



# California Regional Water Quality Control Board

## Santa Ana Region



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**Arnold Schwarzenegger**  
Governor

(First Mailed to the Basin Plan/Board Meeting Agenda mailing list on May 21, 2001; revised and posted on the website on July 3, 2006.)

TO: ALL INTERESTED PARTIES

### **SOLICITATION OF SUGGESTIONS FOR SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEP)**

Under the authority of the California Water Code (CWC), the Regional Board may issue administrative civil liability complaints (ACLs) to dischargers in response to violations of waste discharge requirements, discharge prohibitions, enforcement orders, or other orders of the Regional Board. Assessments collected through the ACLC process are required by the CWC to be paid to the State Water Resources Control Board (State Board) Cleanup and Abatement Account (CAA). The State Board administers the CAA, and funds are used to address important water quality cleanup and abatement activities throughout the state.

As an alternative to depositing ACLC assessments in the CAA, the State Board's Enforcement Policy recognizes that ACLC assessments may be used for important and valuable water quality improvement projects within the Region in which the assessment was made. These are known as Supplemental Environmental Projects (SEPs). SEPs have been used in this and every other region in the state. SEPs are projects that enhance the beneficial uses of the waters of the state, provide a benefit to the public at large, and that, at the time they are assessed, are not otherwise required or would be greatly accelerated by the funding provided by the ACLC assessment.

Examples of SEPs include pollution prevention projects, environmental restoration programs, environmental auditing, public awareness and education activities, watershed assessments, watershed management facilitation services, and non-point source program implementation.

In May 2001, the Regional Board directed staff to solicit ideas for SEPs from interested parties and the general public. Staff received a number of recommendations in response to this solicitation and created a master list of approved SEPs. SEP recommendations are accepted from interested parties on a continuous basis and all eligible projects are added to the list of approved SEPs. The approved SEPs would then be available for funding by an ACLC recipient.

The purpose for this notice is to solicit your ideas for SEPs that could be funded as an alternative to directing assessments to the CAA. Attachment "1" to this letter contains general guidance related to SEP qualification criteria. Proposals should include the following:

*California Environmental Protection Agency*



1. A project title
2. Organization proposing the project (project manager's name, email address and phone number; type of organization {public, private, non-profit, etc.})
3. A brief description of the project, including an explanation of how the project satisfies the criteria listed in Attachment "A"
4. Total project cost, amount of SEP funding sought and other funding sources
5. Project schedule, including anticipated start and completion dates
6. End product. It could be project reports, educational materials, brochures, water quality data, etc.

We recommend to limit the proposals to approximately one page.

All SEP proposals should be submitted to Michael Adackapara at the address on this letterhead. A list of our currently approved SEP projects can be accessed from our website at:

<http://www.waterboards.ca.gov/santaana/html/sep.html>

This list is updated on an as needed basis.

Should you have any questions concerning this matter, please contact Michael Adackapara at 951-782-3238.

Sincerely,

Gerard J. Thibeault  
Executive Officer

Enclosure: Attachment "1"

## Attachment "1"

### General SEP Qualification Criteria

1. An SEP should only consist of measures that go above and beyond the obligation of the discharger.
2. The SEP should directly benefit or study groundwater or surface water quality or quantity, and the beneficial uses of waters of the State.
3. The SEP shall not directly benefit the State Board or a regional board.
4. The SEP shall not be an action, process or product that is otherwise required of the discharger by any rule or regulation of any entity.
5. The regional board shall also consider the institutional stability, capacity and ability of the discharger or third party to accomplish the work and provide the products and reports expected.
6. A SEP must have a nexus (connection or link) between the violation(s) and the SEP.

Examples of SEPs that have been funded within the Santa Ana Region include Arundo removal projects, stakeholder outreach efforts related to the storm water program for controlling pollutant discharges from construction projects, a diversion of urban runoff from a water contact recreation area, perchlorate remediation and toxicity bioaccumulation study.