

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION - DIVISION OF FINANCIAL ASSISTANCE  
AUGUST 3, 2010**

**ITEM 4**

**SUBJECT**

CONSIDERATION OF A RESOLUTION APPROVING THE 2011 CLEAN WATER ACT (CWA) 319(h) NONPOINT SOURCE (NPS) PROGRAM PREFERENCES, AUTHORIZING STAFF TO SOLICIT AND RECOMMEND PROJECTS, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2010-2011 319(h) NPS GRANT PROGRAM

**DISCUSSION**

The Federal CWA Section 319(h) provides grants to states to implement NPS Management Programs. A portion of the funds may be used for grants to plan and implement watershed-based plans to restore impaired water bodies. The State Water Resources Control Board (State Water Board) is authorized to administer approximately \$4.5 million from Federal Fiscal Year (FFY) 2011 funds pursuant to Section 319(h) of the Federal CWA.

Projects for the 2009-2010 319(h) NPS Grant Program were solicited using Guidelines established by the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) and the U.S. Environmental Protection Agency (U.S. EPA) staff. The Guidelines identified Total Maximum Daily Load (TMDL) watersheds as preferences for targeting grant funds.

For the 2010-2011 319(h) NPS Grant Program, staff from the State Water Board and the applicable Regional Water Boards developed the 2011 CWA 319(h) NPS Program Preferences (Program Preferences), as presented in [Exhibit 1](#). The 319(h) NPS Grant Program Guidelines will be modified to incorporate the 2011 Program Preferences and any associated changes to the criteria and review process, as determined by State and Regional Water Boards and U.S. EPA staff.

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 2010-2011 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 2010-2011 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 is 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 WATER 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 2010-2011 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."

**D R A F T**  
**STATE WATER RESOURCES CONTROL BOARD**  
**RESOLUTION NO. 2010-**

APPROVING THE 2011 CLEAN WATER ACT (CWA) 319(h) NONPOINT SOURCE (NPS) PROGRAM PREFERENCES, AUTHORIZING STAFF TO SOLICIT AND RECOMMEND PROJECTS, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2010-2011 319(h) NPS GRANT PROGRAM

WHEREAS:

1. The Federal CWA Section 319(h) provides grants to states to implement NPS Management Programs. A portion of the funds may be used for grants to plan and implement watershed-based plans to restore impaired water bodies;
2. The State Water Resources Control Board (State Water Board) is authorized to administer approximately \$4.5 million in federal funds pursuant to Section 319(h) of the Federal CWA for local nonpoint source pollution control activities; and
3. State Water Board and Regional Water Quality Control Boards and U. S. Environmental Protection Agency staff developed Program Preferences to target funds to Total Maximum Daily Load 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 2010-2011 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 Board held on August 3, 2010.

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Jeanine Townsend  
Clerk to the Board