

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
JULY 19, 2011**

ITEM 3

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING REGIONAL WATER QUALITY CONTROL BOARDS NONPOINT SOURCE (NPS) PROGRAM PROJECT PREFERENCES, AUTHORIZING STAFF TO SOLICIT AND RECOMMEND PROJECTS, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2012 FEDERAL CLEAN WATER ACT 319(H) NPS GRANT PROGRAM.

DISCUSSION

The CWA 319(h) NPS Grant Program provides funding to states to implement their respective NPS Programs. A portion of these funds may be used for grants to implement total maximum daily loads (TMDLs) and watershed-based plans to restore impaired water bodies. The State Water Resources Control Board (State Water Board) is authorized to administer approximately \$5.3 million for this purpose from the 2012 CWA 319(h) NPS Grant.

Projects for the 2012 CWA 319(h) NPS Grant will be solicited using the 2012 CWA 319(h) NPS Grant Program Guidelines (Guidelines) developed by staff of the State Water Board, the Regional Water Quality Control Boards (Regional Water Boards), and the U.S. Environmental Protection Agency (U.S. EPA). The Guidelines identify TMDL watersheds with watershed based plans as preferences for targeting grant funds for both planning and implementation projects. For the 2012 CWA 319(h) NPS Grant Program, staff from the State Water Board, the Regional Water Boards, and U.S. EPA developed the 2012 CWA 319(h) NPS Program Preferences (Program Preferences), as presented in [Exhibit 1](#). The Guidelines will be modified to incorporate the Program Preferences and any associated changes to the criteria and review process, as determined by staff of the State Water Board, Regional Water Boards, and U.S. EPA.

In addition to approving these Program Preferences, the Resolution authorizes staff to solicit and recommend projects for funding to the Executive Director or designee. The Executive Director, or designee, would be authorized to award and execute finance agreements for the 2012 CWA 319(h) NPS Grant Program and to perform all acts and to do all things necessary and convenient to implement such agreements.

POLICY ISSUE

Should the State Water Board:

1. Approve the proposed Program Preferences, presented in Exhibit 1, and make projects that address the Program Preferences eligible to compete for funding through the 2012 CWA 319(h) NPS Grant Program?

2. Authorize staff to solicit and recommend projects to the Executive Director or designee for funding that address the Program Preferences?
3. Authorize the Executive Director, or designee, to award and execute finance agreements and amendments to implement projects that address the Program Preferences and to perform all acts and to do all things necessary and convenient to implement such agreements?

FISCAL IMPACT

Local assistance appropriations authorized for federal funding are expected to be sufficient to fund the recommended projects. Staff resources to conduct the solicitation and manage the selected projects are provided through a U.S. EPA grant.

REGIONAL BOARD IMPACT

Yes, all Regional Water Boards.

STAFF RECOMMENDATION

The State Water Board should:

1. Approve the proposed Program Preferences, presented in Exhibit 1, and make projects that address the Program Preferences eligible to compete for funding through the 2012 CWA 319(h) NPS Grant Program;
2. Authorize staff to solicit and recommend projects to the Executive Director or designee for funding that address the Program Preferences; and
3. Authorize the Executive Director, or designee, to award and execute finance agreements and amendments to implement projects that address the Program Preferences and to perform all acts and to do all things necessary and convenient to implement such agreements.

State Water Board action on this item will assist the Water Boards in reaching Goal 1 of the Strategic Plan Update: 2008-2012 to "Implement strategies to fully support the beneficial uses for all 2006-listed water bodies by 2030." In particular, approval of this item will assist in fulfilling "Objective 1.1. Implement a statewide strategy to efficiently prepare, adopt, and implement TMDLs, which result in water bodies meeting water quality standards, and adopt and begin implementation of TMDLs for all 2006-listed water bodies by 2019."

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2011-

APPROVE REGIONAL WATER QUALITY CONTROL BOARDS NONPOINT SOURCE (NPS) PROGRAM PROJECT PREFERENCES, AUTHORIZING STAFF TO SOLICIT AND RECOMMEND PROJECTS, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2012 FEDERAL CLEAN WATER ACT 319(H) NPS GRANT PROGRAM.

WHEREAS:

1. The CWA Section 319(h) NPS Grant Program provides funding to states to implement their NPS Programs. A portion of these funds may be used for grants to implement total maximum daily loads (TMDLs) and watershed-based plans to restore impaired water bodies;
2. The State Water Resources Control Board (State Water Board) is authorized to administer approximately \$5.3 million in federal funds pursuant to CWA 319(h) for local NPS pollution control planning and implementation activities; and
3. State Water Board, Regional Water Quality Control Boards, and U. S. Environmental Protection Agency staff have developed a list of NPS Program Preferences (Program Preferences) ([see Exhibit 1](#)) to target funds to TMDL watersheds.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the proposed Program Preferences, presented in Exhibit 1, and makes projects that address the Program Preferences eligible to compete for funding through the 2012 CWA 319(h) NPS Grant Program;
2. Authorizes staff to solicit and recommend projects to the Executive Director or designee for funding that address the Program Preferences; and
3. Authorizes the Executive Director, or designee, to award and execute finance agreements and amendments to implement projects that address the Program Preferences and to perform all acts and to do all things necessary and convenient to implement such agreements.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 19, 2011.

Jeanine Townsend
Clerk to the Board