

APPENDIX 2 - DEFINITIONS

DEFINITIONS

Applicant - means an entity that files an application for funding under the provisions of CWA Section 319(h) with the State Water Resources Control Board (State Water Board).

Application - refers to the electronic submission to the State Water Board that requests grant funding for the project that the applicant intends to implement. It includes the responses to the questions included in the on-line application system as well as the proposal.

Areal Extent - refers to the area that: 1) encompasses the implementation activity, and/or 2) magnitude of the area effected by the implementation activity

Beneficial Uses - refers to the uses that streams, lakes, rivers, and other water bodies, have to humans and other life. These uses, or beneficial uses, are outlined in the Regional Water Board's Water Quality Control Plan (Basin Plan). Categories of beneficial uses include water contact recreation, non-water contact recreation, municipal water supply, cold fresh water habitat, and more. Each body of water in the State has a set of beneficial uses it supports that may or may not include all categories of beneficial uses. Different beneficial uses require different water quality control. Therefore, each beneficial use has a set of water quality objectives designed to protect that beneficial use. Below is a list of some of the beneficial uses.

Water used for the following purposes: domestic (homes, human consumption, etc.), irrigation (crops, lawns), power (hydroelectric), municipal (water supply of a city or town), mining (hydraulic conveyance, drilling), industrial (commerce, trade, industry), fish and wildlife preservation, aquaculture (raising fish etc. for commercial purposes), recreational (boating, swimming), stockwatering (for commercial livestock), water quality, frost protection (misting or spraying crops to prevent frost damage), heat control (water crops to prevent heat damage), ground water recharge, agriculture, etc.

Capital Cost - as defined in Public Resources Code, Section 32025, "cost" as applied to a project, or a part thereof, financed under this division, or any part of, the costs of construction and acquisition, of all lands, structures, real or personal property, rights, rights-of-way, franchises, easements, and interests acquired or used for a project, the cost of demolition or removal of any building or structure on land so acquired, including the cost of acquiring any lands on which buildings or structures may be removed, the cost of all machinery and equipment, financing charges, interest prior to, during, and for a period after completion of the construction, as determined by the authority, provisions for working capital, reserves for principal and interest, and for extensions, enlargements, additions, replacements, renovations, and improvements, the cost of architectural, engineering, financial, and legal services, plans, specifications, estimates, administrative expenses, and

APPENDIX 2 - DEFINITIONS

other expenses necessary or incidental to determining the feasibility of constructing any project, or construction or acquisition or financing of any project.

Connectivity – means that the location of the proposed project is hydraulically connected to the waterbody for which the TMDL was developed.

Disadvantaged Community – means a community with an annual median household income that is less than 80 percent of the statewide annual median household income (California Water Code § 79505.5 (a)).

Eligible Applicant – is an applicant that meets the eligibility requirement set forth in Section I of the guidance document.

Environmental Justice – means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or social-economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations, or the execution of Federal, State, local, and tribal programs and policies.

Evaluation Criteria – means the set of requirements used to choose a project for a given program or for funding; the specifications or criteria used for selecting or choosing a project based on available funding.

For Profit Entity – is an entity that benefits monetarily from the project. This includes, but not limited to for-profit organizations, private organizations, and 501(c) (4) lobby organizations.

Funding Match – means funds made available by the grantee from non-State sources. The funding match may include, but is not limited to, federal funds, local funding, or donated and volunteer services from non-State sources. A State agency may use State funds and services (California Water Code § 79505.5 [b-c]). Eligible reimbursable expenses incurred after adoption of the Guidelines and prior to the project completion date can be applied to the funding match. Additionally, education and outreach may qualify as a portion of the funding match. The match must be 25% of the total project cost.

Grantee – refers to a grant recipient such as public agencies, local public agencies, public colleges, tribes, or nonprofit organizations as defined in this Appendix, which are eligible for grant funding.

Granting Agency – means the agency that is funding a proposal and with which a grantee has a grant agreement. The State Water Board will be the granting agency for the 2010 NPS Grant Program.

Impaired Water Body – means surface waters identified by the Regional Water Boards as impaired because water quality objectives are not being achieved or where the

APPENDIX 2 - DEFINITIONS

designated beneficial uses are not fully protected after application of technology-based controls. A list of impaired water bodies is compiled by the State Water Board pursuant to CWA section 303(d).

Implementation Project Category – refers to on-the-ground TMDLs/watershed plan implementation targeted toward achieving water quality goals. See the **Program – Guidelines** – Section B for more detailed information.

Indian Tribes – refers to federally recognized tribes.

Ineligible Applicant- an applicant that does not meet the eligibility requirements specified in **Program Guidelines** – Section B.

Integrated Plan for Implementation of Watershed Management Initiative – refers to the combined Watershed Management Initiative Chapters of all nine (9) Regional Water Boards, as well as the State Water Board and USEPA.

Local Public Agency – any city, county, city and county, or district.

Local Watershed Management Plan – as defined in Section 79078 of the California Water Code, refers to a document prepared by a local watershed group that sets forth a strategy to achieve an ecologically stable watershed, and that does all of the following: (1) defines the geographical boundaries of the watershed; (2) describes the natural resource conditions within the watershed; (3) describes measurable characteristics for water quality improvements; (4) describes methods for achieving and sustaining water quality improvements; (5) identifies any person, organization, or public agency that is responsible for implementing the methods for achieving and sustaining water quality improvements; (6) provides milestones for implementing the methods for achieving and sustaining water quality improvements; and (7) describes a monitoring program designed to measure the effectiveness of the methods for achieving and sustaining water quality improvements.

Management Measures (MMs) – means economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of NPS pollution, which reflect the greatest degrees of pollutant reduction achievable through the application of the best available NPS pollution control practices, technologies, processes, siting criteria, operating methods, or alternatives (http://www.waterboards.ca.gov/water_issues/programs/nps/docs/cammpr/info.pdf)

Management Practices (MPs) – means methods or practices designed to control NPS pollution. MPs include, but are not limited to, structural and nonstructural controls and operation and maintenance procedures. MPs can be applied before, during, and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

Nearly Adopted TMDL – A TMDL that will be adopted by June 30, 2012.

APPENDIX 2 - DEFINITIONS

Nonpoint Source Pollution (NPS) - NPS Pollution is water pollution that does not originate from a discrete point, such as a sewage treatment plant outlet. NPS pollution is a by-product of land use practices, such as those associated with farming, timber harvesting, construction management, marina and boating activities, road construction and maintenance, mining, and urbanized areas not regulated under the point source stormwater program. Primary pollutants include sediment, fertilizers, pesticides and other pollutants that are picked up by water traveling over and through the land and are delivered to surface and ground water via precipitation, runoff, and leaching. From a regulatory perspective, pollutant discharges that are regulated under the National Pollutant Discharge Elimination System Permit (NPDES) are considered to be point sources. By definition, all other discharges are considered NPS pollution.

Nonpoint Source Pollution Plan (NPS Plan) – refers to the State Water Board adopted plan developed in collaboration with the Regional Water Boards and the California Coastal Commission to meet the requirements of section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 and CWA Section 319. The Plan addresses California’s NPS pollution by assessing the State’s NPS pollution problems/causes and implementing management programs.

Nonpoint Source (NPS) Program Preferences- projects located in adopted or nearly adopted TMDL watersheds identified by the Regional Water Board’s NPS and TMDL Programs that are considered priority for funding projects **Program Guidelines** –Section I.

Nonprofit Organization – means any California corporation organized under Sections 501c (3), 501(c)(4), or 501(c)(5) of the Federal Internal Revenue Code.

Section 501(c)(3) defines Nonprofit Organizations as:

“Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.”

Section 501(c)(4) defines Nonprofit Organizations as:

“Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes.

APPENDIX 2 - DEFINITIONS

Subparagraph (A) shall not apply to an entity unless no part of the net earnings of such entity inures to the benefit of any private shareholder or individual.”

Section 501(c)(5) defines Nonprofit Organizations as:

“Labor, agricultural, or horticultural organizations.”

Northern California – means those counties not listed below as “Southern California.”

Planning/Assessment Project Category – consist of planning/assessment project that clearly lead to TMDL implementation in an adopted/nearly adopted TMDL watershed identified in the Program Preferences. See project eligibility in the **Program Guidelines** – Section B for more detailed information.

Pollutant Load Reduction – means the decrease of a particular contaminant in the impaired waterbody resulting from the implementation of the project.

Private Party/Entity – refers to an entity that is not a unit of government, including but not limited to a corporation, partnership, company, nonprofit organization or other legal entity or natural person.

Project – refers to the entire set of actions, including planning, permitting, constructing, monitoring, and reporting on all of the proposed activities, including structural and non-structural implementation of management measures and practices. See **Program Guidelines** – Section B for more detailed information.

Project Area - refers to the geographical boundaries, as defined by the applicant, which encompass the area where the project will be implemented/constructed, including the area where the benefits and impacts of project implementation or planning activities extend. For projects to develop local watershed management plans, the project area includes the entire area included in the planning activities.

Proposal – refers to all of the supporting documentation submitted that details the project and actions that are proposed for funding pursuant to an application for a grant.

Public Agency – is any city, county, city and county, district, the State, or any agency or department thereof.

Public Colleges – refers to State Universities, University of California, and community colleges.

Public Works – as defined in the California Labor Code, Section 1720.

Regional Agency – means public agencies with statutory authority over land-use or water management whose jurisdiction encompasses an area greater than the jurisdictional boundaries of any one local public agency.

Reimbursable Costs – means costs that may be funded under CWA 319(h) Grants Program. Reimbursable costs include the reasonable costs of engineering, design,

APPENDIX 2 - DEFINITIONS

legal fees, preparation of environmental documentation, environmental mitigation, and project implementation Education/outreach is an eligible reimbursable expense only if it is a secondary component of a project.

Section 303(d) List – refers to CWA section 303(d) that requires each state to periodically submit to the USEPA a list of impaired waters. Impaired waters are those that are not meeting the State's water quality standards. Once the impaired waters are identified and placed on the list, section 303(d) requires that the State establish TMDLs that will meet water quality standards for each listed water body

Southern California – means the Counties of San Diego, Riverside, Orange, Los Angeles, San Bernardino, and Ventura.

Stakeholder – is an individual, group, coalition, agency, or others who are involved in, affected by, or have an interest in the implementation of a specific program or project.

Technical Review Panel (Review Panel) – panel composed of State and Regional Water Board Staff and USEPA representative(s) to review the eligibility of the applicant and project, in addition to reviewing evaluating, scoring, and ranking the Concept and Full Proposals for funding.

Total Maximum Daily Load (TMDL) – identifies the maximum quantity of a particular pollutant that can be discharged into a water body without violating a water quality standard, and allocates allowable loading amounts among the identified pollutant sources.

TMDL Under-Development – a TMDL for which the sources of NPS pollution have been identified, load allocations have been assigned to the sources, the NPS elements of the TMDL implementation plan have been developed, and the next step is for adoption by the respective Regional Board.

Comment [S1]: Do we need this

Watershed Management Area (WMA) – is a basic planning unit and may contain one or more drainage "basins" or "watersheds." For more detailed information on WMAs refer to the Watershed Management Initiative Chapter(s) of the Regional Water Boards in which the project is located.