



NONPOINT SOURCE PROGRAM REQUEST FOR PROPOSALS FY 2023

The Tennessee Department of Agriculture Nonpoint Source Program (TN-NPS) is seeking project proposals for funding from a grant provided by the United States Environmental Protection Agency (USEPA) under section 319(h) of the Clean Water Act.

Who Can Apply?

Local (city/county) governments, interstate agencies, nonprofit organizations and institutions, colleges and universities, and agencies of state government are eligible to apply.

Deadline for Submittal of Proposals

The deadline for submittal is **December 1, 2022**. It is anticipated that the contracts written for the projects selected will be active by the summer of 2023.

TN-NPS Priorities

The highest priority of the TN-NPS is to fund projects that target waters of the state assessed as impaired from nonpoint source (NPS) pollution and published in the most recent edition of the state's List of Impaired Waters by the Tennessee Department of Environment and Conservation (https://www.tn.gov/content/dam/tn/environment/water/watershed-planning/wr_wq_303d-2022-final.xlsx). Such project's objectives should be to identify the specific sources of NPS pollution and seek to eliminate them so that the water will fully support its designated uses. Preference is given to projects targeting small, simple watersheds, where measurable water quality improvements are most likely to result after the project is completed.

No watershed restoration project [i.e., one that implements best management practices (BMPs) with the goal of delisting an impaired waterbody] can be funded with a 319 grant unless it is based on an approved **watershed-based plan (WBP)** developed for that particular watershed. The requirement of a WBP can be fulfilled simply by following the WBP guidance (Attachment A) and format (Attachment B) provided. You can submit both the WBP and a proposal simultaneously as a single application for funding (If you do submit them together, please submit them as **two, separate documents**). Refer to Attachments A and B for more information on watershed-based plans.

Please **NOTE** – if a WBP has already been written and approved for the watershed in which you plan to work, you do **NOT** need to write and submit a new WBP. If one

already exists, you should plan your work to support and accomplish the objectives already established for that watershed in the WBP. If you need to know whether or not a WBP exists for the location you plan to work, contact Sam Marshall (615-837-5306; sam.marshall@tn.gov) or look at the list of approved WBPs at

<https://www.tn.gov/agriculture/farms/conservation/nonpoint-source-grant-program.html>

A second priority of the TN-NPS is to fund projects which focus on NPS education and training are also eligible to receive funding. Educational projects can attempt to have a broad, statewide effect on all citizens of Tennessee or can target a particular audience in ways they could reduce NPS pollution. Any such project must focus on raising awareness of NPS issues or attempt to inform decision-making processes in order to reduce NPS impacts to waters.

Proposals will also now be accepted that have as their aim the protection of currently unimpaired waters that may be threatened. This reflects greater acceptance of this type of project on the national NPS level. Project proposals of this nature will not be considered as top priority but will be eligible and if the case for funding them is compelling they could score and rank high enough in the evaluation process to receive funding.

Evaluation Criteria

All projects are initially reviewed to ensure that they meet eligibility requirements before being fully considered for funding. Eligible project proposals are then evaluated by state agencies from both a statewide as well as a local/regional perspective. All eligible projects are reviewed in detail and scored according to many criteria. As this is a competitive situation, scores are totaled, and projects are ranked from high score to low. Beyond this attempt to rank projects in an objective manner, there remains a certain degree of subjectivity as to which projects are finally selected to receive funds.

Please NOTE: the *Grant Proposal Evaluation Criteria* used to score and rank both Education and Training project proposals and Watershed Restoration project proposals are provided as Attachments E and F, respectively.

Successful TN-NPS projects are those that implement conservation practices known as Best Management Practices (BMPs) or those that produce educational programs/materials that result in reduction of nonpoint source pollution to targeted, impaired waterbodies to such a significant degree that they are likely to be removed from the state's List of Impaired Waters in the relative short-term. To that end, in evaluating proposals, preference is given to projects that minimize 319 funds allocated to salaries and benefits for personnel, and instead maximize 319 funds spent for actual, on-the-ground work – BMPs and educational programs/materials.

Because of this emphasis, proposals that limit the amount of 319 grant funds allocated to **both** salaries and benefits of employees of the grantee **and** all subcontracted personnel charges for technical assistance/design/consulting to **25% or less** of total 319 funds requested will be much more competitive when evaluated for funding. In order to expedite evaluation of proposals, please calculate and fill in the box for "Personnel

Costs of Grantees and Subcontractors” on the top of page 17 when you submit a proposal.

Project Match

The TN-NPS is a cost-share program. The maximum percentage of the total project cost supplied by the grant is normally 60%. The remaining 40% match must come from the grantee and can be monetary funds or in-kind donation of labor and/or materials from any nonfederal source. If you know the total project cost, simply multiply that amount by 0.6 and 0.4 to get the amount you should request in grant funds and how much match you will need, respectively. Alternatively, if you simply know the amount of grant funds you would like to request, in order to determine the amount of match required, multiply the amount of grant funds requested by 0.6667. This product is the minimum 40% match required.

All matching dollars must be spent within the dates of the contract and must be directly related to one or more of the project tasks as described in the proposal. The total project cost will be the sum of the grant funds requested plus the calculated match value. The *Sources and Types of Match* table (under *Project Budget Tables* – pg. 17) must list the source, type (cash, in-kind labor, in-kind materials, etc.), and amount/value of the matching funds. As mentioned previously, federal funds or in-kind services from a federal source cannot be used as match. Associated, complimentary federal projects may be described in the proposal, but must clearly be delineated as such and not included in the match totals.

Projects that involve the installation of BMPs on private lands will normally have a significant part of their match provided by cash or in-kind support from the landowners. In all cases where no other sources of federal money are involved, the difference between the total cost of the project and the amount the landowner is reimbursed can be counted as match.

NEW! – Determining Cost-Share Rates for 319 Projects – Major Change!

Beginning with the FFY 2023 funding cycle, the Tennessee 319 grant program is moving to a **Prescribed Rate Payment System** for determining cost-share rates for cooperators/landowners that implement BMPs. In the past, payments have been determined by paying either 75% of total costs (85% in impaired watersheds) or the EQIP estimate, whichever was less – this system will no longer be used. Instead, beginning immediately, the following guidelines should be followed for all projects implementing BMPs:

TDA – LWSS Prescribed Rate Payment System for 319 Projects

Est. FFY 2023

1. This system is based on the NRCS EQIP Payment Schedule and will move up and down with annual EQIP rate adjustments. This will make the TDA system responsive to fluctuations in inflation and other outside economic factors. Only the EQIP standard rates apply to the TDA system.

2. In certain instances (outlined below), EQIP payment rates will be modified by a multiplier to adjust 319 program payment rates to accommodate TDA – LWSS priorities.
3. This will result in two tiers of payment rates with the 319 program:
 - a. Incentivized rates to reflect high priorities of the 319 program
 - b. Standard EQIP rates
4. The 319 program will incentivize projects based on the following priorities of the TDA – LWSS:
 - **(EQIP rate x 1.15)** – Any of the following high priority BMPs:
 - Livestock Exclusion Fence (382E)
 - Riparian Herbaceous Cover (390)
 - Riparian Forest Buffer (391)
 - Filter Strip (393)
 - Stream Crossing (578)
 - Streambank and Shoreline Protection (580)
 - Channel Bed Stabilization (584)
 - Nutrient Management (590)
 - Grassed Waterway (412)
 - Critical Area Planting (342)
 - Wetland Restoration (657)
 - Grade Stabilization Structure (410)
 - **(EQIP rate x 1.05)** – Projects located in “distressed” counties. For FY 2023, the official list of “distressed” counties in Tennessee are:
 - Bledsoe
 - Clay
 - Cocke
 - Grundy
 - Hancock
 - Hardeman
 - Lake
 - Morgan
 - Perry
 - Scott
5. Through the incentives described above (section #4), TDA – LWSS is aiming this system to achieve the following (these correspond to the two ➤ symbols above, in order):
 - a. Increase installation of high impact BMPs (those in riparian zones and closest in proximity to waters) – “most bang for our buck” – funding quality projects is better than quantity

- b. Support the Governor's initiative to stimulate economic activity in distressed counties
6. All practices not included in the incentivized list will be paid at the current EQIP rate.
 7. Incentives are additive – i.e., if a producer is installing a riparian forest buffer on his farm in Hancock County, he would qualify for both the priority practice incentive (0.15) and the distressed county incentive (0.05). In order to determine the cost-share payment to this producer, calculate the total EQIP payment and then multiply one time by the cumulative incentive they qualify for (In this case, $0.15 + 0.05 = 0.20$).
 8. Some detailed examples:

Continuing with the example above from Hancock County, let's say the calculated EQIP payment for the amount of riparian forest buffer this producer was installing was \$3,500. To determine how much he would be paid from the ARCF you would simply multiply $\$3,500 \times 1.20 = \mathbf{\$4,200}$. So, in this case, the producer would be paid \$4,200 from the ARCF instead of the \$3,500 he would have received from EQIP.

You must also be aware of the common situation where a producer is installing more than one practice and one or more of them may be a TDA-incentivized practice(s) and one or more may not be a TDA-incentivized practice(s). In cases like this, you would apply the incentive(s) only to the practices on the priority list while treating the other practices as if they were normal, EQIP practices.

To expand on the example above, let's now say that the producer is installing the riparian forest buffer, some livestock exclusion fence, and a heavy use area at the same time. The EQIP payments calculated for each of these practices is \$3,500, \$2,800, and \$1,450, respectively. Note that, only the riparian forest buffer and livestock exclusion fence are incentivized practices, but all three are located in a distressed county. To determine what he will be paid under ARCF in this scenario you would do the following:

1. Total up the EQIP payments for the practices receiving both the practice incentive and the distressed county incentive.
 - Riparian forest buffer = \$3,500
 - Livestock exclusion fence = \$2,800
 - Total = \$6,300**
2. Then multiply that amount by the total incentive earned (in this case practice incentive (.15) + distressed county incentive (.05) = 0.20)
 - $\$6,300 \times 1.20 = \mathbf{\$7,560}$
3. The heavy use area only receives the distressed county incentive (0.05). Multiply its EQIP payment amount by the incentive.
 - $\$1,450 \times 1.05 = \mathbf{\$1,522.50}$

4. Finally, add the total for the practices receiving both incentives and the practice that received only one incentive to arrive at the total amount of cost-share that can be paid to the producer under ARCF
 - $\$7,560 + \$1,522.50 = \underline{\$9,082.50}$

So, in this example, the producer would be paid \$9,082.50 by the ARCF for these three practices whereas he would have been paid only \$7,750 strictly under EQIP.

9. Here are a few extra points to be aware of:
 - We will attempt to incorporate as much of this system as possible into the new TDA – LWSS data management software that is also currently under development. This will be an online data management system that district staff will have access to as well.
 - We may require bills to be turned in for certain (a few) practices each year to serve as a check of our system, again in terms of how our system is performing in light of real-world total costs of various practices.
 - For 319 grant projects, TDA-LWSS will determine cost-share rates on certain practices that NRCS-EQIP does not pay for, such as septic system repair, rain gardens, green roofs, etc.

The grantee may elect to set a per-cooperator annual funding cap, or a grantee-specific incentive payment amount. For grantees who choose to set their own incentive payment amounts, the payment made to the cooperator shall not be greater than the calculated incentive payment from the TDA Prescribed Rate Payment System.

We urge grantees that set annual maximum “per cooperator” funding caps to evaluate and raise them significantly, due to recent price increases of materials and labor. It is recommended that the annual, per-cooperator funding cap be at least \$15,000.

Incentive payments made from 319 program grant funds may be used in cooperation with other funding sources on the same project, if necessary, but NOT combined on individual practices. **TDA Watershed Coordinators shall be consulted in these situations prior to any work commencing.**

Reimbursement

This grant program is managed through a reimbursement process, which means expenses must be incurred on the project prior to grant funds being disbursed. Reimbursement can be made only for those expenses that are incurred within the term of a contract with TN-NPS.

Project Length

All proposals should be written with the expectation that they will be 100% accomplished within three years from the time the contract starts. Therefore, plan the tasks, timeline, and budget of the proposal with a 3-year grant term in mind. In reality, all FY2023 grant contracts will be written for the maximum length of time possible given the date it is written. This means contract terms will vary in length from 36 to 48 months, but no project is guaranteed more than 36 months. Make every effort to complete your project

and spend 100% of grant funds within the length of the contract; **there will be NO contract extensions for FY2023 grant contracts.**

Proposal Process

Refer to Attachment C for a template of the proposal that each applicant must submit to TN-NPS for review and consideration. The format of your proposal **must** match this template. In general, a proposal includes a detailed description of the work to be done, tasks, budget, etc., specific to the project.

The preferred method of transmittal of proposals is through e-mail. If e-mail is not available, please mail a copy of the proposal to the address listed below.

Sam Marshall
Tennessee Department of Agriculture
Land and Water Stewardship Section
Ellington Agricultural Center
424 Hogan Road
Nashville, TN 37220

Contact Sam Marshall at either sam.marshall@tn.gov or 615-837-5306 with any questions you may have.

Miscellaneous Points for Consideration

- If the proposed budget requests grant funds for indirect costs, then the Grantee must submit to the State documentation of how their particular indirect cost rate was established. This documentation usually takes the form of either results of an independent audit or stipulation of the rate by a cognizant federal or state agency. This documentation must be submitted with the proposal. The maximum allowable indirect cost rate, funded by 319(h), is **20%** of the direct cost line items. The difference between this maximum and the audited indirect rate may be counted as match.
- “Direct costs” are limited to the following budget line items: Salaries, Benefits, and Taxes of employees of the grantee; Supplies, etc. (e.g., cost of BMP materials and any other supplies or equipment that are purchased by the grantee solely as a result of this project); Travel, Conferences, and Meetings that is/are incurred solely in order to accomplish this project; and Capital Purchases of goods required by this particular project.
- Be aware that purchases of goods and acquisition of services using 319(h) program funds must follow State of Tennessee procurement policies as outlined in Attachment D.
- Please note that being paid from two different sources for the same hours worked is not allowed (i.e., “double-dipping”). For any individual receiving monetary compensation (e.g., regular salary) from the grantee and who is also seeking grant funds to cover salary, written documentation from the grantee

stating the grantee's knowledge and approval of the employment situation and declaring no conflict of interest or double-dipping is occurring must be included with the proposal submitted to TDA. It is permissible for grant funds to pay for salary, but it must be clear that the grant funds are only for additional hours worked (on the project), beyond those the employee is normally paid for.

- For more information on the entire TN-NPS program, please refer to the **Management Program Document** on the TDA website – https://www.tn.gov/content/dam/tn/agriculture/documents/landwaterstewardship/FINAL%20319%20PROGRAM%20MGMT%20DOC_081314.pdf

Enclosed are the following guides:

Attachment A: Guidance on Watershed Based Plans

Attachment B: Watershed Based Plan format

Attachment C: Proposal Outline including Budget Template and Instructions

Attachment D: Procurement Policy for Grant Contracts

Attachment E: Grant Proposal Evaluation Criteria – Program Management Funds

Attachment F: Grant Proposal Evaluation Criteria – Watershed Restoration Funds

ATTACHMENT A

EPA Guidance on Watershed-Based Plans

To ensure that Section 319 projects make good progress towards restoring waters impaired by nonpoint source pollution, a watershed-based plan (WBP) must be completed and approved before installation of best management practices funded with Section 319 dollars. Watershed-based plans must follow the format demonstrated in this guidance, below. This information is critical for ensuring the development of realistic plans to achieve protection goals or water quality standards. To the extent that necessary information already exists in other documents (e.g., various State and local watershed planning documents, TMDLs, or watershed plans developed to help implement conservation programs administered by USDA), the information may be incorporated by reference.

To the extent that necessary information already exists in other documents (e.g., various State and local watershed planning documents, or watershed plans developed to help implement conservation programs administered by USDA, etc.), the information may be incorporated by reference. Thus, grantees need not duplicate any existing process or document that already provides needed information.

Components of a Nine-Element Watershed-Based Plan

The following information must be included in watershed-based plans (WBPs) to restore waters impaired by nonpoint source pollution using incremental Section 319 funds.

1. *Identification of causes of impairment and pollutant sources or groups of similar sources that need to be controlled to achieve needed load reductions, and any other goals identified in the watershed plan. Sources that need to be controlled should be identified at the significant subcategory level along with estimates of the extent to which they are present in the watershed (e.g., X number of livestock farms needing upgrading, including a rough estimate of the number of livestock per farm; Y acres of row crops needing improved nutrient management or sediment control; or Z linear miles of eroded streambank needing remediation).*

What Does This Mean?

Your watershed plan should include a map of the watershed that locates the major causes and sources of impairment. To address these impairments, you will set goals that will include (at a minimum) meeting the appropriate water quality standards for pollutants that threaten or impair the physical, chemical, or biological integrity of the watershed covered in the plan.

This element will usually include an accounting of the significant point and nonpoint sources in addition to the natural background levels that make up the pollutant loads causing problems in the watershed. If a TMDL exists, this element

may be adequately addressed. If not, you will need to conduct a similar analysis to do this. The analytical methods may include mapping, modeling, monitoring, and field assessments to make the link between the sources of pollution and the extent to which they cause the water to exceed relevant water quality standards.

2. *An estimate of pollutant load reductions expected from management measures.*

What does this mean?

You will need to identify various management measures (see element 3 below) that will help to reduce the pollutant loads and estimate the load reductions expected as a result of these management measures being implemented, recognizing the difficulty in precisely predicting the performance of management measures over time.

Estimates should be provided at the same level as that required in the scale and scope component in element 1 (e.g., the total load reduction expected for livestock farms, row crops, or eroded streambanks). For waters for which EPA has approved or established TMDLs, the plan should identify and incorporate the TMDLs. The estimate should account for reductions in pollutant loads from point and nonpoint sources identified in the TMDL as necessary to attain the applicable water quality standards.

This component of the WBP can be difficult to determine. Modeling is probably EPA's preferred method, but not everyone has access to or competency with that technology. Therefore, in response to a need for a simple, straightforward way to calculate an estimated pollutant load reduction due to BMP implementation, the TN-NPS program has provided the *Pollutant Load Reduction Estimation Tool*, found on the next page.

It is hoped that this tool is intuitive and easy to use. The pollutant load reduction factors in the table came from many instances of modeling (via STEP-L model) the estimated load reductions from actual installations of many types of BMPs across the entire state in a variety of geographical, land use, and functional settings. To use the tool, simply tally up the types and amounts of each BMP you intend to install and multiply by the appropriate load reduction factor for the three pollutants of EPA's interest (N, P, and sediment). Add up the individual BMP-specific load reductions to obtain your total estimated load reduction for N, P, and sediment expected to be achieved by implementing the BMPs you intend to install. An example is provided to give you an idea of what this might look like.

Tennessee NPS Program - Pollutant Load Reduction Estimation Tool

BMP Name	NRCS Code	N Reduction Factor	Unit	P Reduction Factor	Unit	Sediment Reduction Factor	Unit
Watering System	614	70.23	lbs N/unit/year	5.88	lbs P/unit/year	0.004	tons/unit/year
Heavy Use Area	561	0.09	lbs N/sq ft/year	0.01	lbs P/sq ft/year	0.002	tons/sq ft/year
Pipeline	516	0.13	lbs N/foot/year	0.02	lbs P/foot/year	0.006	tons/foot/year
Fence	382	0.25	lbs N/foot/year	0.02	lbs P/foot/year	0.006	tons/foot/year
Forage and Biomass Planting	512	6.78	lbs N/acre/year	0.66	lbs P/acre/year	0.175	tons/acre/year
Grade Stabilization Structure	410	246.82	lbs N/structure/year	25.79	lbs P/structure/year	4.224	tons/structure/year
Water and Sediment Control Basin	638	199.41	lbs N/basin/year	33.92	lbs P/basin/year	6.109	tons/basin/year
Critical Area Planting	342	100.04	lbs N/acre/year	13.56	lbs P/acre/year	0.055	tons/acre/year
Streambank/Shoreline Protection	580	1.75	lbs N/foot/year	0.17	lbs P/foot/year	0.047	tons/foot/year
Access Control (Livestock Exclusion)	472	0.11	lbs N/foot/year	0.01	lbs P/foot/year	0.001	tons/foot/year
Septic improvements	006	119.28	lbs N/unit/year	12.58	lbs P/unit/year	3.564	tons/unit/year
Access Road	560	0.37	lbs N/foot/year	0.03	lbs P/foot/year	0.004	tons/foot/year
Nutrient Management	590	6.31	lbs N/acre/year	1.02	lbs P/acre/year	0.282	tons/acre/year
Riparian Forest Buffer	391	308.4	lbs N/acre/year	22.6	lbs P/acre/year	3	tons/acre/year
Rain Garden	007	0.158	lbs N/sq ft/year	0.06	lbs P/sq ft/year	0.006	tons/sq ft/year
Winter Cover Crop	340	11.4	lbs N/acre/year	2.4	lbs P/acre/year	0.84	tons/acre/year
Terrace	600	0.12	lbs N/foot/year	0.04	lbs P/foot/year	0.01	tons/foot/year
Stream Crossing	578	50.3	lbs N/unit/year	7.5	lbs P/unit/year	2.8	tons/unit/year
Diversion	362	0.11	lbs N/foot/year	0.03	lbs P/foot/year	0.01	tons/foot/year
Spring Development	574	78.9	lbs N/unit/year	7.2	lbs P/unit/year	1.8	tons/unit/year
Grassed Waterway	412	913.2	lbs N/acre/year	220	lbs P/acre/year	89.4	tons/acre/year
Filter Strip	393	375.8	lbs N/acre/year	83	lbs P/acre/year	32.9	tons/acre/year

Example: You have a project where you intend to install 4,650 linear feet of access control fencing; 2 watering systems; 2,400 square feet of heavy use area; 3,800 linear feet of pipeline; and 1,200 feet of streambank protection.

Estimate the TOTAL expected reduction in loading of N, P, and sediment to the receiving stream as follows:

PRACTICE	AMOUNT		N Reduction Factor	= lbs N/year
Access Control	4,650 feet	x	0.11	511.5
Watering System	2 units	x	70.23	140.5
Heavy Use Area	2,400 square feet	x	0.09	216
Pipeline	3,800 feet	x	0.13	494
Streambank Protection	1,400 feet	x	1.75	2450

Expected reduction in N load = **3812**

PRACTICE	AMOUNT		P Reduction Factor	= lbs P/year
Access Control	4,650 feet	x	0.01	46.5
Watering System	2 units	x	5.88	11.76
Heavy Use Area	2,400 square feet	x	0.01	24
Pipeline	3,800 feet	x	0.02	76
Streambank Protection	1,400 feet	x	0.17	238

Expected reduction in P load = **396.26**

PRACTICE	AMOUNT		Sediment Reduction Factor	= tons sediment/year
Access Control	4,650 feet	x	0.001	4.65
Watering System	2 units	x	0.43	0.86
Heavy Use Area	2,400 square feet	x	0.002	4.8
Pipeline	3,800 feet	x	0.006	22.8
Streambank Protection	1,400 feet	x	0.047	65.8

Expected reduction in sediment load = **98.91**

- 3. A description of the nonpoint source management measures that will need to be implemented to achieve load reductions in element 2, and a description of the critical areas in which those measures will be needed to implement this plan.*

What does this mean?

The plan should describe the management measures that need to be implemented to achieve the load reductions estimated under element 2, as well as to achieve any additional pollution prevention goals called out in the watershed plan (e.g., habitat conservation and protection). Pollutant loads will vary even within land use types, so the plan should also identify the critical areas in which those measures will be needed to implement the plan. This description should be detailed enough to guide implementation activities and can be greatly enhanced by identifying on a map priority areas and practices.

- 4. 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.*

What does this mean?

You should estimate the financial and technical assistance needed to implement the entire plan. This includes implementation and long-term operation and maintenance of management measures, information/education (I/E) activities, monitoring, and evaluation activities. You should also document which relevant authorities might play a role in implementing the plan. Plan sponsors should consider the use of federal, state, local, and private funds or resources that might be available to assist in implementing the plan. Shortfalls between needs and available resources should be identified and addressed in the plan.

- 5. An information and education component used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing the nonpoint source management measures that will be implemented.*

What does this mean?

The plan should include an I/E component that identifies the education and outreach activities or actions that will be used to implement the plan. These I/E activities may support the adoption and long-term operation and maintenance of management practices and support stakeholder involvement efforts.

- 6. Schedule for implementing the nonpoint source management measures identified in this plan that is reasonably expeditious.*

What does this mean?

You should include a schedule for implementing the management measures outlined in your watershed plan. The schedule should reflect the milestones you develop in element 7.

7. *A description of interim measurable milestones for determining whether nonpoint source management measures or other control actions are being implemented.*

What does this mean?

You'll develop interim, measurable milestones to measure progress in implementing the management measures for your watershed plan. These milestones will measure the implementation of the management measures, such as whether they are being implemented on schedule, whereas element 8 (see below) will measure the effectiveness of the management measures, for example, by documenting improvements in water quality.

8. *A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made toward attaining water quality standards.*

What does this mean?

As projects are implemented in the watershed, you will need water quality benchmarks to track progress. The criteria in element 8 (not to be confused with water quality criteria in state regulations) are the benchmarks or waypoints to measure against through monitoring. These interim targets can be direct measurements (e.g., fecal coliform concentrations) or indirect indicators of load reduction (e.g., number of beach closings). You should also indicate how you'll determine whether the watershed plan needs to be revised if interim targets are not met. These revisions could involve changing management practices, updating the loading analyses, and reassessing the time it takes for pollution concentrations to respond to treatment.

9. *A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established under element 8 immediately above.*

What does this mean?

The watershed plan should include a monitoring component to determine whether progress is being made toward attaining or maintaining the applicable water quality standards. The monitoring program should be fully integrated with the established schedule and interim milestone criteria identified above. The monitoring component should be designed to determine whether loading reductions are being achieved over time and substantial progress in meeting water quality standards is being made. Watershed-scale monitoring can be used to measure the effects of multiple programs, projects, and trends over time.

Instream monitoring does not have to be conducted for individual BMPs unless that type of monitoring is particularly relevant to the project.

EPA recognizes the difficulty of developing the information described above with precision and, as this guidance reflects, believes that there must be a balanced approach to address this concern. On one hand, it is absolutely critical that a reasonable effort is made to identify the significant sources of pollution and identify the management measures that will most effectively address those sources. Without such information to provide focus and direction to the project's implementation, it is much less likely that the project can efficiently and effectively address the nonpoint sources of water quality impairments. On the other hand, EPA recognizes that even with reasonable steps to obtain and analyze relevant data, the available information at the planning stage (within reasonable time and cost constraints) may be limited; preliminary information and estimates may need to be modified over time, accompanied by mid-course corrections in the watershed plan; and it often will require a number of years of effective implementation for a project to achieve its goals. EPA fully intends that the watershed planning process described above should be implemented in a dynamic and iterative manner to assure that projects with plans that contain the information above may proceed even though some of the information in the watershed plan is imperfect and may need to be modified over time as information improves.

The watershed-based plan must address a large enough geographic area so that its implementation will address all of the sources and causes of impairments and threats to the waterbody in question. These plans should include mixed ownership watersheds when appropriate to solve the water quality problems (e.g., Federal, State, and private lands). While there is no rigorous definition or delineation for this concept, the general intent is to avoid single segments or other narrowly defined areas that do not provide an opportunity for addressing a watershed's stressors in a rational and economic manner. At the same time, the scale should not be so large as to minimize the probability of successful implementation. Once a watershed plan is approved, it may be implemented in prioritized portions (e.g., based on particular segments, other geographic subdivisions, nonpoint source categories in the watershed, or specific pollutants or impairments).

ATTACHMENT B

Watershed Based Plan Format

(Please use the following sections and instructions to guide you as you write your Watershed Based Plan. These are the only sections that you need to include in your plan. Please use these headings. Follow the directions for each section, but do not provide information beyond what is requested. We anticipate that each plan should be less than ten pages, not including supporting documents such as maps. Keep in mind that many times the scale, scope, and budget of a watershed-based plan will be greater than that of the proposal you submit.)

(Please put page number on each page)

Name of Project:

Lead Organization:

Watershed Identification (name, location, 12-digit HUC, etc.):

Causes and Sources of Nonpoint Source Pollution in the Watershed

Discuss all that is known about the water quality problems in the watershed. Use all local knowledge of the current land usages in the watershed, and how these contribute to the problems affecting water quality. These resources from TDEC may be helpful.

- Recent list of TDEC's assessment publications, including the latest List of Impaired Waters - <https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-quality-reports---publications.html>
- Assessment Database/Dataviewer – <http://tdeconline.tn.gov/dwr/>
- TMDLs - <https://www.tn.gov/environment/program-areas/wr-water-resources/watershed-stewardship/tennessee-s-total-maximum-daily-load--tmdl--program.html>
- Historical Watershed Management Plans and TDEC's 2021 *Tennessee's Clean Water Act Monitoring and Assessment Report* - <https://www.tn.gov/environment/program-areas/wr-water-resources/watershed-stewardship/tennessee-watersheds.html>

Estimate of Load Reductions

Provide an estimate of load reductions to be achieved by implementing the planned BMPs. One EPA-approved way to do this is to use the TN NPS Program's Pollutant Load Reduction Estimation Tool, located on page 8.

BMP List, Educational Activities and Budget

List all BMPs needed to protect or restore the watershed. Also, you must include quantity estimates, costs per unit, and calculate an estimated budget. Costs in this budget should be total costs for implementation or per event (i.e., do not differentiate between cost share funds and matching funds). Contact NRCS to get their current EQIP Payment Schedule that you can use as a guide for how much individual practices should cost. In addition, provide a narrative of a plan to involve as many landowners as possible in watershed restoration activities.

BMP Name	Quantity	Cost/Unit	Budget Estimate
*ex. Riparian Buffer	40 Ac	\$1,000/ac	\$40,000

Educational Event	Quantity	Cost/Unit	Budget Estimate

Total Budget for Project:	\$
----------------------------------	-----------

Timeline, Tasks, and Assessment of Progress

Provide a detailed outline of the estimated schedule for completing all watershed restoration and/or educational tasks. Also, describe how you intend to assess progress to ensure you stay on schedule and the adjustments to be made in order to get back on schedule if the timeline is not being met.

Criteria to Assess Achievement of Load Reduction Goals

Indicate key criteria for determining whether or not load reduction goals are being met throughout the project implementation phase of the project.

Monitoring and Documenting Success

No 319 funds may be spent on water quality monitoring supplies or activities. Instead, provide a statement of how this restoration project will coordinate with the appropriate TDEC-Division of Water Resources Field Office(s) to inform them where restoration activities are being conducted, so that their watershed assessments can be scheduled to track progress of the restoration work. Also, define a set of criteria that can be used to determine whether 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.

For a map of TDEC's Environmental Field Offices and the Division of Water Resources contacts in each Field Office, go to: <http://www.tn.gov/environment/topic/about-field-offices>

ATTACHMENT C

TN-NPS FY 2023 Proposal

- Example and Instructions -

(Please include page number on each page)

NAME OF PROJECT:

Title should be enough to identify/describe the project, but shorter is better

LEAD ORGANIZATION:

List the name of organization that will be signing the contract. **Also**, identify the person from this organization who will be managing the project **and provide ample contact information** (e-mail, phone, address, fax).

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN):

Unique Entity Identifier (UEI):

GRANTEE'S FISCAL YEAR END DATE (month/day):

(This means for you to provide the month and day that your organization's fiscal year ends)

COOPERATING ORGANIZATIONS:

List the affiliated organizations and clearly describe how each will contribute. Cooperating organizations need to be contacted before submittal of the work plan and agree to partner on this project by providing significant money, time and/or material. All proposals submitted shall clearly indicate whether a subcontractor will provide any of the goods or services needed under the proposal. See Attachment D for further information on procurement.

PROJECT LEADER(S) EXPERIENCE:

Provide brief background information concerning the pertinent experience and qualifications of the project leaders.

PROJECT OBJECTIVE:

Include a brief statement that tells specifically what the project will seek to accomplish. *Example: This project will seek to identify and remediate nonpoint source impairments in the Tennessee Creek Watershed, in order to restore it to the condition of fully supporting its designated uses.*

PROJECT LOCATION:

The following information is required:

1. List the name of the watershed where the project is located.

2. Provide the names of waterbodies from the *List of Impaired Waters* that are part of the project area.
3. Provide the waterbody segment numbers, from the *List of Impaired Waters*.
4. If the project is planned at one specific location, provide the latitude and longitude coordinates for the project location.

PROJECT BACKGROUND:

Provide a short history of the project, including such things as previous studies, work performed by other organizations, or past citizen involvement. Include a brief discussion of important characteristics of the project area, such as soil types, number of acres in the project area, known problem areas, benefits to endangered species, likelihood for continued interest after the contract is completed, etc.

PROJECT IMPLEMENTATION:

Provide a general start-to-finish description of how the project will be conducted. This should serve as the basis for establishing the timeline and tasks for the project.

PROJECT TASKS:

Tasks are basically the major components of the project, such as BMPs, publications, videos, maps, stakeholder meetings, field days, training events, etc. A timeline or schedule for accomplishing tasks is required for all projects.

Example of a Schedule with Typical Tasks:

- Within one month of the contract start date, two public meetings will be held.
- Within six months of the contract start date, six BMPs will be installed.
- 12 facilitated public meetings will be conducted by the contract expiration date.

Standard Tasks:

The following tasks must be included in every project:

- Submit Progress Reports with each Reimbursement Request (i.e., Invoice) and the Close-Out Report within 60 days of the end of the project/contract.
- An Annual Report must be submitted for the period October 1st of the past calendar year through September 30th of the present calendar year. This is referred to as the “2x4 Report” (two paragraphs and 4 pictures).
 - due by October 15th each year
 - narrative of significant accomplishments since the previous October 1st
 - should include pictures of activities

DURATION OF PROJECT, AS PROPOSED (years) _____ (Plan on **three** years)

PROJECT BUDGET TABLES:

A budget must be completed before the proposal can be considered by TN-NPS. See the budget template on pages 19 and 20. Budget instructions follow the budget template. Once the budget is complete, please fill in the boxes below with these key, summary numbers.

TN-NPS 319: MATCH:

Total 319(h) money for Personnel costs of Grantee and Subcontractors

[defined as total amount of money allocated for salaries and benefits of employees of the grantee **and** the total amount allocated for payment through subcontracts for technical assistance (i.e., not to include cost of labor for BMP implementation)]:

SOURCES AND TYPES OF MATCH:

Line-item Category:	Source:	Type:	Amount (\$)
Line-item the match is supporting	Identify organization providing the match	Cash or in-kind?	Amount/value of match

Reminders:

- Proposals that limit the amount of 319 grant funds allocated to **both** salaries and benefits of employees of the grantee **and** all subcontracted personnel charges for technical assistance/design/consulting to a maximum of **25%** of total 319 funds requested will be much more competitive when evaluated for funding.
- If the proposed budget requests grant funds for indirect costs, then the Grantee must submit to the State documentation of how their particular indirect cost rate was established. This documentation usually takes the form of either results of an independent audit or stipulation of the rate by a cognizant federal or state agency. This documentation must be submitted with the proposal. The maximum allowable indirect cost rate, funded by 319(h), is **20%** of the direct cost line items. The difference between this maximum and the audited indirect rate may be counted as match.
- “Direct costs” are limited to the following budget line items: Salaries, Benefits, and Taxes of employees of the grantee; Supplies, etc. (e.g., cost of BMP materials and any other supplies or equipment that are purchased by the

grantee solely as a result of this project); Travel, Conferences, and Meetings that is/are incurred solely in order to accomplish this project; and Capital Purchases of goods required by this particular project.

- Be aware that purchases of goods and acquisition of services using 319(h) program funds must follow State of Tennessee procurement policies as outlined in Attachment D.
- Please note that being paid from two different sources for the same hours worked is not allowed (i.e., “double-dipping”). For any individual receiving monetary compensation (e.g., regular salary) from the grantee and who is also seeking grant funds to cover salary, written documentation from the grantee stating the grantee’s knowledge and approval of the employment situation and declaring no conflict of interest or double-dipping is occurring **must be included with the proposal** submitted to TDA. It is permissible for grant funds to pay for salary, but it must be clear that the grant funds are only for additional hours worked (on the project), beyond those for which the employee is normally paid.

GRANT BUDGET TEMPLATE:

GRANT BUDGET

Grantee:				
The grant budget line-item amounts below shall be applicable only to expense incurred during the following				
Applicable Period:		BEGIN: DATE	END: DATE	
POLICY 03 Object Line-item Reference	EXPENSE OBJECT LINE-ITEM CATEGORY ¹	319 Grant Funds Requested	GRANTEE PARTICIPATION (i.e., "Match")	TOTAL PROJECT
1. 2	Salaries, Benefits & Taxes ² – of grantee employees	0.00	0.00	0.00
4, 15	Professional Fee, Grant & Award ² – for subcontracted work and BMP materials purchased by others	0.00	0.00	0.00
5, 6, 7, 8, 9, 10	Supplies (including BMP materials purchased by the grantee), Telephone, Postage & Shipping, Occupancy, Equipment Rental & Maintenance, Printing & Publications ²	0.00	0.00	0.00
11. 12	Travel, Conferences & Meetings (including field days)	0.00	0.00	0.00
13	Interest ²	0.00	0.00	0.00
14	Insurance	0.00	0.00	0.00
16	Specific Assistance To Individuals	0.00	0.00	0.00
17	Depreciation	0.00	0.00	0.00
18	Other Non-Personnel	0.00	0.00	0.00
20	Capital Purchase ²	0.00	0.00	0.00
22	Indirect Cost (20% 319 max.)	0.00	0.00	0.00
24	In-Kind Expense	0.00	0.00	0.00
25	GRAND TOTAL	0.00	0.00	0.00

¹ Each expense object line-item shall be defined by the Department of Finance and Administration Policy 03, *Uniform Reporting Requirements and Cost Allocation Plans for Subrecipients of Federal and State Grant Monies, Appendix A.* (posted on the Internet at https://www.tn.gov/content/dam/tn/finance/documents/fa_policies/policy3.pdf).

² Applicable detail must follow this page if line-item is funded.

NOTE: shaded line-items will not be funded by the Tennessee NPS Program

GRANT BUDGET LINE-ITEM DETAIL TABLES:

Please only include 319 grant funds in Line-Item Detail tables (i.e., do NOT include matching funds).

*NOTE – see pages 21-23 for details of what costs need to be described under which line-items.

SALARIES AND BENEFITS & TAXES	AMOUNT
SPECIFIC, DESCRIPTIVE, DETAIL	0.00
REPEAT LINE AS NECESSARY	0.00
TOTAL	0.00

PROFESSIONAL FEE/ GRANT & AWARD	AMOUNT
SPECIFIC, DESCRIPTIVE, DETAIL	0.00
REPEAT LINE AS NECESSARY	0.00
TOTAL	0.00

SUPPLIES, TELEPHONE, POSTAGE & SHIPPING, OCCUPANCY, EQUIPMENT RENTAL & MAINTENANCE, PRINTING & PUBLICATIONS	AMOUNT
SPECIFIC, DESCRIPTIVE, DETAIL	0.00
REPEAT LINE AS NECESSARY	0.00
TOTAL	0.00

INTEREST	AMOUNT
SPECIFIC, DESCRIPTIVE, DETAIL	0.00
REPEAT LINE AS NECESSARY	0.00
TOTAL	0.00

CAPITAL PURCHASE	AMOUNT
SPECIFIC, DESCRIPTIVE, DETAIL	0.00
REPEAT LINE AS NECESSARY	0.00
TOTAL	0.00

GRANT BUDGET TEMPLATE INSTRUCTIONS

Grant Budgets must be mathematically correct and typewritten. Care must be taken when “rounding” any amounts such that the sum of amounts in each column is exactly, and mathematically accurate.

All line-items are required in accordance with the following instructions. In line-items that WILL be funded, replace the zeros (“0.00”) associated with each line-item as appropriate. If a line-item will NOT be funded, leave the associated, “0.00” dollar amount.

Expense Object Line-Item Category Definitions (from F&A Policy 03)

- *Salaries* – expenditures for compensation, fees, salaries, and wages paid to officers, directors, trustees, and employees of the grantee. Please note that being paid from two different sources for the same hours worked is not allowed (i.e., “double-dipping”). For any individual receiving monetary compensation (e.g., regular salary) from the grantee and who is also seeking grant funds to cover salary, written documentation from the grantee stating the grantee’s knowledge and approval of the employment situation and declaring no conflict of interest or double-dipping is occurring must be included with the proposal submitted to TDA. It is permissible for grant funds to pay for salary, but it must be clear that the grant funds are only for additional hours worked (on the project), beyond those for which the employee is normally paid.
- *Benefits & Taxes* – (a) expenditures for contributions to pension plans and to employee benefit programs such as health, life, and disability insurance; and (b) expenditures for payroll taxes such as social security and Medicare taxes and unemployment and workers’ compensation insurance. This only applies to benefits of employees of the grantee.
- *Professional Fee/ Grant & Award* – (a) expenditures for fees to outside professionals, consultants, and personal-service contractors including legal, accounting, and auditing fees; (b) expenditures for awards, grants, subsidies, and other pass-through expenditures to individuals and to other organizations, allocations to affiliated organizations, in-kind grants to individuals and organizations, and scholarships, tuition payments, travel allowances, and equipment allowances to clients and individual beneficiaries; and (c) expenditures for service unit/milestone rate payments (in which the payment rates are equal to the amount that the State has determined to be the reasonable and necessary cost for the associated unit or milestone) NOTE: If the grant provides funding for service unit/milestone rate payments, specify each service unit/milestone in the associated detail schedule (clearly explain the unit/milestone of service and the associated rate). Essentially, this section is for two items: (1) personnel costs that are procured and subcontracted out such as technical assistance, engineering/design work, or consulting; and (2) reimbursements to individual landowners for cost-share on their costs of BMP materials and labor to install them. These two items should be detailed separately in the “line-item detail” breakdown. Supplies purchased by the grantee for BMP implementation should be placed in the “Supplies” line-item.

- *Supplies* – expenditures for office supplies, cleaning supplies, food and beverages, other supplies, and the cost of BMP materials actually purchased by the grantee for use on the project
- *Telephone* – expenditures for telephone, cellular phones, FAX, E-mail, and telephone equipment maintenance
- *Postage & Shipping* – expenditures for postage, messenger services, overnight delivery, outside mailing service fees, and freight and trucking
- *Occupancy* – expenditures for office space and other facilities, heat, light, power, other utilities, outside janitorial services, mortgage interest, and real estate taxes
- *Equipment Rental & Maintenance* – expenditures for renting and maintaining computers, copiers, postage meters, other office equipment, and other equipment, except telephone, truck, and automobile expenses
- *Printing & Publications* – expenditures for producing printed materials, purchasing books and publications, and buying subscriptions to publications
- *Travel/ Conferences & Meetings* – (a) expenditures for transportation, meals and lodging, and per diem payments including travel expenses for meetings and conferences, gas and oil, repairs, licenses and permits, and leasing costs for vehicles, and (b) expenditures for conducting or attending meetings, conferences, and conventions including rental of facilities, speakers' fees and expenses, printed materials, and registration fees
- *Interest* – interest expenditures for loans and capital leases on equipment, trucks and automobiles, and other notes and loans, except mortgage interest
- *Insurance* – expenditures for liability, property, and vehicle insurance, fidelity bonds, and other insurance, except employee benefit-related insurance
- *Capital Purchase* – expenditures for land, equipment, buildings, leasehold improvements, and other fixed assets
- *Indirect Cost* (a.k.a., Administrative Expense) – proportional amount in accordance with an allocation plan approved by the cognizant state agency (NOTE: Pass-through funds (i.e., Professional Fee/Grant & Award) are not included when computing this proportional amount). The maximum allowable indirect cost rate, funded by 319(h), is 20% of the direct cost items. Items that may be considered “direct costs” are limited to the following budget line items: Salaries, Benefits, and Taxes of employees of the grantee; Supplies, etc. (e.g., cost of BMP materials and any other supplies or equipment that are purchased by the grantee solely as a result of this project); Travel, Conferences, and Meetings that is/are incurred solely in order to accomplish this project; and Capital Purchases of goods required by this particular project.

The “319 Grant Funds Requested” column total MUST equal the maximum liability of the grant.

Grant Budget Line-Item Detail. Complete the line-item detail box for each of the following five line-items for which detail is required IF the line-item is funded.

- Salaries and Benefits & Taxes
- Professional Fee/ Grant & Award
- Supplies, Telephone, Postage & Shipping, Occupancy, Equipment Rental & Maintenance, Printing & Publications

- Interest
- Capital Purchase

Please only include 319 grant funds in Line-Item Detail tables.

Delete the line-item detail box for any of the line-items that are NOT funded.

DO NOT draft the Grant Budget Line-Item Detail to describe a line-item only as “contracts,” “contracted services,” “other,” “professional services,” or “miscellaneous.” Greater specificity is required.

ATTACHMENT D

Procurement Policy for Grant Contracts

The purpose of this policy is to ensure that “maximum value for services rendered or goods purchased” is achieved for all public funds spent through our grant programs. This will require open and competitive bidding in accordance with State of Tennessee- Department of General Services and Department of Finance and Administration regulations and policies.

State Procurement Policies:

All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. All projects funded shall conform to State of Tennessee procurement regulations. If the Grantee seeks reimbursement for the cost of goods, materials, supplies, equipment, and/or contracted services, such procurement shall be made on a competitive basis, including the use of competitive bidding procedures, where practical. The Grantee shall maintain documentation for the basis of each procurement for which reimbursement is paid pursuant to a grant contract. Procurement records and files for purchases in excess of the small purchase threshold shall include the following at a minimum: Basis for contractor selection; justification for lack of competition when competitive bids or offers are not obtained; and basis for award cost or price.

Purchases of goods or services less than \$10,000 do not require procurement documentation. Purchases of goods or services more than \$10,000 but less than \$50,000 require a minimum of three written quotes. These can be from local suppliers, or from a source on the internet. Purchases of goods or services for more than \$50,000 will require a formal, competitive, sealed bid procedure, consistent with state policy. Splitting invoices is prohibited. Where bids are solicited, a minimum of 3 bids must be sought. However, there is no minimum number of bids that must be received.

All subcontracts must be made in compliance with the following Procurement Procedures:

- 1) All recipients shall establish written procurement procedures. These procedures shall provide for, at a minimum, that paragraphs 1) (a.), (b.), and (c.) of this section apply.
 - a. Recipients avoid purchasing unnecessary items.
 - b. Where appropriate, an analysis is made of lease and purchase alternatives to determine which would be the most economical and practical procurement.
 - c. Solicitations for goods and services provide for all of the following:
 - i. A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive

procurements, such a description shall not contain features which unduly restrict competition.

- ii. Requirements which the bidder/offeror must fulfill and all other factors to be used in evaluating bids or proposals.
 - iii. A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
 - iv. The specific features of "brand name or equal" descriptions that bidders are required to meet when such items are included in the solicitation.
 - v. The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement.
 - vi. Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.
- 2) Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible. Recipients of Federal awards shall take all of the following steps to further this goal.**
- a. Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.
 - b. Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises.
 - c. Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises.
 - d. Encourage contracting with consortiums of small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.
 - e. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Department of Commerce's Minority Business Development Agency in the solicitation and utilization of small businesses, minority-owned firms and women's business enterprises.

- 3) The type of procuring instruments used (e.g., fixed price contracts, cost reimbursable contracts, purchase orders, and incentive contracts) shall be determined by the recipient but shall be appropriate for the particular procurement and for promoting the best interest of the program or project involved. The “cost-plus-a-percentage-of-cost” or “percentage of construction cost” methods of contracting shall not be used.
- 4) Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources. In certain circumstances, contracts with certain parties are restricted by agencies' implementation of Executive Orders 12549 and 12689, “Debarment and Suspension.”
- 5) Recipients shall, on request, make available for EPA, pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc., when any of the following conditions apply.
 - a. A recipient's procurement procedures or operation fails to comply with the procurement standards in EPA's implementation of Circular A–110.
 - b. The procurement is expected to exceed the small purchase threshold fixed at 41 U.S.C. 403 (11) (currently \$100,000) and is to be awarded without competition or only one bid or offer is received in response to a solicitation.
 - c. The procurement, which is expected to exceed the small purchase threshold, specifies a “brand name” product.
 - d. The proposed award over the small purchase threshold is to be awarded to other than the apparent low bidder under a sealed bid procurement.
 - e. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the amount of the small purchase threshold.

Awards shall be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to the recipient, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by the recipient. Any and all bids or offers may be rejected when it is in the recipient's interest to do so.

In each instance where it is determined that use of a competitive procurement method was not practical, said documentation shall include a written justification, approved by the Commissioner, Tennessee Department of Agriculture, for such decision and non-competitive procurement. Further, if such reimbursement is to be made with funds derived wholly or partially from federal sources, the determination of cost shall be governed by and reimbursement shall be subject to the Grantee's compliance with applicable federal procurement requirements.

The Grantee shall obtain prior approval from the State before purchasing any equipment ("Capital Purchase") under this Grant Contract.

The Grantee shall not assign this Grant Contract or enter into a subcontract for any of the services performed under this Grant Contract without obtaining the prior written approval of the State. If such subcontracts are approved by the State, they shall contain, at a minimum, sections of the Grant Contract pertaining to "Conflicts of Interest," "Lobbying," "Nondiscrimination," "Public Accountability," "Public Notice," and "Records" (as identified by the section headings). Notwithstanding any use of approved subcontractors, the Grantee shall be the prime contractor and shall be responsible for all work performed.

How to Address the Issue of Subcontracting in a Proposal:

There is some difference as to the way the proposal should be written depending on when the subcontractor is procured. Please adhere to the following guidance:

Scenario 1: Subcontractors Identified At The Time Of Proposal Submittal:

All proposals submitted shall clearly indicate whether a subcontractor will provide any of the goods or services needed under the proposal. Documentation shall be included with the proposal demonstrating that the procurement process used to secure this subcontractor complied with procurement policy stated above.

Scenario 2: Subcontractors Retained After Contract Start Date:

The grant recipient must request in writing permission to subcontract from the department. After obtaining approval, the grant recipient shall proceed to procure the goods or services required through a competitive bidding process that complies with the procurement policy stated above. Documentation of the bidding process does not need to be submitted to TDA, but must be maintained in records by the grantee.



Total Points Earned _____ Rank _____

Funded _____

TENNESSEE NONPOINT SOURCE PROGRAM

Evaluation Criteria – EDUCATION AND TRAINING PROJECT

PROJECT NAME: _____

Section I – All proposed projects must provide sufficient information to answer the following questions regarding each project. If the answer to any of the following questions is “NO” then the project is not eligible for further consideration in Section II and will not be formally ranked for funding allocation.

A. Is the project eligible for 319 funding?
_____ Yes _____ No _____

B. State Nonpoint Guidelines - the project addresses one or more of the long term goals identified in the Tennessee Nonpoint Source “Management Program Document”?
_____ Yes _____ No

C. Project Target – the project is precisely aimed at training a particular group, providing a specific educational message, or establishing a demonstration site for the purpose of training and educating others in nonpoint source issues?
_____ Yes _____ No

D. Project Work Plan – the work plan provides sufficient, detailed documentation of the proposed project, including: list of cooperating organizations, description of project, overall objectives, specific milestones, measures of success, anticipated schedule for accomplishing milestones, and a budget?
_____ Yes _____ No

E. Financial Commitment – matching funds (normally 40%) are provided, and the budget includes the source(s) of all matching funds?
_____ Yes _____ No

Forward Proposal to Section II for Final Project Scoring _____ **Yes** _____ **No**

Section II – Only projects that have satisfactorily met Section I requirements may continue for ranking consideration under this section. Total points earned in this section will determine a project’s overall ranking, and ranking will be the primary basis for funding allocation. No project is guaranteed to receive 100% of requested funds, regardless of score or rank.

_____ **1.** Percent of 319 budget for total personnel costs [defined as total amount of money allocated for salaries and benefits of employees of the grantee **and** the total amount allocated for payment through subcontracts for technical assistance (i.e., not to include cost for time to deliver the program)]:

- >75% ----- 0 points
- 50-74% --- 2 points
- 25-49% --- 5 points
- <25% ----- 10 points

_____ **2.** Primary goal of project:

- provide training in an area of nonpoint source pollution prevention or mitigation through a statewide or local training project ----- 14-20 points
- increase public awareness of nonpoint source pollution issues through a statewide or local educational initiative ----- 8-18 points
- establish demonstration site(s) of new and innovative strategies to prevent nonpoint source pollution ----- 0-14 points

_____ **3.** Number of other agencies providing matching funds (including “in-kind”) for this project other than the submitting organization.

- 0 ----- 0 points
- 1-2 ---- 2 points
- 3-5 ---- 5 points
- >5 ----- 10 points

_____ **4.** 319 funds as a percentage of the overall budget for this project.

- 60% or > ----- 0 points
- 45 - 59% ----- 2 points
- 35 - 44% ----- 4 points
- 25 - 34% ----- 6 points
- < 25% ----- 10 points

_____ **5.** Does this grantee currently have any other active 319 grants?

- No ----- 0 points
- Yes ----- 0 to -5 points

_____ **6.** Is this a continuation of a previous project (319, ARCF, NRCS, FSA, etc)?

- Yes ---- 1-5 points
- No ----- 0 points

_____ **7.** Demonstrated need for the planned training/education activities:

- 0 – 10 points

_____ **8.** How quickly will this education/outreach effort likely begin to improve water quality?

- Never Years Months
0 ----- 5 -----10 points
Decades 1-2 years

Total Points Earned _____



Total Points Earned _____ Rank _____

Funded _____

TENNESSEE NONPOINT SOURCE PROGRAM

Evaluation Criteria – WATERSHED RESTORATION PROJECT

PROJECT NAME: _____

Section I – All proposed projects must provide sufficient information to answer the following questions regarding each project. If the answer to any of the following questions is “NO” then the project is not eligible for further consideration in Section II and will not be formally ranked for funding allocation.

A. Is the project eligible for 319 funding?

_____ Yes _____ No _____

B. State Nonpoint Guidelines - the project addresses one or more of the long term goals identified in the Tennessee Nonpoint Source “Management Program Document”?

_____ Yes _____ No

C. Project Target – the project is precisely aimed at preventing or mitigating pollutant loadings from nonpoint sources within a specific watershed(s) with the ultimate goal of removing a 303(d)-listed waterbody or preventing one from becoming listed? (i.e., this should not be a “demonstration project”)

_____ Yes _____ No

D. Project Work Plan – the work plan provides sufficient, detailed documentation of the proposed project, including: list of cooperating organizations, description of project, overall objectives, specific milestones, measures of success, anticipated schedule for accomplishing milestones, and a budget?

_____ Yes _____ No

E. Financial Commitment – matching funds (normally 40%) are provided, and the budget includes the source(s) of all matching funds?

_____ Yes _____ No

F. Watershed Plan Status – a plan has already been approved or is currently under review?

_____ Yes _____ No

Forward Proposal to Section II for Final Project Scoring _____ Yes _____ No

Section II – Only projects that have satisfactorily met Section I requirements may continue for ranking consideration under this section. Total points earned in this section will determine a project’s overall ranking, and ranking will be the primary basis for funding allocation. No project is guaranteed to receive 100% of requested funds, regardless of score or rank.

_____ **1.** Percent of 319 budget for personnel costs [defined as total amount of money allocated for salaries and benefits of employees of the grantee and the total amount allocated for payment through subcontracts for technical assistance(i.e., not to include cost of labor for BMP implementation)]:

- >75% ---- 0 points
- 50-74% --- 2 points
- 25-49% --- 5 points
- <25% ---- 10 points

_____ 2. Percent of budget for BMP implementation (including purchase of BMP supplies and labor to install; or payments to landowners:

- >75% ----- 10 points
- 50-74% --- 5 points
- 25-49% --- 2 point
- <25% ----- 0 points

_____ 3. Primary goal of project:

- **restore** 303(d) listed waterbody via BMP implementation ----- 8 - 20 points
- **prevent** degradation of bodies of water that are not yet 303(d) listed via BMP implementation ----- 0 - 15 points

_____ 4. Is any portion of this proposed restoration project to take place in a current National Water Quality Initiative (NWQI) watershed?

- No ----- 0 points
- Yes ----- 5 points

_____ 5. Number of other agencies providing matching funds (including "in-kind") for this project other than the submitting organization?

- 0 ----- 0 points
- 1-2 --- 2 points
- 3-5 --- 5 points
- >5 ----- 10 points

_____ 6. 319 funds as a percentage of the overall budget of the project.

- 60% or > ----- 0 points
- 45 – 59% ----- 2 points
- 35 – 44% ----- 4 points
- 25 – 34% ----- 6 points
- < 25% ----- 10 points

_____ 7. Does this grantee currently have any other active 319 grants?

- No ----- 0 points
- Yes ----- 0 to -5 points

_____ 8. Is this a continuation of a previous project (319, ARCF, NRCS, FSA, etc)?

- No ----- 0 points
- Yes ----- 1-5 points

_____ 9. How well do the planned BMPs address the sources (303(d) list) of the causes of pollution ?

- Precisely ----- 9-10 points
- Somewhat ----- 2-8 points
- No ----- 0 points

_____ 10. Demonstrate probability of achieving measurable water quality improvements ----- 0-10 points

(The most competitive proposals will provide evidence that the project will meet the objectives as stated in the work plan. This evidence will vary with each project, but typically might include things such as letters of commitment from local landowners, statements indicating prior experience with similar projects, letters of support from partners, etc...)

_____ 11. Score from appropriate TDA Watershed Coordinator ----- 0 - 10 points

_____ 12. Score from appropriate TDEC-DWR Environmental Field Office manager ----- 0 – 10 points

Total Points Earned _____