

Buzzards Bay National Estuary Program

Bipartisan Infrastructure Law (BIL)

Federal BIL FFY23 (Year 2) Funds Work Plan and Budget

Pursuant to Infrastructure Investment and Jobs Act

A Cooperative Agreement with the U.S. EPA

For work beginning July 1, 2023, to December 31, 2025

April 25, 2023



Town of Dartmouth Wastewater Treatment Facility.

Table of Contents

Table of Contents.....	2
Section 1: Introduction and Overview	3
Section 2: BIL FFY22 (Year 1) Outcomes: Highlights and Accomplishments of FY22 funding	6
BIL FFY22 (Year 1) Work Plan Task 1 - Buzzards Bay Municipal Stormwater Collaborative Support (\$97,000 budgeted, \$90,206 awarded)	6
BIL FFY22 (Year 1) Work Plan Task 2 - Municipal Infrastructure Support Grant Program (\$769,339 budgeted, \$808,500 awarded)	7
BIL FFY22 (Year 1) Work Plan Task 3 - Technical Assistance to Municipalities to develop BIL projects and pursue grant opportunities (\$27,500 budgeted, \$0 awarded)	9
BIL FFY22 (Year 1) Revised - Reprogrammed Budget	9
BIL FFY22 (Year 1) Leveraged Local and State Resources and Action	9
Section 3: BIL FFY23 (Year 2) Funds: Proposed Work Plan Activities July 1, 2023, to December 31, 2025.	10
BIL FFY23 (Year 2) Work Plan Task 1 - Buzzards Bay Municipal Stormwater Collaborative Support	10
BIL FFY23 (Year 2) Work Plan Task 2 - Municipal Infrastructure Support Grant Program	13
BIL FFY23 (Year 2) Work Plan Task 3 - Technical Assistance to Municipalities to develop BIL projects and pursue grant opportunities.	15
Section 4: Budget Summary and Explanation	17
Section 5: Funds Leveraged in Support of the Cooperative Agreement	19

Section 1: Introduction and Overview

Since the completion of the *Buzzards Bay Comprehensive Conservation and Management Plan* (CCMP) in 1991, the ongoing focus of the Buzzards Bay National Estuary Program (NEP) has been to facilitate implementation of the recommendations contained in the CCMP. This mission was affirmed when the NEP Steering Committee approved the *CCMP 2013 Update* on November 26, 2013.

On November 6, 2021, Congress passed the Infrastructure Investment and Jobs Act (known as the Bipartisan Infrastructure Law -- BIL). This legislation represented a significant investment in the nation's infrastructure and resilience, and specifically identified National Estuary Programs as key partners for implementation. Under this legislation, each NEP is slated to receive from the U.S. Environmental Protection Agency (EPA) \$909,800 annually for five years (Federal fiscal year funding FY22 to FY26).

The BIL references EPA's underlying authority under CWA §320 to fund the implementation of the NEP CCMPs with annual appropriations distributed to implement the management conference and EPA-approved CCMP and workplan. According to EPA's Bipartisan Infrastructure Law Funding Implementation Guidance¹, for funds distributed under the BIL, NEP projects funded through BIL should seek to:

- Accelerate and more extensively implement CCMPs
- Ensure that benefits reach disadvantaged communities
- Build the adaptive capacity of ecosystems and communities
- Leverage additional resources

The guidance also specifies that NEPs ensure that benefits reach disadvantaged communities, and that expenditures comply with the Build America Buy America (BABA) Act passed by Congress in 2021. This work plan and budget complies with these goals and requirements.

EPA has required that expenditures under BIL help meet the goals of the Justice40 initiative², which is supported by the online [Climate and Economic Justice Screening Tool](#). Similarly, the Commonwealth of Massachusetts through the Executive Office of Energy and Environmental Affairs (EEA), maintains a policy of Environmental Justice to better serve the environmental needs of the Commonwealth's most vulnerable residents. This policy, supported by an [online interactive map](#), includes the statutorily required definition of an 'Environmental Justice Population' adopted in accordance with Chapter 8 of the Acts of 2021: "An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy," and the provision of a process by which some neighborhoods may be included or excluded from such definition. Most Buzzards Bay watershed municipalities include an Environmental Justice population (Fig. 1).

As provided under the BIL and to expedite project implementation and promote equity, EPA has waived the match/cost-share requirements for BIL funds. In addition, EPA expects NEPs to recognize and properly identify those areas where investments can be delivered to the places that need them the most. EPA has encouraged NEPs to leverage BIL funds toward their best value, including aligning them with projects being implemented under BIL funding for other partner programs, or other funding sources. NEPs are also required to track and report any leveraged funds or activities.

¹ National Estuary Program Bipartisan Infrastructure Law Funding Implementation Memorandum for Fiscal Years 2022-2026, July 26, 2022.

² Per Executive Order 12898 Revisions Interim Final Recommendations.

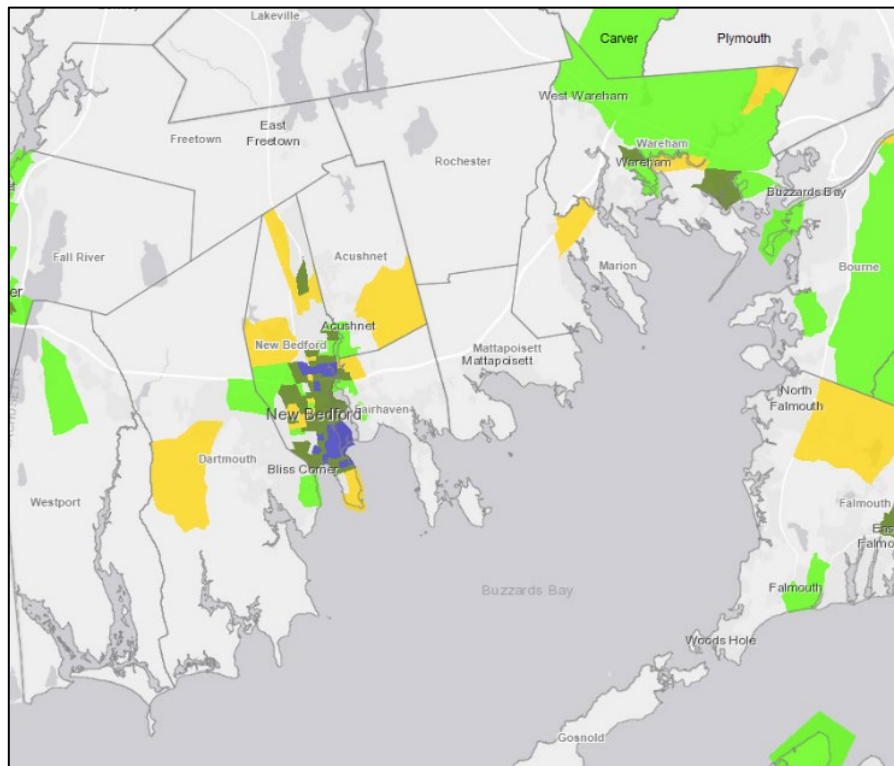


Fig. 1 Massachusetts 2020 Environmental Justice populations in the Buzzards Bay watershed

While the EPA guidance identifies a potential wide range of eligible uses for the BIL funding, as a practical matter, in any given fiscal year the NEP will only be able to act on a subset of pressing issues. This FY23 Work Plan and budget identifies specific tasks that are both consistent with the BIL Legislation, immediate municipal needs, and goals of the Buzzards Bay CCMP, federal Justice40, and the Commonwealth's Environmental Justice policies.

Organization of this Work Plan

Section II (below) will summarize the outcomes of activities of previous tasks funded by BIL. Section III describes the tasks to be undertaken with this year's (Federal Fiscal Year 2023 or FFY23) BIL funding. The target start date of this workplan is July 1, 2023, which is the start of the state FY24 fiscal year. The effective start date of this work plan depends on when EPA approves the federal Cooperative Agreement and establishes the appropriate federal accounts. This work plan covers the period through December 31, 2025, to accommodate the time needed to award grants and provide sufficient time for activities to be completed under the grant program and subawards.

Sections II and III's narrative summary of the BIL work plan utilizes EPA's recommended logic model to the greatest extent possible. In this effort, we have conformed to EPA's terminology defined as follows:

- Activities: NEP work plan projects.
- Partnerships: involvement of local community partner agencies, organizations and/or individuals.
- Outputs: products and services resulting from the work plan (i.e., deliverables).
- Short-term outcomes: changes in knowledge, learning, attitude, and skills; raising awareness amongst targeted NEP partners and stakeholder groups.

- Intermediate outcomes: changes in behavior, practice, decisions, and involvement among targeted NEP partners and stakeholder groups.
- Pressures: changes, positive and/or negative that may affect our ability to meet goals, deadlines or quantitative targets; and
- Long-term outcomes: Eventual expected results or changes in management, water quality, or living resources.

In addition, the NEP identifies how the proposed activities support EPA core programs. We define these core programs here as: 1) strengthening water quality standards, 2) improving water quality monitoring, 3) developing total maximum daily loads, 4) controlling non-point source pollution, 5) strengthening NPDES permits (including Municipal Separate Storm Sewer System (MS4), 6) supporting sustainable wastewater infrastructure, 7) supporting CWA and state wetland protection efforts, and 8) protecting coastal waters and large aquatic ecosystems throughout the National Estuary Program.

Specific action items identified in the Buzzards Bay CCMP Action Plan (2013 update) support EPAs core program activities. These action plans are:

- Action Plan 1: Managing Nitrogen Sensitive Embayments
- Action Plan 2: Protecting and Enhancing Shellfish Resources
- Action Plan 3: Managing Stormwater Runoff and Promoting LID
- Action Plan 4: Improving Land Use Management and Promoting Smart Growth
- Action Plan 5: Managing Onsite Wastewater Disposal Systems
- Action Plan 6: Managing Impacts from Boating, Marinas, and Moorings
- Action Plan 7: Protecting and Restoring Wetlands
- Action Plan 8: Restoring Migratory Fish Passage and Populations
- Action Plan 9: Protecting Biodiversity and Rare and Endangered Species Habitat
- Action Plan 10: Managing Water Withdrawals to Protect Wetlands, Habitat, and Public Water Supplies
- Action Plan 11: Managing Invasive and Nuisance Species
- Action Plan 12: Protecting Open Space
- Action Plan 13: Protecting and Restoring Ponds and Streams
- Action Plan 14: Reducing Beach Debris, Marine Floatables, and Litter in Wetlands
- Action Plan 15: Managing Coastal Watersheds and the Waterfront
- Action Plan 16: Reducing Toxic Pollution
- Action Plan 17: Preventing Oil Pollution
- Action Plan 18: Planning for a Shifting Shoreline and Coastal Storms
- Action Plan 19: Protecting Public Health at Swimming Beaches
- Action Plan 20: Monitoring Management Action, Status, and Trends
- Action Plan 21: Enhancing Public Education and Participation

Acronyms used in this report are summarized in Table 1.

Table 1. Abbreviations used in this work plan.

Acronym	Definition
BIL	Bipartisan Infrastructure Law, a synonym for the IIJA
CCMP	Comprehensive conservation and management plan
CZM	Coastal Zone Management
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EPA	U.S. Environmental Protection Agency
IIJA	Infrastructure Investment and Jobs Act of 2021
MMA	Massachusetts Maritime Academy
NEP	National Estuary Program

Section 2: BIL FFY22 (Year 1) Outcomes: Highlights and Accomplishments of FY22 funding

In the fall of 2022, the Buzzards Bay NEP developed a draft long-term plan and equity strategy, including conducting a GIS analysis of disadvantaged populations in the Buzzards Bay watershed. On December 12, the NEP submitted the document to the steering committee for review and comment. That month, the NEP also posted our EJ goals at the webpage <https://buzzardsbay.org/our-program/funding/nep-ej-and-disadvantaged-target-areas/>, which included an interactive map of targeted disadvantaged communities in the Buzzards Bay watershed. EPA has required that National Estuary Program (NEP) expenditures under Bipartisan Infrastructure Law (BIL) help meet national goals of the Justice40 initiative. Similarly, the Commonwealth of Massachusetts, through the Executive Office of Energy and Environmental Affairs (EEA), maintains a policy of Environmental Justice to better serve the environmental needs of the Commonwealth's most vulnerable residents. EEA's EJ Policy and Executive Order 552 require that EEA agencies develop their own strategies to "proactively promote environmental justice in all neighborhoods in ways that are tailored to their agencies' mission." To meet these needs, the Buzzards Bay NEP is developing an Equity Strategy that details how the Buzzards Bay NEP will contribute to the national program-wide goal of ensuring that at least 40% of the benefits and investments from BIL funding flow to disadvantaged communities and advances state EJ goals and policies. The Buzzards Bay NEP is drafting an Equity Plan that adopts the following definition of disadvantaged communities for its grant and technical assistance programs: 1) any area identified by the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs EJ community mapping tool, 2) any area identified by EPA Supplemental Demographic Index (Census block groups with an SDI score of 80 in EPA's EJ Screen Tool), and 3) any project that is either on the property of a Title 1 school (schools where at least 40% of enrollment is from low-income families), or benefits that school. Because map-based tools based on census block groups do not always capture disadvantaged communities, site specific projects within 2000 feet (walking distance) of any of these areas are considered as benefitting a disadvantaged community. Projects that benefit dispersed town-wide or region-wide disadvantaged populations (e.g., a proposal that targets low-income populations), or non-mapped communities (e.g., tribal properties), will also receive additional consideration under the NEP's grant and technical assistance programs.

On February 2, 2023, the Buzzards Bay NEP submitted its long-term plan to EPA headquarters.

BIL FFY22 (Year 1) Work Plan Task 1 - Buzzards Bay Municipal Stormwater Collaborative Support (\$97,000 budgeted, \$90,206 awarded)

The Buzzards Bay NEP, through the Massachusetts Executive Office of Energy and Environmental Affairs, awarded a one-year \$90,206 interagency service agreement with Massachusetts Maritime Academy (MMA) on February 3, 2023, to support the Buzzards Bay Stormwater Collaborative (BBSC). As indicated in the Year 1 BIL workplan, the intended scope of this task depended on the outcome of two pending grant applications by MMA. The first pending application was a year 4 funding request to Mass DEP's MS4 grant support program to expand the BBSC's stormwater illicit discharge detection and elimination program. The second pending application was a year 2 funding request to the Southeast New England Program (SNEP) SWIG grant program to further expand the BBSC monitoring program. MMA was unsuccessful with both requests. Had they received funding, the NEP would have provided funding to hire an assistant to the monitoring program coordinator and increased funding to a larger number of student participants. Because MMA was unsuccessful in securing funds, NEP BIL funding was directed to maintain MMA's stormwater program coordinator. Contracts from the municipalities, which totaled approximately \$79,000 last year, are being directed to exclusively

funding co-op students and summer interns to conduct the discharge sampling, field mapping, and IDDE investigations. This approach maintains program stability by providing base funding for the program's management and allowing greater focus on helping municipalities meet their stormwater management needs, including compliance with EPA municipal stormwater permit compliance. MMA continues to provide an ArcGIS Online web license to support the BBSC's interactive stormwater map at stormwater.buzzardsbay.org/newmap.html.

While the field work is ongoing, with respect to the past distribution of services provided by the Buzzards Bay Stormwater Collaborative during the past several years, among the 553 stormwater facilities that have been inspected or where stormwater was sampled for pollutants, 257 of these facilities (46%) were in the Buzzards Bay NEP's environmental justice target areas (Fig. 2).

BIL FFY22 (Year 1) Work Plan Task 2 - Municipal Infrastructure Support Grant Program (\$769,339 budgeted, \$808,500 awarded)

In December 2022, the Buzzards Bay NEP announced it was seeking proposals for the FY23 Buzzards Bay Watershed Infrastructure and CCMP Grant Support Program, with \$769,339 in federal funding available through the Infrastructure Investment and Jobs Act of 2021. The announcement noted that eligible projects must implement a recommendation or recommendations in the Buzzards Bay Comprehensive Conservation and Management Plan (CCMP) and be principally located within the Buzzards Bay Watershed. The announcement further stressed that municipalities that contain one or more EJ

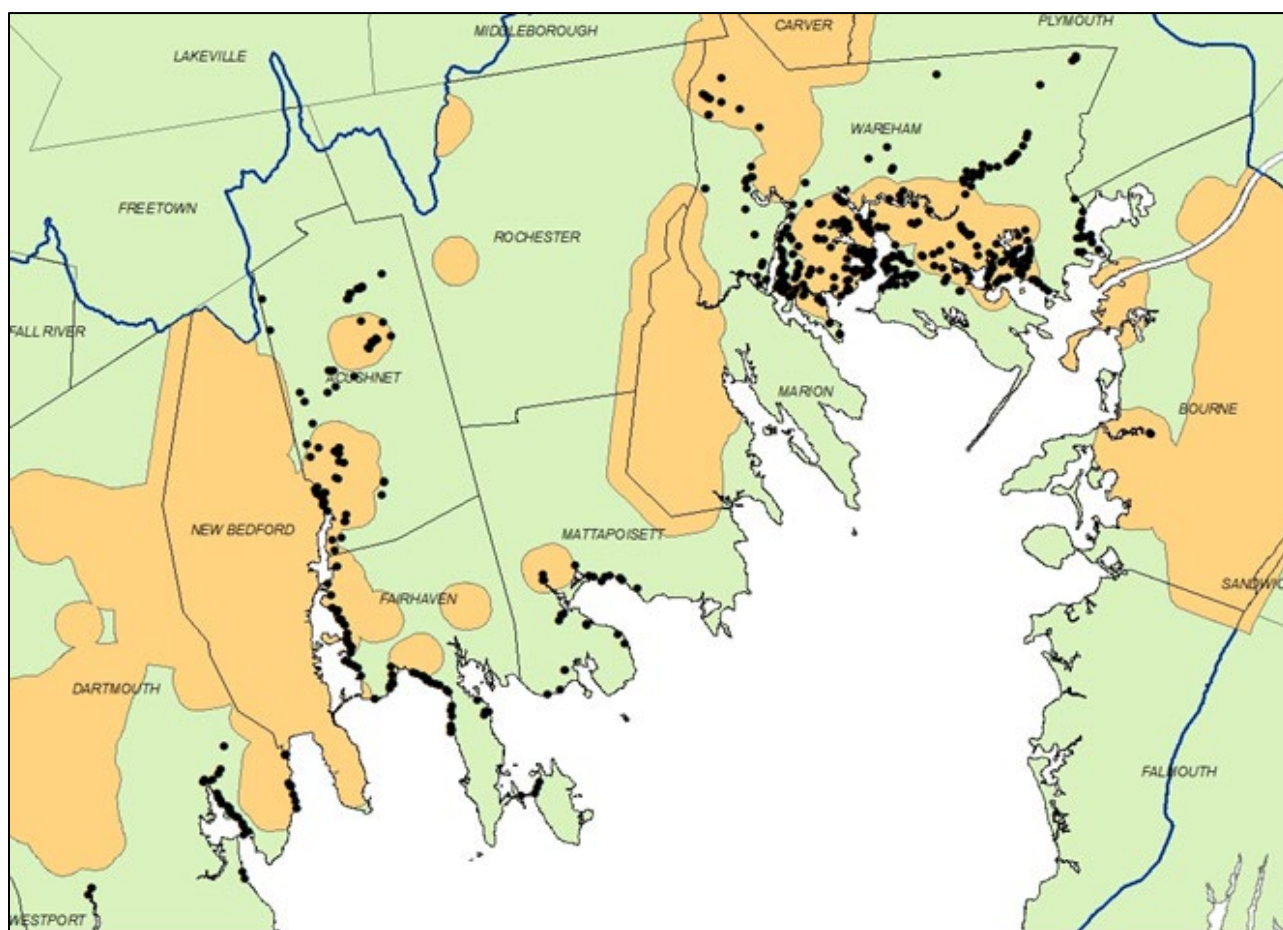


Fig. 2 Stormwater facilities (black circles) assessed in the Buzzards Bay watershed (blue line) during the past several years. Shaded areas show Buzzards Bay NEP targeted EJ areas.

Population, as defined in this request for proposals, and Title 1 schools in the Buzzards Bay watershed were strongly encouraged to apply under this grant opportunity provided they met the eligibility criteria under this section and allowable funding categories. Projects that meet environmental justice or climate goals would receive additional consideration. Eligible projects included stormwater remediation designs or construction for discharges affecting impaired surface waters, feasibility studies to enhance nitrogen removal from municipal wastewater treatment systems, restoration of wetlands, habitat, and migratory fish passage, construction of boat pumpout facilities, creation of online reporting systems for alternative septic systems, restoration of coastal waters, coastal resources, freshwaters, or freshwater resources impaired by pollutant loading, and open space acquisition and protection. Eligible municipalities could submit any number of applications but may only receive a maximum of two grant awards not to exceed \$400,000. No single grant award may exceed \$375,000. There was no match required and proposals were due by February 1, 2023.

The Buzzards Bay NEP received 13 proposals from eight municipalities totaling \$2,024,719. On April 25, 2023, the Buzzards Bay NEP through EEA announced the award of three grants totaling \$808,500. The grants will improve water quality in the Buzzards Bay watershed by upgrading a wastewater treatment plant and reducing stormwater runoff pollution. The following municipalities were awarded grants:

- The **Town of Bourne** was awarded \$183,500 to hire an engineering firm to address nutrient and bacteria loading to Queen Sewell Pond. The grant will fund stormwater treatment designs for a discharge near a freshwater bathing beach and develop an action plan for nine other stormwater discharges in the watershed. The pond has been impaired by harmful algal blooms and elevated bacteria levels, which have caused beach closures.
- The **Town of Dartmouth** was awarded \$250,000 to make modifications to its wastewater treatment facility to better meet permitted discharge limits for certain pollutants and significantly reduce nitrogen discharges to Buzzards Bay. While the Town is not required to remove nitrogen from its discharge, adding aeration to certain tanks during this upgrade will cut nitrogen discharges in half, potentially removing more than 100,000 pounds of nitrogen pollution from the facility's discharge to Buzzards Bay each year. The nitrogen removal upgrade costs are \$475,000, and the Town will contribute the needed additional funds from their capital account.
- The **City of New Bedford** was awarded \$375,000 to complete Phase II of the Buttonwood Park stormwater management project at the Buttonwood Senior Center. The project will address sediment erosion and pollutant discharges from the property and nearby neighborhoods. The site also has a large waterfowl population problem, notably Canada geese, whose wastes contribute to bacteria and nutrient pollution of the pond. The stormwater treatment system will consist of a biofilter raingarden, and the City will use habitat alteration techniques and barriers to exclude the waterfowl from the property. The Parks Department is working with the Conservation Commission to restore a vegetated buffer along the pond. The Senior Center also houses an adult with disabilities day care program, and Buttonwood Park abuts Environmental Justice populations and serves a diverse community in New Bedford and Dartmouth. New Bedford is providing \$237,000 toward the cost of the project through other sources.

Although \$769,339 was budgeted for this task, because Task 1 was under budget, and Task 3 was moved to NEP base funding under Cooperative Agreement FC00A00623, the NEP was able to fully fund the three top-ranked proposals.

The grant to the City of New Bedford met the NEP's criteria for serving a disadvantaged community, and thus more than 46% of the municipal grant award and achieved the NEP's environmental justice goals.

BIL FFY22 (Year 1) Work Plan Task 3 - Technical Assistance to Municipalities to develop BIL projects and pursue grant opportunities (\$27,500 budgeted, \$0 awarded)

On February 7, 2023, the Buzzards Bay NEP hired a part-time Grant Development Specialist as a contractual employee. The Grant development specialist is currently working with Buzzards Bay watershed municipalities to generate projects for the next grant round. However, because funding was needed only for a portion of the state fiscal year, and because there were residual funds available on Cooperative Agreement FC00A00623 that need to be drawn down to close the account, the funding of the position was moved to the other grant to enable the award of \$808,500 in Task 2 municipal grants.

BIL FFY22 (Year 1) Revised - Reprogrammed Budget

Buzzards Bay NEP FFY22 BIL Year 1 Budget			
Category/Expenses	Original Cost	Revised Costs, Mar 2023	Comment
PERSONEL	\$0	\$0	
TRAVEL (in state + out of state)	\$750	\$0	Grant Development Specialist moved off
CONTRACTUAL			
Grant Development Specialist	\$27,500	\$0	Grant Development Specialist moved off
Laboratory contracts for stormwater testing	\$6,000	\$5,868	minor adjustment, level of effort contract
OTHER (includes sub-awards)			
Municipal Infrastructure Grants	\$769,339	\$808,500	RFP said \$769,339 available.
MMA Stormwater Collaborative Support	\$97,000	\$90,206	Change in position costs
MMARS IT, BCS, Audit chargeback fees**	\$3,860	\$3,860	
FRINGE	\$0	\$0	
SUPPLIES	\$0	\$0	
TOTAL DIRECT	\$904,449	\$908,434	
INDIRECT (Comm. of MA= 0.1404)	\$5,351	\$1,366	Indirect only on contractual in this budget.
TOTAL	\$909,800	\$909,800	

BIL FFY22 (Year 1) Leveraged Local and State Resources and Action

Last year, the Buzzards Bay Stormwater Collaborative leveraged \$79,000 in municipal dollars to pay for stormwater mapping and stormwater sample collection field services (principally time of Massachusetts Maritime Academy Coop Students to undertake the field work plus field supplies). The NEP is currently working with municipalities to develop new Memoranda of Agreements for the upcoming fiscal year that begins July 1, 2023. In the first year of funding, MMA waived \$5,948 of its federally approved NICRA indirect rate (applied 26% rather than 32%). EEA waived \$8,722 of core technology IT charges. A summary of funds leveraged by the municipal infrastructure grants is shown in Table 2.

Table 2. Funds leveraged by infrastructure grants

Grant	Funds Leveraged	Comments
Bourne	\$10,000	Cash from engineering dept and in-kind from various staff
Dartmouth	\$470,000	Balance of funds from capital account
New Bedford	\$237,499	Balance of funds from other sources.

Section 3: BIL FFY23 (Year 2) Funds: Proposed Work Plan Activities July 1, 2023, to December 31, 2025.

In the sections below, details are provided for the specific tasks and actions expected in the coming year. As in year 1, in year 2 we will continue the previous three tasks: 1) support and expand the role of the Buzzards Bay Stormwater Collaborative, supporting municipal efforts to map stormwater infrastructure and monitor discharges to prioritize sites for remediation, 2) disperse most of the IJIA funds through a municipal grant program to support primarily municipal infrastructure projects, and 3) as part of the NEP's administrative support for the program, hire a part-time contractor to assist municipalities to develop infrastructure proposals to secure BIL funds, particularly municipalities within Environmental Justice designated areas.

For any discretionary subawards utilizing BIL funds, the NEP has adopted a policy with a goal to limit indirect costs for discretionary subawards by encouraging recipients to waive costs above program goals. This policy is established to maximize the cost-effectiveness of federal funds and to help justify the subaward process. For discretionary subawards, the following policies will apply pursuant to the federal cooperative agreement for this workplan.:

- **Entities without a federally negotiated indirect cost rate agreement:** Indirect costs of sub-awardee recipients are limited to 10% of the total direct costs. Any unreimbursed indirect expenditures, if from a non-federal source, may be reported by the sub-awardee as match in their close-out report to the Buzzards Bay National Estuary Program.
- **Entities with a federally negotiated indirect cost rate agreement:** Under 2 CFR 200.306(c), sub-awardee recipients with approved federally negotiated indirect cost rates may use unrecovered, unreimbursed, or waived indirect costs that exceed the NEP's goal of limiting indirect costs to 26% of Modified Total Direct Costs, as defined by 2 CFR 200.68, as match in their close-out report to the Buzzards Bay National Estuary Program.

BIL FFY23 (Year 2) Work Plan Task 1 - Buzzards Bay Municipal Stormwater Collaborative Support

Project/Activity Purpose and Description (ongoing program; subaward to MMA):

The Buzzards Bay Stormwater Collaborative supports municipal efforts to map stormwater networks, monitor stormwater discharges, and investigate protentional illicit connections to municipal stormwater networks. Demand for Stormwater Collaborative services and training continues to increase as it meets many pressing needs required under MS4 permits. The NEP will continue to support the core functions of the Buzzards Bay Stormwater Collaborative by funding the Massachusetts Maritime Academy (MMA) Coordinator who directs and oversees the MMA Coop Students and interns

participating in the program. Under this grant, the NEP will continue to fund the laboratory costs to test for pollutants causing impairments as defined by the state's Integrated List. Other costs, such as administration of the students and municipal Memoranda or Agreements will be directly funded by the municipalities. NEP staff providing support to the Collaborative is provided under the NEP's base funding grant.

How the Project Supports the CCMP and Workplan Goals:

This task either directly or indirectly advances selected goals and objectives of Action Plan 1: Managing Nitrogen Sensitive Embayments, Action Plan 2: Protecting and Enhancing Shellfish Resources, Action Plan 3: Managing Stormwater Runoff and Promoting LID, Action Plan 4: Improving Land Use Management and Promoting Smart Growth, and Action Plan 19: Protecting Public Health at Swimming Beaches. Selected projects may also advance selected goals and objectives of Action Plan 7: Protecting and Restoring Wetlands, Action Plan 8: Restoring Migratory Fish Passage and Populations, Action Plan 9: Protecting Biodiversity and Rare and Endangered Species Habitat, Action Plan 13: Protecting and Restoring Ponds and Streams, Action Plan 14: Reducing Beach Debris, Marine Floatables, and Litter in Wetlands, Action Plan 20: Monitoring Management Action, Status, and Trends, Action Plan 21: Enhancing Public Education and Participation.

How the Project Supports the Clean Water Act (CWA)

This task will principally support these CWA core programs: 2) improving water quality monitoring, 4) controlling non-point source pollution, 5) strengthening NPDES permits (including MS4), and 8) protecting coastal waters and large aquatic ecosystems through the National Estuary Program. This task may also indirectly support these CWA core programs: 1) strengthening water quality standards, 3) developing total maximum daily loads, 6) supporting sustainable wastewater infrastructure, and 7) supporting CWA and state wetland protection efforts.

How the Project Supports the BIL

This task supports or helps advance these BIL goals:

- Invest public dollars efficiently, avoid waste, and focus on measurable outcomes for the American people.
- Build resilient infrastructure that can withstand the impacts of climate change and help combat the climate crisis.
- Invest public dollars equitably, including through the Justice40 Initiative, which is a government-wide effort toward a goal that 40 percent of the overall benefits from Federal investments in climate and clean energy flow to disadvantaged communities.

Responsible Partners and Their Role(s):

The principal partners of the Stormwater Collaborative are the Buzzards Bay watershed municipalities led by their public works departments, NEP staff, and Stormwater Collaborative staff of the Massachusetts Maritime Academy.

NEP Staff:

About 80% of the full-time and part-time Buzzards Bay Stormwater Specialists' time are dedicated to supporting and advancing the Buzzards Bay Stormwater Collaborative. This work is covered under the NEP's Section 320 Cooperative Agreement.

Outputs, Products, or Deliverables:

1. Oversee and guide the Stormwater Collaborative stormwater network mapping and discharge monitoring program (NEP and MMA).

2. Maintenance of the stormwater collaborative water quality database (NEP).
3. Maintenance of the stormwater collaborative GIS database (NEP).
4. Coordination of stormwater collaborative activities (MMA and NEP).
5. Develop stormwater infrastructure projects and proposals, including in Environmental Justice communities (MMA and NEP).

Milestones:

Summer: Hire co-op students.

Fall: Hire additional co-op students. Assist in aiding municipalities to develop stormwater projects and proposals.

Spring 2023: Assist in a new round in IDDE and stormwater monitoring training.

Estimated Budget:

The costs for this task include a \$127,042 subaward to MMA, and \$7,000 for laboratory services to test stormwater discharges to help municipalities prioritize stormwater infrastructure treatment systems for construction or reconstruction. Table 3 shows the budget for the task, to be enacted in an interagency service agreement. The MMA will again waive a portion of their federally approved NICRA indirect costs.

PERSONNEL

<u>staff</u>	<u>rate \$/hr</u>	<u>hours/wk</u>	<u>weeks</u>	<u>total</u>	<u>Comments</u>
Assistant Professor: 12/01/23 to 11/30/24	100	5	52.0	\$26,000.00	
Associate Professor: 12/01/23 to 11/30/24	100	0.5	52.0	\$2,600.00	
FRINGE (2.45% payroll tax on overtime)				\$701.00	

CONTRACTUAL

Maura Flaherty, state FY24 12/01/23 to 6/30/2024	34.18	40	32.0	\$43,750.00	
Maura Flaherty, state FY25: 7/1/2024 to 11/30/24	35.21	40	18.0	\$25,351.00	3% COLA

	<u>rate \$/mi</u>	<u>miles</u>	
TRAVEL	0.61	1200	\$732.00
OTHER (payroll tax on contractual, 2.45%)			\$1,693.00
TOTAL DIRECT COST			\$100,827.00
INDIRECT (26%)			\$26,215.00
TOTAL			\$127,042.00

Indirect waived (32% approved NICRA) \$6,050

All calculations rounded to the nearest dollar.

Leveraged Funding and Support:

The MMA provides space, services, and waived indirect fees in support of the program. Last year, Buzzards Bay municipalities contributed \$79,000 to MMA to support Stormwater Collaborative activities and DPW staff contributed hundreds of hours of staff time. MMA is waiving \$6,050 of its federally approved NICRA indirect rate in year 2. The Stormwater Collaborative is often able to leverage state funded MS4 support grants, but the success of the NEP efforts varies depending on past funding. These leveraged funds will be reported excluding any required to match other programs.

Outcomes:

Short-term:

Maintain and upgrade the stormwater infrastructure database structure and water quality data to meet municipal needs and establish priorities for stormwater infrastructure repair and retrofit. Collect samples, implement management oversight, and program control measures to ensure program success. Expand the content of the online [stormwater interactive map](#) to support these efforts. Assist towns in the development of projects and proposals for improved and resilient stormwater infrastructure.

Intermediate:

Expansion of capacity of the Stormwater Collaborative. Making municipal staff more self-sufficient in implementing stormwater infrastructure monitoring and mapping programs. Increased application rate of municipalities serving Environmental Justice communities to secure infrastructure improvement grants. Increased leveraging of resources committed to the Stormwater Collaborative implementation of CCMP goals and recommended actions.

Long-term:

Eventual independence of the Stormwater Collaborative from federal funding with increased reliance on local funding. A reduction in NEP management and oversight or stormwater monitoring and mapping obligations.

Pressures affecting outcomes:

The efforts described here are dependent on local interest and municipal staff having time to commit to specific projects, and municipalities budgeting the costs of hiring Stormwater Collaborative Coop Students. Municipal public works departments have been impaired by budget shortfalls and insufficient staff for core tasks and taking on additional tasks is challenging.

BIL FFY23 (Year 2) Work Plan Task 2 - Municipal Infrastructure Support Grant Program

Project/Activity Purpose and Description: (new activity)

The NEP has set aside \$737,131 of BIL funds to support a Buzzards Bay Watershed Infrastructure Support Grant Program. Eligible projects include:

- 1) Stormwater remediation designs for discharges affecting marine waters.
- 2) Implementation and construction of existing stormwater designs for discharges affecting marine waters.
- 3) Support for tasks to achieve MS4 compliance.
- 4) Feasibility studies and conceptual plans to enhance nitrogen removal from municipal wastewater treatment facilities using innovative or unconventional approaches.
- 5) Wetland, habitat, and migratory fish passage restoration.
- 6) Construction of a boat pump-out facility in a municipality or harbor when none exists.
- 7) Creation of online reporting systems for tracking of operation, maintenance, and monitoring of innovative and alternative septic systems.
- 8) Projects that, through direct action, mitigate for or restore coastal waters, coastal resources, freshwaters, or freshwater resources adversely affected by nutrient loading (nitrogen or phosphorus pollution), and
- 9) Other activities in support of the Buzzards Bay Comprehensive Conservation and Management Plan compatible with BIL funding.

All projects must be located within the Buzzards Bay watershed. Grants will be reviewed based on quality, cost-effectiveness, and to the degree they meet CCMP and BIL goals, and EPA and Commonwealth Environmental Justice policies.

How the Project Supports the CCMP and Workplan Goals:

Depending upon the specific municipal project funded, this task has the potential to address numerous CCMP goals, an particularly Action Plan 1: Managing Nitrogen Sensitive Embayments, Action Plan 2: Protecting and Enhancing Shellfish Resources, Action Plan 3: Managing Stormwater Runoff and Promoting LID, Action Plan 4: Improving Land Use Management and Promoting Smart Growth, Action Plan 5: Managing Onsite Wastewater Disposal Systems, Action Plan 6: Managing Impacts from Boating, Marinas, and Moorings, 8: Restoring Migratory Fish Passage and Populations, Action Plan 15: Managing Coastal Watersheds and the Waterfront, Action Plan 16: Reducing Toxic Pollution, Action Plan 17: Preventing Oil Pollution, and Action Plan 18: Planning for a Shifting Shoreline and Coastal Storms, Action Plan 19: Protecting Public Health at Swimming Beaches.

How the Project Supports the CWA

Depending upon the specific municipal project funded, this task has the potential to address several Clean Water Act core programs directly or indirectly, including 1) strengthening water quality standards, 2) improving water quality monitoring, 3) developing total maximum daily loads, 4) controlling non-point source pollution, 5) strengthening NPDES permits (including MS4), 6) supporting sustainable wastewater infrastructure, 7) supporting CWA and state wetland protection efforts, and 8) protecting coastal waters and large aquatic ecosystems through the National Estuary Program.

How the Project Supports the BIL

This task has the potential to support any or all BIL goals depending upon the grant awarded.

Responsible Partners and Their Role(s):

Buzzards Bay municipalities are responsible for preparing grant applications, but the groundwork for these efforts will be supported by NEP staff, the Buzzards Bay Stormwater Collaborative through Massachusetts Maritime Academy, and non-profit partners like the Buzzards Bay Coalition (Coalition). The CZM South Coast Regional Coordinator, housed in the NEP offices, will also support project development by Buzzards Bay municipalities.

NEP Staff:

Principal Staff involved in these tasks includes the Regional Planner who oversees grants and contracts, the Executive Director, CZM, and the stormwater specialists, who help guide the Buzzards Bay Stormwater Collaborative efforts.

Outputs, Products, or Deliverables:

Scopes developed, contracts awarded, press releases prepared, website updated with projects, projects overseen, projects completed, match documents received, and contracts closed.

Milestones:

1. Develop RFR in April 2023, and issue RFR by May 2023
2. Grants awarded summer of 2023
3. All projects completed by December 31, 2025

Estimated Budget:

The BIL Infrastructure Support municipal grant program has been allotted \$770,192. There are no indirect charges applied to these grants. Administration of the grants is covered by staff time in the NEP's Section 320 base funding Cooperative Agreement.

Leveraged Funding and Support:

Buzzards Bay municipal grants have a history of leveraging considerable resources and funds. These will be tracked as part of the NEPs grant contract process. These leveraged funds will be reported excluding any required to match other programs.

Outcomes:

Short-term:

Implementation of stormwater infrastructure designs, and other beneficial infrastructure projects, including those within Environmental Justice Communities.

Intermediate:

Continued collaborations and partnerships sustained to ensure the development of new projects and designs for future BIL funds, as well as those funded by other state and federal grant programs and local sources.

Long-term:

Sustained commitment to continued implementation of projects that will protect and restore water quality and living resources in Buzzards Bay and its surrounding watershed through the implementation of the CCMP and serving all populations within municipalities.

Pressures affecting outcomes:

Potential pressures may relate to delays in the release of federal funds and state delays in the award or release of funds, but both these risks are negligible. Municipalities may have problems meeting grant schedules or pursuing numerous state and federal grant programs, but the last RFP by the NEP showed there remains considerable pent-up demand for project funding.

BIL FFY23 (Year 2) Work Plan Task 3 - Technical Assistance to Municipalities to develop BIL projects and pursue grant opportunities.

Project/Activity Purpose and Description (new activity):

The CCMP is a non-regulatory document therefore, most recommendations are directed toward municipalities because they have the greatest authority. Whether certain activities are initiated depends upon our partners' capacity to address specific growth-related and non-point source pollution problems facing the bay and watershed. Consequently, the NEP provides this assistance on an ad hoc basis. To meet this need, and to fulfil this task, the NEP will continue to employ a part-time contractual employee (10 hours/week) to support BIL project development and facilitate project development applications by municipalities to other BIL and state and federal grant programs. A particular focus will be to provide support to municipalities with Environmental Justice populations.

This task will be supported by other NEP staff who will also reach out to non-profits, other agencies, and the public to help develop future projects that meet the goals of the CCMP and BIL funding goals. This technical assistance primarily focuses on specific initiatives funded or managed by the NEP but can include a wide range of CCMP issues and management topics. This task is considered part of the administrative costs needed to ensure the success this work plan.

How the Project Supports the CCMP and Workplan Goals:

Depending upon which projects are facilitated and grant funding secured under this task, the goals of many action plans may be individually met.

How the Project Supports the CWA

Depending upon which projects are facilitated and grant funding secured under this task, this effort may support many CWA core programs, particularly 4) controlling non-point source pollution on a watershed basis but may also indirectly support 1) strengthening water quality standards, 2) improving water quality monitoring, 3) developing total maximum daily loads, 5) strengthening NPDES permits, 6) supporting sustainable wastewater infrastructure and CWA and state wetland protection efforts.

How the Project Supports the BIL

Depending upon which projects are facilitated and grant funding secured under this task, this effort may support many BIL program goals.

Responsible Partners and Their Role(s):

Key partners in this effort include the Stormwater Collaborative, the Coalition, the Buzzards Bay Action Committee (BBAC), Buzzards Bay municipalities, and state and federal agencies. The CZM South Coast Regional Coordinator, housed in the NEP offices, will also support project development by Buzzards Bay municipalities.

NEP Staff:

Besides the part-time individual employed under this task, all NEP staff will contribute support as needed or required.

Outputs, Products, or Deliverables:

1. Provide specialized technical assistance to municipalities to promote green infrastructure/Low Impact Development (LID), remediate stormwater discharges, and adopt stormwater management strategies, promote better management of on-site septic systems and innovative wastewater systems; improve local wetlands and habitat protection, manage nitrogen loadings, prepare, and adopt open space plans.
2. Identify new local actions needed to support the development of the updated CCMP.
3. Encourage towns to take actions that support the updated CCMP.
4. Promote LID and Smart Growth strategies and stormwater management in Buzzards Bay communities.
5. Help towns develop concepts, remediation strategies and help prepare grant applications to implement programs and projects to implement CCMP recommendations.
6. Promote better management of on-site wastewater systems and use of innovative technologies.
7. Help develop projects that served disadvantaged populations.

Milestones:

Ongoing: Meetings with municipalities to develop project ideas.

Estimated Budget:

The only costs are the costs of a part-time person, estimated at \$28,989 plus incidental travel, and any ancillary NEP staff time covered under the program's base funding.

Leveraged Funding and Support:

This task will principally leverage municipal staff time by municipalities, and state and federal agencies, as well as the time of non-profits where projects require partnerships.

Outcomes:

Short-term:

Increased information availability for use by Buzzards Bay community leaders, to develop new project ideas, and build partnerships to develop new proposals for infrastructure projects that meet CCMP and BIL goals, including projects within Environmental Justice communities.

Intermediate:

Grant applications securing BIL funds and grant funds from other agencies and local sources, and implementation of those projects.

Long-term:

Development and cultivation of municipal leads with the capacity to develop project ideas independently, and secure or leverage support for new initiatives, including those serving EJ communities.

Pressures affecting outcomes:

We provide technical assistance on a first come first serve basis and as allowed by available staff time. Given that this is a part-time position, not all requests for assistance may be addressed, so technical assistance will be directed to where they best meet the goals of the CCMP and needs of the municipalities.

Section 4: Budget Summary and Explanation

This work plan is contained in a new Cooperative Agreement. The new budget is summarized according to EPA grant categories and tasks in Table 4 and the pie chart in Fig. 3. Details of the indirect calculation are contained in Table 5 (note that indirect is not charged on grants or subawards). Finally, Table 6 shows a simplified summary for the SF424 grant application.

Table 3. Expenses by EPA grant category.

<u>EPA Category Summary</u>	<u>FFY2023 Yr2</u>
PERSONNEL	\$0
FRINGE	\$0
OTHER: Municipal Infrastructure Grants	\$737,131
OTHER: MMA Stormwater Collaborative Support	\$127,042
OTHER: MMARS IT, BCS, single Audit chargebacks and fees*	\$3,860
OTHER: Contractual Payroll Tax (2.45%)	\$710
CONTRACTUAL	\$28,989
SUPPLIES	\$7,000
TRAVEL	\$400
INDIRECT	\$4,668
Total Direct	\$905,132
TOTAL	\$909,800

* EEA covering core technology fees this year at an estimated value of \$8,734.

Table 4. Indirect costs basis table.

Category	Amount
PERSONEL	\$0
CONTRACTUAL	\$28,989
TRAVEL	\$400
Selected chargebacks (MMARS IT, etc.)	\$3,860
Indirect Base total	\$33,249
Indirect rate 14.04% (0.1404)	\$4,668
Federal Indirect share	\$4,668

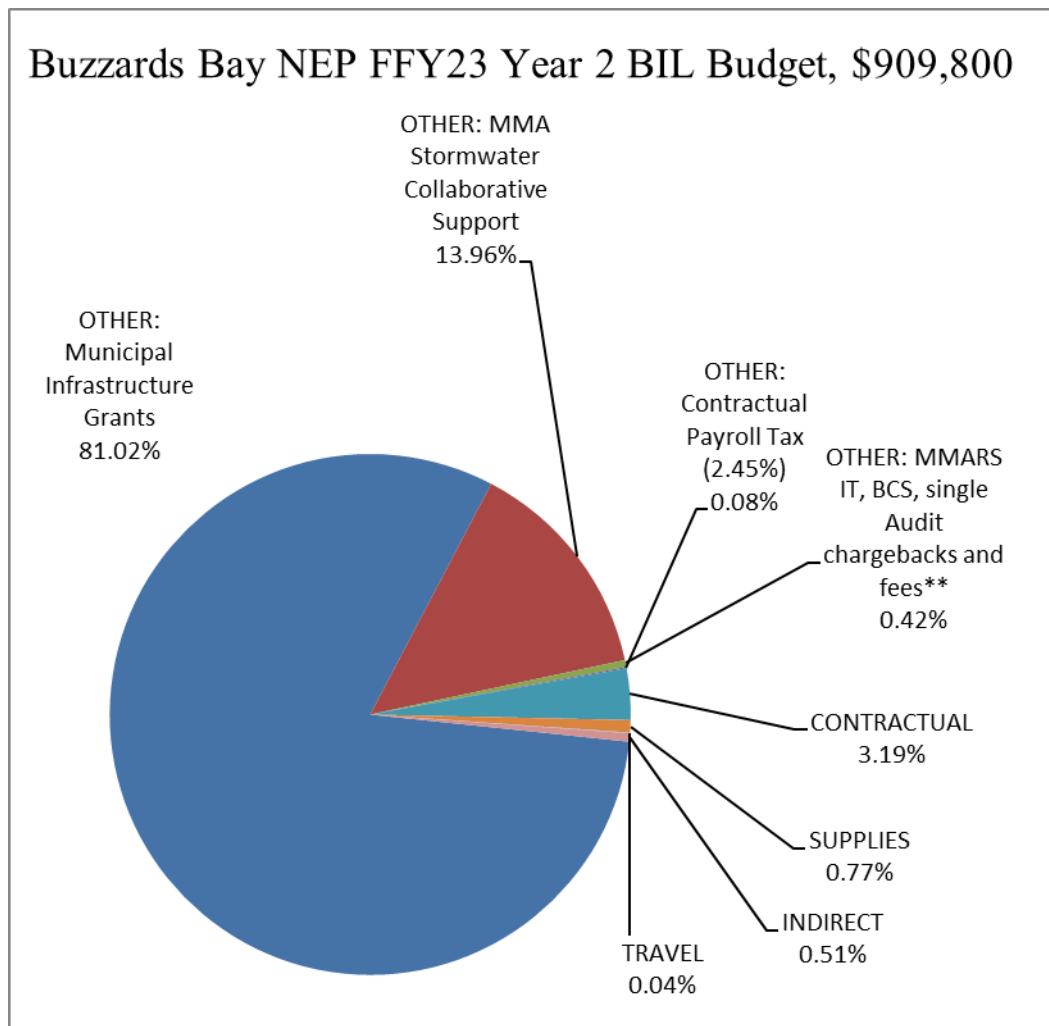


Fig. 3 Pie chart of expenditures under the FFY23 Year 2 IIJA/BIL funding.

Table 5. Simplified Cost Table for SF424 grant application.

1	PERSONNEL	\$0
2	FRINGE	\$0
3	TRAVEL	\$400
5	SUPPLIES	\$7,000
6	CONTRACTUAL	\$28,989
8	OTHER	\$868,743
9	TOTAL DIRECT	\$905,132
10	INDIRECT	\$4,668
11	TOTAL (100% Federal)	\$909,800

Section 5: Funds Leveraged in Support of the Cooperative Agreement

As noted earlier, EPA has waived the match/cost-share requirements for BIL funds. However, EPA requires that NEPs track and report any leveraged funds or activities. To meet this requirement, the NEP will require the submission of leveraged fund reports for all grants and sub-awards (these will be like the match reports now required for Section 320 funds), and the NEP will prepare close-out leveraged fund reports, like the close-out match reports now prepared by the NEP for Section 320 funds.

File: BBNEP-BIL2-workplan_FFY23-25APR2023.docx