

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
JUNE 21, 2006**

ITEM 7

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO APPLY FOR, ACCEPT, AND/OR AMEND A FEDERAL CLEAN WATER ACT SECTION 319(h) GRANT AND AUTHORIZING EXECUTION AND AMENDMENT OF CONTRACTS FOR SUPPORT OF THE NONPOINT SOURCE PROGRAM

DISCUSSION

Federal Clean Water Act section 319(h) (CWA 319 [h]) provides grants to states to implement Nonpoint Source (NPS) Management Programs. Approximately \$11,000,000 will be available to California under CWA 319(h) for federal Fiscal Year (FFY) 2006. Funds from FFY 2006 will be used to implement NPS projects and to support NPS contracts and activities managed and performed by staff of the Regional Water Quality Control Boards (Regional Water Boards), State Water Board, and California Coastal Commission.

The CWA 319(h) grants proposal process has been coordinated with the Watershed Management Initiative (WMI). Approximately half of the State's CWA 319 (h) grant funds are directed towards NPS projects through the competitive grants process. In January 2006, a consolidated solicitation notice for Proposition 40, Proposition 50, and for the 319 NPS Implementation Grant Program was released to initiate the solicitation process for CWA 319 (h) and bond-funded projects. Applicants were invited to submit concept proposals by February 2006. The concept proposals were reviewed and ranked by technical review panels and a final selection panel consisting of staffs from Regional Water Boards and the State Water Board (California Water Boards), United States Environmental Protection Agency, and other State and federal partner agencies in response to the solicitation notice. In March 2006 applicants submitting competitive concept proposals were invited to submit full proposals by May 2006. The full proposals will be reviewed by the technical review committees and a list of recommended CWA 319(h) projects finalized by August 2006. These proposals will be reviewed for contract readiness and presented to the State Water Board for approval once the federal grant is received.

POLICY ISSUE

Should the State Water Board adopt a resolution:

1. Authorizing the Executive Director, or designee, to apply for, accept, and amend, as necessary, an FFY 2006 CWA 319(h) grant for an amount up to \$11,000,000 for support of the NPS Program;

2. Authorizing the Executive Director, or designee, to negotiate and approve program workplans;
3. Authorizing the issuance of grants, contracts, and amendments that support the NPS Program; and
4. Authorizing the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

FISCAL IMPACT

Existing NPS Program budget authority is currently adequate to accommodate the anticipated grant.

REGIONAL WATER BOARD IMPACT

Yes. All Regional Water Boards.

STAFF RECOMMENDATION

That the State Water Board adopt a resolution:

1. Authorizing the Executive Director, or designee, to apply for, accept, and amend, as necessary, an FFY 2006 CWA 319(h) grant for an amount up to \$11,000,000 for support of the NPS Program;
2. Authorizing the Executive Director, or designee, to negotiate and approve program workplans;
3. Authorizing the issuance of grants, contracts, and amendments that support the NPS Program; and
4. Authorizing the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 - _____**

AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO APPLY FOR, ACCEPT,
AND/OR AMEND A FEDERAL CLEAN WATER ACT SECTION 319(h) GRANT AND
AUTHORIZING EXECUTION AND AMENDMENT OF CONTRACTS FOR SUPPORT OF
THE NONPOINT SOURCE PROGRAM

WHEREAS:

1. The federal Clean Water Act section 319(h) (CWA 319 [h]) provides grant funds for states to implement nonpoint source (NPS) management programs;
2. The State Water Resources Control Board (State Water Board) is the designated State agency in California to administer the NPS Program;
3. In November 2001, the State Water Board adopted its Strategic Plan, which identifies the implementation of a Watershed Management Initiative (WMI) as an ongoing high priority initiative which coordinates many State Water Board and Regional Water Quality Control Board activities under the WMI;
4. On December 14, 1999 and January 11, 2000, the State Water Board and the California Coastal Commission, respectively, approved the Plan for California's Nonpoint Source Pollution Control Program (NPS Program Plan), which includes activities the State will undertake to control NPS pollution;
5. On July 11, 2000, the United States Environmental Protection Agency (U.S. EPA) and National Oceanic Atmospheric Administration approved California's NPS Program Plan;
6. The U.S. EPA has notified the State Water Board that the federal Fiscal Year (FFY) 2006 CWA 319(h) grant allocation of approximately \$11,000,000 will be available to the State;
7. In January 2006, the State Water Board's Division of Financial Assistance distributed a consolidated solicitation notice requesting concept proposals for grant-funded NPS implementation projects;
8. The concept proposals were reviewed, ranked, and approved using the WMI process in accordance with the specifications in the guidelines for the consolidated grant program; and
9. The full proposals to be funded with the CWA 319 (h) grant will be reviewed for contact readiness, and the list of recommended proposals will be presented to the State Water Board by August 2006.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director, or designee, to apply for, accept, and amend, as necessary, an FFY 2006 CWA section 319(h) grant for an amount up to \$11,000,000 for support of the NPS Program;
2. Authorizes the Executive Director, or designee to negotiate and approve program workplans;
3. Authorizes the issuance of grants, contracts, and amendments that support the NPS Program; and
4. Authorizes the issuance of grants, contracts, and amendments to implement the NPS proposals after presenting State Water Board with the list of recommended full proposals selected from the competitive grants process once the grant is received.

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 June 21, 2006.

Song Her
Clerk to the Board