

# Clean Water Act Section 319 Project Guidance and Application Requirements

## Eligible Grant Recipients

Governmental agencies; subdivisions of state government such as conservation districts, water development districts, counties, and municipalities; universities; certain nonprofit organizations; and recognized American Indian tribes are eligible to apply for Section 319 grant funds.

## Application Guidance

Section 319 grant funds may be used for watershed assessment/planning and implementation, ground water, and information and education projects that control Nonpoint Source (NPS) pollution. The applicant must follow both federal and state guidelines when preparing an application for funding.

## Federal Guidelines

Detailed national guidelines about the NPS program and project requirements are found in the [NPS Program Guidance for States and Territories Document](#).

## South Dakota Guidelines

Applications for Section 319 grant funds in South Dakota must be made through the South Dakota Department of Environment and Natural Resources (DENR). The required application format and application instructions can be accessed at [Project Proposal and Implementation Plan](#). **The department has assigned funding priority to 303(d) listed watershed assessment/planning and implementation projects that develop or implement Total Maximum Daily Loads (TMDLs) located in relatively close proximity and include EPA's Nine Key Elements for Watershed-Based Planning.** The nine key elements are listed later in this guidance. South Dakota's TMDL waterbodies are listed in the [2020 Integrated Report for Surface Water Quality](#). A copy of the report is also available at libraries that are part of the state library system or from DENR.

Applicants interested in submitting a NPS information and education application are encouraged to contact the South Dakota Discovery Center. DENR makes NPS information and education funding opportunities available through a partnership with the [Discovery Center](#).

While American Indian tribes are eligible to apply through the state, tribes are encouraged to investigate applying directly to EPA for possible funding through the Section 319 Tribal set-aside program. See [Federal Program Guidelines](#) for details.

**When preparing an application, please note the following criteria:**

- Watershed (BMP Implementation) projects must incorporate all of EPA's Nine Key Elements for Watershed-Based Planning which are:
  1. Identify and quantify causes and sources of the impairment(s).
  2. Estimate load reductions needed to meet water quality standards.
  3. Identify BMPs needed to achieve load reductions and critical areas where these management measures will be implemented.
  4. Estimate needed technical and financial resources.
  5. Provide an information, education, and public participation component.
  6. Include a schedule for implementing nonpoint source management measures.
  7. Identify/describe interim measurable milestones for implementation.
  8. Establish criteria to determine if load reductions/targets are being achieved.
  9. Provide a monitoring component to evaluate effectiveness of the implementation over time for criteria in 8.
  
- Project duration should not exceed three years. Applications for watershed restoration efforts expected to require a longer time period should include a schedule of the entire effort which indicates how the project will be implemented in successive two to three-year segments.
  
- Implementation project activities funded are restricted to:
  1. Animal nutrient management system (ANMS) design and construction for operations below 1,000 animal units. A 50 percent minimum contribution toward the cost of the system by the owner/operator is required.
  2. Riparian buffers, easements and practices required to exclude livestock.
  3. Grassed waterways, filter strips and wetland protection.
  4. Salaries, travel, and project administration.
  5. Information and education/outreach activities.
  6. Monitoring and evaluation.
  7. Precision agriculture, nutrient management, and soil health.
  8. Protection of high-quality surface waters.
  9. Irrigation conversion.
  10. In-lake improvements.
  11. Urban BMPs.
  12. Forestry BMPs
  
- Funding for the construction of other best management practices (BMPs) must be secured from other sources such as:

1. SD Department of Agriculture's Conservation Fund,
2. SD Department of Game, Fish and Parks,
3. NRCS/FSA Programs such as EQIP, CRP, etc.
4. US Fish and Wildlife Service, and
5. Local funds and private organizations.

Access the [South Dakota Watershed Project Funding and Technical Assistance Guide](#) for a description of these and other programs and contact information.

Best management practices must be designed to USDA/NRCS or other applicable standards for specific practices.

### **Compliance with Other Federal/State Programs Required**

- Applicants should be aware that practices requiring NPDES permits are not eligible for 319 funding. Examples include:
  1. Animal feeding operations housing over 1,000 animal units, and
  2. Phase I and Phase II Storm Water Permit activities.
- In addition, if the application is funded, all project activities must obtain:
  1. Applicable storm water construction and 401 and 404 permits.
  2. Projects will not adversely affect threatened and endangered species.
  3. Section 106 State historic preservation consultation.

### **Application Assistance**

DENR offers assistance with the preparation of 319 project applications. Applicants should contact DENR as soon as possible to ensure adequate staff resources and time is available to provide services to all applicants requesting assistance. To request assistance, contact the Water Resources Assistance Program at: (605) 773-4254 or email [Kris.Dozark@state.sd.us](mailto:Kris.Dozark@state.sd.us)

### **Submitting an Application**

Applications for watershed assessment/planning, implementation, and ground water projects must be submitted to SD DENR in either electronic or paper format post marked October 1, 2020, or earlier. The application must be accompanied by letters from project partners identified in the application detailing the availability status of the cash, in-kind services or technical assistance they will provide.

Submit applications to:

Kristopher Dozark

South Dakota Department of Environment and Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3182  
[Kris.Dozark@state.sd.us](mailto:Kris.Dozark@state.sd.us)

## **Project Review**

Selection of applications for funding includes reviews by the South Dakota NPS Task Force and South Dakota Board of Water and Natural Resources prior to sending the applications to EPA for final approval. The applications are sent to the NPS Task Force members as received from the project sponsors. The [NPS Task Force review protocol](#) is available on the DENR website.

The Board of Water and Natural Resources considers the recommendations of both the NPS Task Force and DENR staff in selecting projects that will be forwarded to EPA Region 8 for final review. Notices of SD NPS Task Force and SD Board of Water and Natural Resources meetings and meeting agendas can be found on the [DENR website](#).

## **Section 319 Grant Timeline**

October 1, 2020 - applications are due

Mid October 2020 - [319 Nonpoint Source Applications](#) available for review on the DENR website; paper copies also available upon request SD DENR

Early December 2020 - SD NPS Task Force project proposal review

January 2021 - SD Board of Water and Natural Resources project proposal review

February to June 2021 - final approval by EPA

July 2021 - project grant awards issued to sponsors by SD DENR