

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 Agriculture and Natural Resources (DANR). 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 [2022 South Dakota Integrated Report for Surface Water Quality Assessment](#). A copy of the report is also available at libraries that are part of the state library system or from DANR.

Applicants interested in submitting a NPS information and education application are encouraged to contact the South Dakota Discovery Center. DANR 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.
 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. South Dakota Department of Agriculture and Natural Resources' Coordinated Natural Resources Conservation Grant Fund,
2. South Dakota 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.

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 Municipal Separate Storm Sewer Systems (MS4) 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 of the National Historic Preservation Act; State historic preservation officer (SHPO) consultation.

Application Assistance

DANR offers assistance with the preparation of Section 319 project applications. Applicants should contact DANR 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 Watershed Protection Program at: (605) 773-5682 or email Kris.Dozark@state.sd.us

Submitting an Application

Applications for watershed assessment/planning, implementation, and ground water projects must be submitted to SD DANR in either electronic or paper format post marked October 1, 2023, or earlier.

Submit applications to:

Kristopher Dozark
South Dakota Department of Agriculture and Natural Resources
Joe Foss Building

523 East Capitol
Pierre, South Dakota 57501-3182
Kris.Dozark@state.sd.us

Project Review

Selection of applications for funding includes reviews by DANR Watershed Protection staff, South Dakota NPS Task Force and South Dakota Board of Water and Natural Resources prior to sending applications to EPA for final approval. The applications are sent to the NPS Task Force members as received from the project sponsors.

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

Section 319 Grant Timeline

October 1, 2023 - applications are due

Mid October 2023 - [319 Nonpoint Source Applications](#) available for review on the DANR website; paper copies also available upon request SD DANR

Early December 2023 - SD NPS Task Force project proposal review

January 2024 - SD Board of Water and Natural Resources project proposal review

February to June 2024 - final approval by EPA

July 2024 - project grant awards issued to sponsors by SD DANR