS 5/, and all rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.
- Certify that it does and shall comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006; PL 109–282, September 26, 2006, 120 Stat 1186 with respect to federal Awards greater than or equal to \$25,000.
- Certify that it shall adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements, which are published in Title 2, Part 200 of the Code of Federal Regulations, and are incorporated herein by reference. See 44 Ill. Admin. Code 7000.30(b)(1)(A).
- Certify that it and its sub-grantees shall: (i) be registered with the federal SAM if seeking an Award that is partially or fully paid by federal funds and registered with the State equivalent of SAM; (ii) be in good standing with the Illinois Secretary of State; and (iii) have a valid DUNS number. It is Grantee’s responsibility to remain current with these registrations and requirements. If Grantee’s status with regard to any of these requirements change, or the certifications made in and information provided in the Uniform Grant Application changes, Grantee’s must notify the Grantor in accordance with ARTICLE XVIII.

- Submit a “Section 319(h) BMP Documentation Form Part I” with designs, maps, and pollutant load calculations for all BMPs, including BMPs installed with matching funds. The designs must be certified by U.S. Department of Agriculture - Natural Resources Conservation Service (NRCS) staff or a registered or licensed professional engineer of Illinois. The designs must be approved by the Illinois EPA, Bureau of Water, NPS Unit prior to the start of BMP construction or implementation.
- Secure applicable State and federal permits for all BMPs, including BMPs installed with matching funds, prior to the start of their implementation.
- Develop and submit a 10-year O&M Plan for each of the BMPs. This includes BMPs installed with matching funds. O&M Plans must be approved by the Illinois EPA’s NPS Unit before BMP implementation and are for a minimum of ten (10) years starting from the completion date of the BMP.
- Submit a Section 319(h) BMP Documentation Form Part II with cost documentation and pre-and post BMP photos and/or video of the project site.
- Submit personnel activity reports accounting on an after-the-fact basis for 100% of the employee’s actual time, separately indicating the time spent on the Section 319(h) grant, other grants or projects, vacation or sick leave, and administrative time, if applicable.

3. Reporting

All projects require quarterly reporting of progress and a final project evaluation and report. Quarterly progress reports shall include both a Periodic Financial Report and a Periodic Performance Report.

All projects require a final project report. The grantee shall submit to the Illinois EPA, by the date specified in the grant agreement, a report explaining the execution of the project and evaluating the project’s success. The report shall document the project tasks and summarize the findings, costs, and benefits of the project.

G. State Awarding Agency Contact(s)

If you have any programmatic questions regarding the Section 319(h), this NOFO, or the Section 319(h) application, contact the Illinois EPA’s NPS Unit staff at:

Illinois Environmental Protection Agency
 Bureau of Water, NPS Unit #15
 1021 North Grand Avenue East; P.O. Box 19276
 Springfield, Illinois 62794-9276
 Email: epa.bowgrants@illinois.gov
 Phone: (217) 782-3362

If you have fiscal and administrative questions regarding the Uniform Grant Application, the Section 319(h) Uniform Grant Budget Template, Internal Controls Questionnaire (ICQ), or pre-qualifying through the GATA Grantee Portal, contact the Illinois EPA’s Fiscal staff at:

Illinois Environmental Protection Agency
 Fiscal
 1021 North Grand Avenue East; P.O. Box 19276
 Springfield, Illinois 62794-9276
 Email: max.paller@illinois.gov
 Phone: (217) 558-3386

H. Other Information

Additional information about Section 319(h) can be found on Illinois EPA's [NPS webpage](#). Check out the *Illinois' Nonpoint Source Management Program* and the Section 319 Biannual Report, which describes the projects that have been funded under the Section 319(h) and includes links to examples of final reports and other grant award products.

Environmental or social indicator monitoring is not required in order to qualify for Section 319(h).

It may be difficult to complete projects that include BMP design, engineering and permitting, BMP implementation, and monitoring during a single grant period. Applications for renewal or supplementation of existing projects are eligible to compete with applications for new grant awards. Contact the NPS Unit at (217) 782-3362 to discuss application options for long-term projects.

Illinois EPA has the right to use (including, but not limited to, citing to, circulating, displaying, and reproducing) all products that result from the grantee receiving financial assistance under the grant agreement whether the product is developed by the grantee or a sub-grantee.

Illinois EPA is not obligated to make any grant award as a result of this NOFO.