

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
APRIL 1, 2008**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A RESOLUTION ADOPTING PROPOSITION 84 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) GRANT PROGRAM GUIDELINES (GUIDELINES)

**DISCUSSION**

On November 7, 2006, voters approved the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) authorizing the issuance of bonds to fund a variety of water quality improvement projects. Proposition 84 authorized \$35 million to assist local public agencies to comply with the discharge prohibition into ASBS, contained in the California Ocean Plan. The Guidelines establish the process and criteria that the State Water Resources Control Board (State Water Board) will use to solicit applications, evaluate proposals and award grants for the Proposition 84 ASBS Grant Program. These Guidelines include the information and documentation applicants will be required to submit when applying for grant funding.

Proposition 84 also requires that the State Water Board use the Clean Beaches Task Force (CBTF) to review proposals and recommend projects for funding. In October 2007, the State Water Board adopted [Resolution 2007-0062](#) to add ten members to the existing CBTF that have technical expertise in ASBS. This subgroup hereafter referred to as the ASBS Task Force, represents ASBS experts from local agencies, environmental advocacy groups, academia, government, and scientific research organizations, representing the breadth and diversity of coastal communities.

State Water Board staff has engaged stakeholders in the development of the Guidelines through several venues. Staff conducted initial scoping meetings in Costa Mesa and Oakland with Regional Water Quality Control Board (Regional Water Board) staff, ASBS Task Force members, and other interested parties. The Guidelines' draft was also posted on the State Water Board website and circulated to the Lyris list for public review and comment.

The Guidelines propose a two-step proposal solicitation process. Applicants will submit Concept Proposals (CP) through the State Water Board on-line Financial Assistance Application Submittal Tool. Applicants with the highest-ranking CP will be invited to submit a Full Proposal. The Guidelines propose maximum and minimum grant amounts, sliding cost match scale for disadvantaged and small communities. They also propose geographical distribution of funds, 40 percent for projects in Southern California, 40 percent for projects in Northern California, and the remaining 20 percent to highest ranking projects regardless of location.

The Guidelines also propose bonus points for projects that are located within Marine Protected Areas; include local cost share or bond resources; are consistent with adopted Integrated Coastal Watershed Management Plan; implement Low Impact Development or sustainability principles and policies/ordinances; capture, treat and re-use stormwater; and improve ocean water quality near disadvantage or environmental justice communities.

In addition, the Guidelines propose a provision that authorizes the State Water Board's Deputy Director of the Division of Financial Assistance, to utilize funds from projects which are withdrawn or completed under budget, to fund additional projects recommended by the ASBS Task Force or augment the scope of and budget of projects previously awarded. The Guidelines also allow the ASBS Task Force to recommend that the State Water Board fund up to \$1 million in regional project effectiveness monitoring to ensure successful and coordinated implementation of projects funded through the competitive grant process.

## **POLICY ISSUES**

Should the State Water Board adopt the Proposition 84 ASBS Grant Program Guidelines?

## **FISCAL IMPACT**

Proposition 84 authorized \$35 million to assist local public agencies to comply with the discharge prohibition into ASBS, contained in the California Ocean Plan. The Governor's proposed Fiscal Year 2008-2009 Budget contains an appropriation to fund Proposition 84 ASBS projects. The staff required to review and select projects, and to administer grants for projects receiving ASBS Program funds will be funded by a five-percent administrative set-aside allowed by Proposition 84.

## **REGIONAL WATER QUALITY CONTROL BOARDS IMPACT**

Yes, Coastal Regional Water Boards.

## **STAFF RECOMMENDATION**

Adoption of the Proposition 84 ASBS Grant Program Guidelines, by the State Water Board.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

### ADOPTION OF PROPOSITION 84 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) GRANT PROGRAM GUIDELINES (GUIDELINES)

#### WHEREAS:

1. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) authorizes \$35 million to assist local public agencies to comply with the discharge prohibition into ASBS contained in the California Ocean Plan;
2. The State Water Resources Control Board (State Water Board) staff held workshops in September and October 2007, to solicit comments in the development of draft Guidelines;
3. The Guidelines establish eligibility, evaluation, cost match criteria, and review and selection process for the Proposition 84 ASBS Grant Program;
4. The draft Guidelines have been distributed for public comments through the State Water Board website and Lyris list. Comments received have been taken into consideration in the final Guidelines; and,
5. Up to five percent of the funds appropriated under Proposition 84 is available to the State Water Board for administrative costs.

#### THEREFORE BE IT RESOLVED THAT:

The State Water Board adopts the Proposition 84 ASBS Grant Program Guidelines.

#### 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 Board held on April 1, 2008.

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Jeanine Townsend  
Clerk to the Board