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Date: December 21, 2009

To: WATER SYSTEMS REQUESTING GREATER THAN \$1.25 MILLION OR SERVING GREATER THAN 1,000 SERVICE CONNECTIONS

Subject: SPECIAL NOTICE REGARDING FEDERAL CROSS-CUTTING REQUIREMENTS FOR THE SAFE DRINKING WATER STATE REVOLVING FUND PROGRAM

Federal cross-cutting requirements only apply to projects serving greater than 1,000 service connections or requesting greater than \$1.25 million. For systems with planning funds: please use this information to plan ahead for your construction project that may require federal cross-cutting compliance.

The California Safe Drinking Water State Revolving Fund Program (SDWSRF) will be receiving federal funding from the United States Environmental Protection Agency. As the source of funds is from the federal government, many requirements (Federal Cross-cutting Authorities) must be satisfied. A comprehensive list of federal cross-cutting authorities is provided in the attached document titled *Listing of Cross-Cutting Federal Authorities for Assistance Subgrants Authorized Under the SDWSRF*.

The majority of federal cross-cutting requirements reflects environmental impacts and necessitates the environmental review process. The major State environmental requirements are identified in the California Environmental Quality Act (CEQA). Federal requirements are identified in the National Environmental Policy Act and related laws, and in some instances are different from the CEQA requirements. Other federal cross-cutting requirements relate to economic or social policies including the Disadvantaged Business Enterprise (DBE) requirements, which ensure that these firms have the opportunity to participate in federally funded projects. There is no State equivalent to this federal requirement.

If you have any questions concerning the applicability of federal cross-cutting requirements to your project, please contact the Drinking Water Program District Engineer for your county.

Sincerely,

Stephen A. Woods, Assistant Chief
Division of Drinking Water
and Environmental Management

**Listing of Cross-Cutting Federal Authorities for Assistance Subgrants
Authorized Under the SDWSRF**

Environmental Authorities

- Archeological and Historic Preservation Act, Pub. L. 93-291, as amended
- Clean Air Act, Pub. L. 95-95, as amended
- Clean Water Act, Titles III, IV and V, Pub. L. 92-500, as amended
- Coastal Barrier Resources Act, Pub. L. 97-348
- Coastal Zone Management Act, Pub. L. 92-583, as amended
- Endangered Species Act, Pub. L. 93-205, as amended
- Environmental Justice, Executive Order 12898
- Flood Plain Management, Executive Order 11988 as amended by Executive Order 12148
- Protection of Wetlands, Executive Order 11990 as amended by Executive Order 12608
- Farmland Protection Policy Act, Pub. L. 97-98
- Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended
- Magnuson-Stevens Fishery Conservation and Management Act, Pub. L. 94-265
- National Historic Preservation Act, Pub. L. 89-655, as amended
- Safe Drinking Water Act, Pub. L. 93-523, as amended
- Wild and Scenic Rivers Act, Pub. L. 90-54, as amended

Economic and Miscellaneous Authorities

- Debarment and Suspension, Executive Order 12549
- Demonstration Cities and Metropolitan Development Act, Pub. L. 89 -754, as amended, and Executive Order 12372
- Drug-Free Workplace Act, Pub. L. 100-690
- New Restrictions on Lobbying, Section 319 of Pub. L. 101-121
- Prohibitions relating to violations of the Clean Water Act or Clean Air Act with respect to Federal contracts, grants, or loans under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, and Executive Order 11738
- Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended

Civil Rights, Nondiscrimination, Equal Employment Opportunity Authorities

- Age Discrimination Act, Pub. L. 94-135
- Equal Employment Opportunity, Executive Order 11246
- Section 13 of the Clean Water Act, Pub. L. 92-500
- Section 504 of the Rehabilitation Act, Pub. L. 93-112 supplemented by Executive Orders 11914 and 11250
- Title VI of the Civil Rights Act, Pub. L. 88-352

Disadvantaged Business Enterprise Authorities

- Participation by Disadvantaged Business Enterprises in Procurement Under Environmental Protection Agency (EPA) Financial Assistance Agreements