BOARD OF WATER AND SOIL RESOURCES

FY 2024

Water Quality and Storage Program

Competitive Grants Request for Proposal (RFP)

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Purpose and Application Information

The Water Quality and Storage Program grants will establish storage practices in Minnesota with priority given to practices in the Minnesota River basin and the Lower Mississippi River basin in Minnesota. Practices must control water rates and/or volumes to protect infrastructure, improve water quality and related public benefits, and mitigate climate change impacts. Funding for two different efforts will be available through this program: 1) modeling and conceptual design, and 2) final design and construction. There is $3 Million available for this application period, with up to $500,000 to be used for the modeling and conceptual design projects.

What is new for 2024

In addition to the minor changes to the Water Quality and Storage Program this year, there are several significant program changes as listed below. Please read this RFP carefully to identify all changes for 2024.

1. Grant funds are available for modeling and conceptual design in addition to the final design and construction.
2. Eligible projects can include storage constructed as part of a 103E improvement, with restrictions.
3. Match has been reduced to 10%.
4. The program RFP will be open twice each year to allow for smooth transition into applying for the final design and construction funds.

Proposal Requirements

A. Applicant Eligibility

Eligible applicants include municipalities, towns, counties, soil and water conservation districts, watershed districts, or organizations formed for the joint exercise of powers, as defined under section 103B.305, subdivision 5, and includes tribal governments. LGU applicants must have a State approved and locally adopted local water management plan, comprehensive watershed management plan, watershed district plan, or soil and water conservation district (SWCD) comprehensive plan.

BWSR staff reserves the right to establish a minimum score to receive funding.

B. Match

A minimum 10% match is required from non-state funds. The anticipated source(s) for the match shall be identified in the grant proposal. The match must be cash or in-kind cash value of goods, materials, and services directly attributed to project accomplishments.

Activities listed as ineligible under Details on Final Design and Construction Grants Section C and Details on Modeling and Conceptual Design Grants Section C (Ineligible Activities) may not be counted towards match.

C. Project Period

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds and cannot be used as match. All projects must be completed by December 31, 2027.

D. Payment Schedule

Grant payments will be distributed in three installments to the grantee. The first payment of 50% of the grant amount will be paid after work plan approval and execution of the grant agreement provided the grant applicant is in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The second payment of 40% of the grant amount will be paid once the grantee has provided BWSR with notification and BWSR has reconciled expenditures of the initial payment. The last 10% of reimbursement grants will be paid after the grant project is finished, all final reporting requirements are met, and the grantee has provided BWSR with a documentation of final expenditures.

E. Reporting and Administration Requirements

- All BWSR funded grants are managed through eLINK. All applications will be submitted electronically through eLINK. Successful applicants will be required to complete a work plan in eLINK. All required reporting will be completed through eLINK. For more information go to https://bwsr.state.mn.us/elink.
- Water Quality and Storage Program grants will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.
- All grantees receiving funds for BWSR programs must follow the BWSR Grants Administration Manual, which can be found at https://bwsr.state.mn.us/grants/manual/

F. Incomplete Applications

Applications that do not comply with all application requirements will not be considered for funding, as provided below.

- Components of the application are incomplete or missing, including information on the reduction in the hydrograph peak flow or volume for final design and construction applications;
- Any required documentation is missing including uploading required feasibility study for final design and construction applications;
- The match amount does not meet Program requirements;

Application Guidelines

A. Deadline and Timeline

No late submissions or incomplete applications will be considered for funding.

- February 12, 2024 — Application period begins
- April 11, 2024 — Application deadline at 4:30 p.m.*
- May 22, 2024 — BWSR Board authorizes grant awards
- July 2024 — BWSR grant agreements sent to recipients
- July 26, 2024 — Work plan submittal deadline
- August 23, 2024 — Grant execution deadline

*The application must be submitted by 4:30 PM. Late responses will not be considered. The grant applicant is responsible for proving timely submittal.

B. Permitting

The applicant is responsible for obtaining and complying with all permits necessary to execute the project. If applicable, successful applicants will be required to provide sufficient documentation prior to work plan approval that the project expects to receive or has received all necessary federal, state and local permits and meets all water quality rules, including those that apply to the utilization of an existing water body as a water quality treatment device. ***Applicants are strongly encouraged to contact the appropriate regulatory agencies early in the grant application development process to ensure potential projects can meet all applicable regulatory requirements.***

C. Applications

1. Applications need to be submitted via **eLINK.** Eligible applicants without a current eLINK user account must submit a request to establish an eLINK account ***no later than 7 days prior to the application*** deadline. As part of the application, eLINK will require applicants to map the location of the proposed project area.

2. Proposals may include **ONE** image file to be submitted within their eLINK application. **Only .jpg, .tiff, or .png file types are allowed**. For *final design and construction* applications, the feasilibty study should be updated as a pdf under "additional documents". Make sure to create **ONE** pdf file that includes all documentation you want to submit as part of this upload.

3. Proposals should clearly articulate the applicant's "area of interest". This is the area where the project(s) or practice(s) are expected to reduce flooding and protect infrastructure, improve water quality and related public benefits, or mitigate climate change impacts.

4. Applicants should evaluate the impacts that climate change (such as fluctuating precipitation patterns and drought) may have on the ability of the proposed project to meet objectives and whether the proposed project increases landscape resiliency.

5. Applications may receive partial funding for the following reasons: 1) an absence of or limited identification of specific project locations, 2) budgeted items that were not discussed in the application or have no connection to the central purpose of the application were included by an applicant; 3) to address budget categories out of balance with the project scope and 4) insufficient funds remaining in a grant category

to fully fund a project. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request.

6. Applicant will need to demonstrate organizational capacity to design and construct, or work with a contractor to design and construct, the proposed project within the grant timeline.

General Information

A. Grants and Public Information

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

B. Prevailing Wage

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Additional information on prevailing wage requirements is available on the Department of Labor and Industry (DOLI) website https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information. Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091.

C. Conflict of Interest

State Grant Policy 08-01, (see https://mn.gov/admin/government/grants/policies-statutes-forms/) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

1. A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
2. A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
3. A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

D. Questions

This RFP, the Water Quality and Storage Program Grant Policy adopted by the BWSR, and the Grants Administration Manual (https://bwsr.state.mn.us/grants/manual/) provide the framework for funding and administration of the FY2024 Water Quality and Storage Grant Program (link when available).

Program questions should be directed to the BWSR Chief Engineer, Rita Weaver (rita.weaver@state.mn.us, 651-539-2591). Questions must be submitted by February 29, 2024 and responses will be posted on the BWSR website as a "Frequently Asked Questions" (FAQ) document and updated weekly throughout the RFP. The final update will be posted on March 5, 2024. Questions regarding the grant application or the grant process should be directed to your area Board Conservationist; a map of work areas and contact information is available at BWSR Maps and Apps Gallery.

Details on Final Design and Construction Grants

A. Specific Requirements

1. A feasibility study that provides detail on the project conceptual design must be included as an attachment with the proposal. The feasibility study should include the methodology used to calculate the hydrographs. Questions in the application should be thoroughly answered and not refer to the feasibility study.

2. Pre-project and post-project runoff hydrographs at the area of interest location must be submitted for the critical 100-year event and the critical 10-year event. If hydrographs are not included in the feasibility study, they should be attached to the study and uploaded in eLink as one pdf document.

3. Proposed projects must be of long-lasting public benefit. LGUs must provide assurances that the landowner or land occupier (as defined in MN Statute 103C.101) will keep the project in place for a minimum of 25 years.

4. Proposals must have plans for long-term maintenance and inspection for the duration of the life of a project as part of their project files. Work plans developed for funded applications will rely on this information for operation, maintenance and inspection requirements after the project is completed.

5. If there are activities proposed within an MS4, applicant must show that the activity would not be required during future construction within the MS4 (i.e. – a stormwater pond that would be required once an area is developed or redeveloped).

6. If the proposed activity will be constructed with a 103E improvement, the applicant must provide the following information:

    - Application must demonstrate that the storage that will be paid for by this grant is in excess of what is required to achieve an adequate outlet or a positive cost-benefit ratio. Eligibility on this item will be reviewed and approved by BWSR engineer.

    - Application must include outputs from an unsteady model so the change in runoff hydrographs can be compared between ACSIC (as-constructed subsequently improved conditions) and Improved conditions. Hydrographs for any model runs must be included immediately downstream of the terminus (e.g. downstream end of the proposed Improvement) and throughout the extent of the outlet. Applicant may determine the number of hydrographs that should be submitted to demonstrate the effect of the proposed project(s). If the terminus is at a major downstream river or large storage area, this requirement may be waived at the approval of the BWSR engineer.

    - If this additional information is not included in the feasibility study it should be appended to that document and uploaded to eLink as one pdf.

B. Eligible Activities

Eligible activities must result in a reduction to peak flow rates and/or volumes to demonstrate a decrease in downstream flooding, improvement of water quality or related public benefits, or to mitigate climate change impacts. Grants may include any number of practices, but the practices cumulatively must reduce the hydrograph peak at an area of interest (to be determined by the applicant). The area of interest must be identified at the time of application and an explanation provided of the flooding issues, water quality concerns, or climate vulnerabilities at that location. Pre-project and post-project runoff hydrographs must be provided to quantify the reduction in peak flow rate and/or volume.

Examples of eligible practices include, but are not limited to:

- Ponds without permanent pools (Dry detention ponds)
- Ponds with permanent pools (Wet detention ponds)
- Water and Sediment Control Basins (WASCOBs)
- Wetland Construction or Restorations
- Improvements or retrofits of existing storage areas to increase storage capacity or retention time

Project lifespan must be at least 25-years and the applicant must develop an Operation and Maintenance plan that includes and inspection schedule, expectations for routine maintenance, and a financing system to ensure the design function of the project.

Eligible activities include construction costs, project development, grant management, and administration. Technical and engineering assistance necessary for design of these practices is essential and may be included in the project cost.

Payments for land protection including easement payment (temporary, perpetual, or flowage), pre-title acquisition payments, property acquisition costs, survey, title, and recording fees are eligible expenses under this grant. If any of the previous items are included in the application, rates must be approved by the Board of Water and Soil Resources (BWSR) prior to approval of the workplan.

C. Ineligible Activities

- Proposed activities that do not demonstrate a reduction in the hydrograph peak or volume at the area of interest.
- Activities that are multi-phase, multi-year storage systems (i.e. – the project must not rely on components that will be constructed at a later time in order to get the reduction in peak flow rates and/or volumes).
- Maintenance or repair of existing structures/storage projects.
- Activities that would negatively affect drinking water.
- Infrastructure installation and upgrades that would be required to meet Municipal Separate Storm Sewer System (MS4) General Permit Requirements for development or redevelopment.

D. Technical Expertise

Grantees must identify the technical assistance provider(s) for the practice or project and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available. See also the Technical Quality Assurances section of the Grants Administration Manual.

Funding Priorities and Ranking

Priority for funding will be given to projects that meet the following criteria (in order of priority):

1. Project is located in the Minnesota River basin or the Lower Mississippi River basin in Minnesota (as required by Mn Statute 103F.05 Subd.2 (b)).
2. The applicant shows they are taking a comprehensive approach to flow reduction in the watershed, by implementing soil health or other conservation practices.
3. Practices that show higher levels of flood protection, improvement of water quality, etc.
4. Practices that demonstrate reduction in flood potential, improvement of water quality, AND mitigation for climate change.
5. Evidence of project installment readiness, which may include local letters of intent from government partners, evidence of support from willing landowners, and permitting agencies have been consulted regarding project permitability.

Water Quality and Storage Grant Program – Final Design and Construction Grants	
Scoring Criteria	**Maximum Points Possible**
Activity Eligibility: The proposed grant-funded activities are eligible under this RFP.	YES
1. Project Description: Applicant has clearly described the area of interest and the flooding concerns, water quality issues, or climate change vulnerabilities at this site. Additional points will be awarded if more than one issue is addressed with this project and if the applicant can describe how the issue has changed over time (i.e. increase in water quality concerns) OR how the issue varies under different flood events (i.e. 10-year vs. 50-year).	20
2. Priority Location: Projects located in the priority areas of the Minnesota River Basin and the Lower Mississippi River Basin in Minnesota (as stated in MN Statute 103F.05 Subd. 2 (b)) will be awarded the maximum points in this category. Projects outside of this priority area will receive zero points in this category.	10

3. Prioritization: The project or practice type (i.e. storage) is referenced within a watershed management plan locally adopted and approved by the state or tribal government (include plan title, section and page number). Applicant describes how a comprehensive approach is being taken to water management and the placement of the practice will support that management. Applicant includes other measures or actions are being taken in the watershed to reduce peak flooding or improve water quality, such as soil health practices or other structural practices and a variety of funding sources is being used to implement these practices. Include any consideration given to how the proposed project may change the timing of peak runoff from the area of interest and if that will positively or negatively impact areas downstream.	20
4. Measurable Outcomes: Applicant provides calculated results for peak flow reduction, water quality improvements, or measurable climate impact improvements and the methodology used for these calculations. Applicant must provide the total storage volume provided by the projects and/or practices. Applicant should consider the following questions when deciding what outcomes to report: What is the reduction in peak flow during different storm events? What is the estimated annual reduction in pollutant(s) being delivered to the water resource(s) of concern by this project? If there have been specific pollutant reduction goals set for the pollutant(s) and resource(s) of concern, please indicate the goals and the process used to set them.	20
5. Project Readiness: Describe steps and actions have been taken to ensure that project implementation can begin soon after grant award, such as partner coordination, preliminary identification of potential conservation practice/activity locations, coordination with landowners, and preliminary discussions with permitting authorities, including the DNR Area Hydrologist.	20
6. Cost Effectiveness: The application identifies a cost-effective solution to address the issue at the area of concern. Applicant should consider factors such as, but not limited to, BMP effectiveness, timing, site feasibility, practicality, property owner willingness, and public acceptance. The cost per acre-foot of storage is reasonable and the cost for the resulting flow reduction is reasonable.	10
Total Points Available	**100**

FY 2024 Water Quality and Storage Program Questions

FY 2024 Water Quality and Storage Program Competitive Grants ***Final Design and Construction*** **(Answers to each question are limited to 2000 characters.)** **Note that the following questions need to be answered in eLINK.** **The character limit in eLINK is NOT the same as Microsoft Word.**
Project Abstract: Succinctly describe what you are trying to achieve and how you intend to achieve those results. Include the eligible activities that you would like funded under this grant and if you are applying for modeling and conceptual design funds or final design and construction funds.
Technical Capacity: Explain your organization's capacity (including available FTEs or contracted resources) to effectively implement the proposed project(s). Identify the technical assistance provider(s) for the project and provide credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction.
1. Project Description (20 points): Define the area of interest and what issues will be addressed with the construction of the projects or practices or if the modeled projects and practices are constructed.
2. Project Location (10 points): Provide the location of the project: 1) Minnesota River Basin, 2) the Lower Mississippi River Basin in Minnesota, or 3) not in a priority area.
3. Prioritization (20 points): Explain how the proposed project or practices are prioritized within the plan and what other steps is the partner taking to add storage to their watershed(s).
4. Measurable Outcomes (20 points): For final design and construction applications, provide the calculated outcomes of the proposed projects or practices. For modeling and conceptual design applications, provide the intended outcomes of the modeling effort.
5. Project Readiness (20 points): Describe efforts to coordinate with landowners or partnering organizations, including reference to applicable agreements or resolutions supporting the proposal.
6. Cost Effectiveness (10 points): For final design and construction funds, describe why the proposed practices/activities or combination of practices/activities are considered to be the most cost effective and reasonable means to attain water quality improvement or protection benefits. For modeling and conceptual design funds, describe why this modeling effort will be the most cost effective use of state funds to get additional storage on the landscape.

Details on Modeling and Conceptual Design Grants

A. Specific Requirements

1. Modeling and conceptual grant funds are available to prepare LGUs to apply for the final design and construction funds. The expected outcome of this grant will be to have a feasibility study that identifies the "area of interest", potential storage locations, conceptual design of the storage locations, and hydrographs showing the reduction in peak flow or volume due to the proposed project(s) or practice(s).

2. The intent of these funds are to model a system to determine the best locations for storage. Applicant should identify the stream or drainage system where they will be siting storage projects or practices. Modeling and conceptual design grants are not available for individual storage sites, however the results of the modeling effort may show that one individual site is the most cost effective to meet the applicant's goals.

3. If modeling is proposed on a 103E system that is currently being considered for a 103E Improvement, modeling must have already been completed for the Improvement before funds can be used to evaluate storage on the system.

4. Accepted modeling software for this grant includes HydroCAD, XP-SWMM/ICM, PC-SWMM, and the HEC series of models. Other models must be pre-approved by BWSR engineer. If modeling is proposed on the 103E system, the model must produce a hydrograph and not calculate only peak flow rates.

5. Proposed practices that reduce runoff volume are encouraged, but the application must clearly define how the applicant intends to model these practices.

B. Eligible Activities

Eligible activities include the modeling of a stream or drainage system and conceptual design of the subsequently selected projects or practices within the modeled watershed. The intent of the proposed sites must be to reduce flooding, improve water quality, or mitigate climate change impacts and they must decrease the peak flow rate of the runoff hydrograph at an area of interest. The area of interest must be identified at the time of application and an explanation provided of the flooding, water quality, or climate vulnerabilities at that location.

Eligible activities include outreach, modeling, grant management, and administration. Technical and engineering assistance necessary for conceptual design of these practices is essential and may be included in the project cost.

C. Ineligible Activities

- Modeling of one individual storage practice.
- Model development of a 103E system that consists of an Improvement. This modeling must be completed before the grant will be executed so that the grant funds will only be used to model the addition of storage on the system.
- Costs such as modeling software fees or development of new modeling software.

D. Technical Expertise

Grantees must identify the technical assistance provider(s) for the modeling and conceptual design and their credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for the feasibility study development. Credentials can include conservation partnership Job Approval Authority (JAA), also known as technical approval authority; applicable professional licensure; reputable vendor with applicable expertise and liability coverage; or other applicable credentials, training, and/or experience.

BWSR reserves the right to review the qualifications of all persons providing technical assistance and review the technical project design if a recognized standard is not available. See also the Technical Quality Assurances section of the Grants Administration Manual.

Funding Priorities and Ranking

Priority for funding will be given to projects that meet the following criteria (in order of priority):

1. Project is located in the Minnesota River basin or the Lower Mississippi River basin in Minnesota (as required by Mn Statute 103F.05 Subd.2 (b)).
2. Modeling efforts that will evaluate reduction in flood potential, improvement of water quality, AND mitigation for climate change.
3. Evidence of project installment readiness, which may include local letters of intent from government partners, evidence of support from willing landowners, and permitting agencies have been consulted regarding project permitability.

Water Quality and Storage Grant Program – Modeling and Conceptual Design Grants	
Scoring Criteria	**Maximum Points Possible**
Activity Eligibility: The proposed grant-funded activities are eligible under this RFP.	YES
1. Project Description: Applicant has clearly described the area of interest and the flooding concerns, water quality issues, or climate change vulnerabilities at this site. Applicant has provided a watershed extent that will be modeled and the modeling software and methodology that will be used for this effort. Additional points will be awarded if more than one issue will be considered with the modeling effort and how the issue(s) change during different flood events (i.e. 10-year vs. 50-year).	20
2. Priority Location: Projects located in the priority areas of the Minnesota River Basin and the Lower Mississippi River Basin in Minnesota (as stated in MN Statute 103F.05 Subd. 2 (b)) will be awarded the maximum points in this category. Projects outside of this priority area will receive zero points in this category.	10

3. Prioritization: The area to be modeled is referenced within a watershed management plan locally adopted and approved by the state or tribal government (include plan title, section and page number). Applicant describes how a comprehensive approach is being taken by the LGUs and other practices that are being installed to support the plan's efforts.	5
4. Measurable Outcomes: Applicant has explained the intended deliverables of this project. Examples of this include: which storm events will be modeled, how results will be quantified upon completion of the modeling, and/or how sites will be selected for conceptual and final design. Applicant has shown that this project will result in a feasibility study that can be used for a final design and construction application.	25
5. Project Readiness: Applicant has described steps and actions taken to ensure that this effort will move into a final design and construction phase, such as partner coordination, coordination with landowners, and preliminary discussions with permitting authorities, including the DNR Area Hydrologist. Discuss if an alternative path(s) forward will be pursued for this area if this grant is not received.	30
6. Cost Effectiveness: The application identifies a cost-effective solution to evaluate the issue at the area of concern. Include a consideration of other modeling efforts of this system and why this additional effort is needed.	10
Total Points Available	**100**

FY 2024 Water Quality and Storage Program Questions

FY 2024 Water Quality and Storage Program Competitive Grants ***Modeling and Conceptual Design*** **(Answers to each question are limited to 2000 characters.)** **Note that the following questions need to be answered in eLINK. The character limit in eLINK is NOT the same as Microsoft Word.**
Project Abstract: Succinctly describe what you are trying to achieve and how you intend to achieve those results. Include the eligible activities that you would like funded under this grant and if you are applying for modeling and conceptual design funds or final design and construction funds.
Technical Capacity: Explain your organization's capacity (including available FTEs or contracted resources) to effectively implement the proposed project(s). Identify the technical assistance provider(s) for the project and provide credentials for providing this assistance. The technical assistance provider(s) must have appropriate credentials for practice investigation, design, and construction.
1. Project Description (20 points): Define the area of interest and what issues will be addressed with the construction of the projects or practices or if the modeled projects and practices are constructed.
2. Project Location (10 points): Provide the location of the project: 1) Minnesota River Basin, 2) the Lower Mississippi River Basin in Minnesota, or 3) not in a priority area.
3. Prioritization (5 points): Explain how the proposed project or practices are prioritized within the plan and what other steps is the partner taking to add storage to their watershed(s).
4. Measurable Outcomes (25 points): For final design and construction applications, provide the calculated outcomes of the proposed projects or practices. For modeling and conceptual design applications, provide the intended outcomes of the modeling effort.
5. Project Readiness (30 points): Describe efforts to coordinate with landowners or partnering organizations, including reference to applicable agreements or resolutions supporting the proposal.
6. Cost Effectiveness (10 points): For final design and construction funds, describe why the proposed practices/activities or combination of practices/activities are considered to be the most cost effective and reasonable means to attain water quality improvement or protection benefits. For modeling and conceptual design funds, describe why this modeling effort will be the most cost effective use of state funds to get additional storage on the landscape.