

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 92-56

AUTHORIZING THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE,  
TO ACCEPT A CLEAN WATER ACT (CWA) SECTION 104(b)(3) GRANT  
FOR DEVELOPMENT AND ENHANCEMENT OF A WETLANDS PROTECTION PROGRAM

WHEREAS:

1. The U.S. Environmental Protection Agency (EPA) has adopted the goal of achieving no overall net loss of the Nation's wetlands and, where feasible, of increasing the quantity and quality of the Nation's wetlands.
2. The State Water Resources Control Board (State Water Board) recognizes the need to provide reasonable protection for California's remaining wetlands.
3. Congress has appropriated \$7.25 million in Federal Fiscal Year (FFY) 1992 to help states develop or enhance wetland protection programs. Funds will be disbursed by EPA under CWA Section 104(b)(3).
4. State Water Board staff has submitted a proposal to EPA for development and enhancement of a wetlands protection program to be funded by a FFY 1992 CWA Section 104(b)(3) grant.
5. A notice of intent has been submitted to the State Clearinghouse advising it of the State Water Board's application for the FFY 1992 CWA Section 104(b)(3) funds.

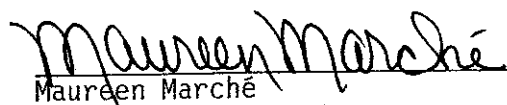
THEREFORE, BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director, or his designee, to:

1. Accept a CWA Section 104(b)(3) grant in the amount of \$367,215 from EPA for wetlands protection program development and enhancement, if offered;
2. Negotiate subsequent amendments to the workplan not affecting the total grant amount; and
3. Negotiate and execute contracts and amendments in accordance with the program workplans.

CERTIFICATION

The undersigned, Administrative Assistant to the State Water 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 16, 1992.



Maureen Marché  
Administrative Assistant to the Board

Revised Application for Federal Clean Water Act Section 104(b)(3)  
Wetlands Protection Grant for Federal Fiscal Year 1992

State Water Resources Control Board (State Water Board)  
Regional Water Quality Control Boards (Regional Water Boards)

PROJECT TITLE

Wetlands Quality Protection and Enhancement Strategy for California

PERIOD OF PERFORMANCE

July 1, 1992 through December 31, 1994 (completion dates vary among individual tasks)

PURPOSE

The purpose of this cooperative agreement is to (a) initiate new planning activities and review existing regulatory activities at the State and Regional Water Boards and (b) initiate regional pilot wetlands protection and enhancement projects tied to a statewide wetlands water quality control strategy. This proposal is an outgrowth of a previous State Water Board wetlands task proposal funded by the U.S. Environmental Protection Agency (EPA) in Federal Fiscal Year (FFY) 1991. Previous and newly proposed tasks fit into an overall wetlands protection scheme as outlined in Figure 1.

SCOPE OF WORK

This proposal was developed in coordination with the California State Resources Agency through participation in that agency's wetlands working group. The Resources Agency applied separately for FFY 1992 Section 104(b)(3) grant funding with a work proposal complimenting the contents of the State and Regional Water Board proposal.

The result of this California State and Regional Water Board cooperative work proposal will be funding of staffing positions and contractual work to accomplish the following tasks:

- (1) Develop and followup on proposed inland wetlands water quality control language for State Water Board consideration.

This language will include three products developed under a FFY 1991 CWA Section 104(b)(3) grant from EPA to the State Water Board (i.e., wetlands definition, wetlands beneficial use review, narrative wetlands water quality objectives) as well as additional planning products (see list below). Staff plan to introduce this language through one of several alternatives which may include an amendment to the statewide Inland Surface Waters Plan (Inland Plan). Enclosed bay and estuary wetlands water quality language is being developed concurrently at the State Water Board and efforts to amend the Enclosed Bays and Estuaries Plan are being funded under a separate EPA-sponsored grant.

At a minimum, the inland wetlands language will include:

1. A general statewide definition of wetlands as waters of the State.\*
2. Revisions, as appropriate, of the beneficial use categories to more accurately reflect beneficial uses of water in regional wetlands.\*
3. Narrative water quality objectives to provide reasonable protection of beneficial uses for wetlands waters.\*
4. Provisions for addressing constructed or artificial wetlands for waste treatment or other valid uses.
5. A program for implementing wetlands water quality protection.

Proposed language marked with an asterisk (\*) above is being developed under a FFY 1991 Section 104(b)(3) grant. This previously developed language, along with new concepts, will be entered into the agency and public review process required by Federal and State law in order to seek State Water Board adoption and EPA acceptance for revision to a water quality control document. Figure 2 diagrams the minimum number of steps which would be required for Inland Plan revision. Controversial issues, such as wetlands water quality control, can be expected to require additional steps. The extent of time necessary to go from concept to plan revision is difficult to estimate. A minimum of six months from State Water Board hearing to workshop should be expected.

In conjunction with efforts to prepare and introduce wetlands water quality control language for State Water Board adoption, this task also includes staff coordination with local area governments, State and Federal agencies, special interest groups, and the public concerning wetlands activities, including continued participation in the California Resources Agency wetlands working group and continued interaction with EPA on wetlands-related issues.

- (2) Additional support for Lahontan Regional Water Board (Region 6) wetlands-related activities.

Specifically, funding is requested for followup activities to the Region 6 Basin Planning Update Program wetlands work. These followup activities include (a) amending the Region 6 Basin Plan with the regional wetlands information (e.g., wetlands mapping and beneficial uses designations) formulated under Basin Planning Update Program activities and wetlands water quality control language developed at the State and Regional Water Boards into the Region 6 Basin Plan, and (b) coordinating with the State Water Board, other Agencies, and the public on wetlands issues including the Clean Water Act (CWA) Section 401 program.

- (3) Reviewing wetlands regulatory options currently available to the State and Regional Water Boards. Staff will develop for State Water Board consideration administrative procedures which the State and Regional Water Boards may use for coordinating wetlands protection steps with the U.S. Army Corps of Engineers (Corps) CWA Section 404 dredge and fill permit program. Staff will develop, in consultation as appropriate with local area governments, the U.S. Fish and Wildlife Service (USFWS), the U.S. National Marine Fisheries Service (USNMFS), and the California

Department of Fish and Game (CDFG), interagency coordination procedures for review of CWA Section 401 applications. Staff will also review Federal and State regulations and the State Administrative Procedures Manual to clarify CWA Section 401 procedures and develop technical guidance for State and Regional Water Board staff to streamline where possible the CWA Section 401 certification program.

- (4) Training to improve State and Regional Water Board staff expertise in wetlands regulatory administration including understanding jurisdiction, interpreting federal applications, developing permits, assessing potential impacts on beneficial uses, and background knowledge on wetlands biology. Staff will convene Regional Water Board staff workshop(s) and develop necessary written material to facilitate incorporation of work from Task 4 into Regional Water Board practice. EPA, Corps, USFWS, and CDFG staffs will be asked to participate in the workshop(s).
- (5) Development of regional wetlands watershed pilot programs. Three specific pilot projects are advocated within this proposal. These projects will determine specific wetlands beneficial use components, assess threats and impacts from permitted and non-permitted activities, recommend best techniques for eliminating or easing threats, and develop strong conservation plans for current and future wetlands quality protection at specific sites. The techniques developed and refined in pilot programs will be applicable to other regional wetlands sites in California and other states.
  - a. San Francisco Bay Estuary Wetlands Management Plan -- This proposal is offered as Watershed Protection Approach demonstration project. The San Francisco Regional Water Board (Region 2) proposes to develop a wetlands management plan for the San Francisco Bay Estuary. Funds will be used to review existing studies and gather new information as necessary to determine and rank wetlands functions and values, concentrating on the north and south arms of the Bay. A means for evaluating the importance of different types and amounts of wetlands in these areas towards the overall maintenance of viable fish and wildlife populations will be determined.
  - b. Black Lake Wetlands Enhancement Project -- This proposal may be considered a Watershed Protection Approach demonstration project. The Central Coast Regional Water Board (Region 3) proposes a first phase study of water quality, hydrologic parameters, identification of beneficial uses, and identification of threats to beneficial uses for the dune lake wetlands and peat bogs of the 640 acre Black Lake area of Nipomo Mesa, San Luis Obispo County, California. This wetlands area is significant because of the presence of at least four threatened species, particularly valuable and/or unusual plant populations, and unique geological, hydrologic, and biologic habitat. Suspected threats to the areas include toxic constituents in agricultural runoff, sedimentation from man-caused erosion, loss of fresh water sources due to erected barriers and non-native trees, and bacterial contamination from septic systems.

- c. Squaw Queen Creek Improvement Project -- This can be considered a multi-objective river corridor (MORC) management project. The Central Valley Regional Water Board (Region 5) proposes to contribute to a project to decrease erosion and enhance wetlands habitat adjacent to Squaw Queen Creek in the Milford Forest Service District of Plumas County, California. This federal, state, and local agency cooperative effort (California Departments of Water Resources and Fish and Game; Plumas County Fish and Wildlife Commission, Ducks Unlimited, Wildlife Conservation Board, U.S. Forest Service; Pacific Gas and Electric Company; Regional Water Board) will include waterway repair, roadway relocation, levee construction, cattle fencing, and waterfowl habitat restoration on a four-mile stretch of creek.

#### TASK PRODUCTS

- Task 1. Proposal to amend or revise the Inland Surface Waters Plan with planning language (developed under both the FFY 1991 and FFY 1992 wetlands grants) prepared and presented for State Water Board approval. The proposal will include a general definition of wetlands as water bodies of the State, revised beneficial use categories which include beneficial uses of wetlands, and narrative wetlands water quality objectives to provide reasonable protection of beneficial uses.
- Task 2. Annual report or presentation to EPA Region IX staff summarizing the progress made in wetlands protection activities at the Lahontan Regional Water Board.
- Task 3. Written program guidance including administrative procedures, technical guidance, revision, as necessary, of the State Water Board Administrative Procedures Manual, and review of State regulatory options; and recommended interagency coordination procedures.
- Task 4. Training workshops, associated written materials, and certificates of training from an EPA-approved source for staff involved with the CWA Section 401 certification program.
- Task 5. For each of three specific projects, periodic (e.g., semi-annual) progress reports and a final report at project conclusion discussing work progress, tasks accomplished, task problems, and final accomplishments. Other products may be added according to Federal requirements.

SCHEDULE

<u>Task</u>	<u>Title</u>	<u>Completion Date</u>
1.	Update of Inland Surface Waters Plan	September 30, 1993
2.	Regional Water Board Wetlands Activities	September 30, 1993
3.	Reviewing Current Regulatory Options	September 30, 1994
4.	State and Regional Water Board Staff Training	September 30, 1993
5.	Three Regional Wetlands Watershed Pilot Programs	September 30, 1994
	a. San Francisco Bay Estuary Wetlands Management Plan	
	b. Black Lake Wetlands Enhancement Project	
	c. Squaw Queen Creek Improvement Project	

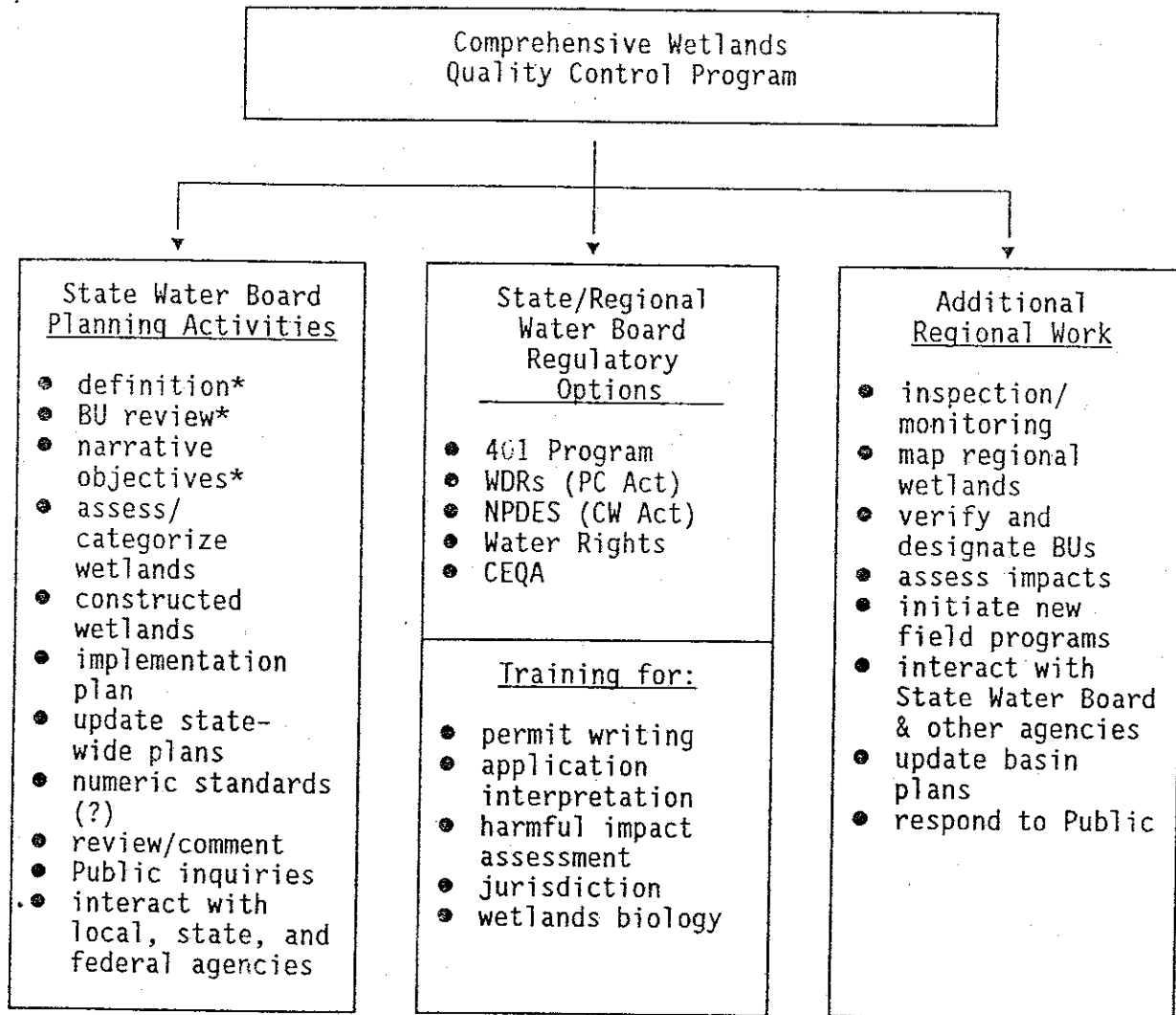
FFY 1992 Sect. 104(b)(3) Grant Application

PROPOSED BUDGET

Task 1.	Staff (Environmental Specialist III) (0.5 PY)	\$ 47,500	
	Equipment	0	
	Contracts	0	
Task 2.	Staff (Environmental Specialist III) (0.3 PY)	28,500	
	Equipment	0	
	Contracts	0	
Task 3.	Staff (Environmental Specialist III) (1.0 PY)	95,000	
	Equipment	0	
	Contracts	0	
Task 4.	Staff	0	
	Equipment	0	
	Contracts (regulatory/administrative/biological regional training workshops)	<u>15,000</u>	186,000
Task 5.			
<u>R-2</u>	a. Staff (Environmental Specialist III) (1.1 PY)	104,215	
	Equipment	0	
	Contracts		104,215
<u>R-3</u>	b. Staff	0	
	Equipment	0	
	Contracts (lab analysis)	12,000	
	(assessment)	7,000	
	(restoration planning)	9,000	
	(best management planning)	4,000	32,000
<u>R-5</u>	c. Staff	0	
	Equipment	0	
	Contracts (with Dept. Water Resources for structural engineering services)	<u>45,000</u>	<u>45,000</u>
			\$367,215
TOTAL:			

Figure 1.

California State Water Resources Control Board/  
Regional Water Quality Control Boards



\* Funded under FFY 1991 CWA Section 104(b)(3) grant from EPA.



Figure 2

Minimum Steps Required For Amending  
The Inland Surface Waters Plan

