

# STATE WATER RESOURCES CONTROL BOARD

## REGIONAL WATER QUALITY CONTROL BOARDS



### **AGRICULTURAL WATER QUALITY** G R A N T P R O G R A M

*And*

Federal Clean Water Act Section 319  
Nonpoint Source Implementation Grant Program

### **Program Guidelines**

**August 2004**

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## ACRONYMS USED IN THESE GUIDELINES AND APPENDICES

AWQGP	Agriculture Water Quality Grant Program
BIFS	Biologically Integrated Farming Systems
CCC	California Coastal Commission
CALFED	California Bay-Delta Authority
CEQA	California Environmental Quality Act
CWA	Federal Clean Water Act
DFA	Division of Financial Assistance
EPA/USEPA	U.S. Environmental Protection Agency
FFY	Federal Fiscal Year
GIS	Geographic Information System
IPM	Integrated Pest Management
MHI	Median Household Income
MM	Management Measures
MND	Mitigated Negative Declaration
MRP	Monitoring and Reporting Program
ND/IS	Negative Declaration and Initial Study
NEPA	National Environmental Policy Act
NOD	Notice of Determination
NOP	Notice of Preparation
NPDES	National Pollution Discharge Elimination System
NPS	Nonpoint Source
QAPP	Quality Assurance Project Plan
RWQCB	Regional Water Quality Control Board
SCH#	State Clearing House number
SWAMP	Surface Water Ambient Monitoring Program
SWRCB	State Water Resources Control Board
TMDL	Total Maximum Daily Load
U.S.C.	United States Code
USEPA	United States Environmental Protection Agency
WMI	Watershed Management Initiative

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*Throughout this document hyperlinks are used. Blue words are hyperlinked so that when you are using an electronic version of the document and click on the word, it will take you to the section of the document, or definition of the word. To return to the previous document, click the "back button" located at the top of the screen below the menu bar. Web sites are also hyperlinked and clicking on the web site address will take you to the web site (if you are connected to the Internet).*

*The Glossary of Terms used in this document is presented as [Appendix A](#).*

## **I. Purpose**

The Agricultural Water Quality Grant Program ([AWQGP](#)) will provide grants to eligible recipients for projects that reduce or eliminate the discharge of polluted [runoff](#) from irrigated agricultural lands. The funding sources for the AWQGP include State bond monies and Federal Clean Water Act (CWA) Section 319 (Section 319) funds. Projects that address Nonpoint Source (NPS) pollution from sources other than irrigated agriculture are also eligible for Section 319 funds.

These guidelines establish the process the State Water Resources Control Board (SWRCB) will use to administer the AWQGP and Section 319 funds. The guidelines do not include a Request for Proposals. The SWRCB will solicit projects by issuing a Solicitation Notice following adoption of these guidelines.

An interagency work group, comprised of staff from the SWRCB, Regional Water Quality Control Boards (RWQCB) and agricultural agencies developed these guidelines. Scoping workshops were held in three locations early in the program development process to obtain [stakeholder](#) input into the guidelines.

## **II. Introduction**

The SWRCB provides funding through a variety of programs to control [NPS](#) pollution. NPS pollution, also known as polluted [runoff](#), is the leading cause of water quality impairments in California and the nation. Agriculture is a leading contributor of NPS pollution in California. RWQCBs' programs to regulate discharges from irrigated agricultural lands have provided increased information regarding the extent and magnitude of water quality problems associated with irrigated agricultural lands. The AWQGP provides funding to define and address water quality problems from irrigated agricultural lands. Funding for the AWQGP is from the State and Federal sources discussed below.

### **State Proposition 40 and 50:**

In March 2002, the voters approved the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) authorizing the issuance of \$2.6 billion in bonds. The legislature, through the Watershed, Clean Beaches, and Water Quality Act of 2002 (Chapter 727, Statutes of 2002) appropriated \$175 million from Proposition 40 to the SWRCB for seven specific programs including \$11.4 million for the AWQGP.

In November 2002, the California voters approved the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) authorizing the issuance of \$3.4 billion in bonds. The SWRCB has \$29.5 million from Proposition 50 for the AWQGP.

Under this program, the SWRCB may award State Proposition 40 and 50 grants to public agencies and non-profit organizations for the purposes of agricultural water quality improvement through monitoring and implementation of nonpoint source pollution management measures and practices.

## **Federal CWA Section 319:**

Under Section 319, the United States Environmental Protection Agency (USEPA) provides funding to the SWRCB to support implementation of the *Plan for California's Nonpoint Source Pollution Control Program (NPS Program Plan)*. The SWRCB uses some of the Section 319 funds to provide grants for NPS implementation projects. The SWRCB will use funds available from Federal Fiscal Year (FFY) 2005 with the AWQGP funds, for projects related to discharge from irrigated agricultural lands. However, projects that address other categories of NPS pollution will also be eligible for Section 319 funds.

### **A. AWQGP and Section 319 Funding Distribution**

AWQGP and Section 319 grants will be provided to eligible [applicants](#) to *plan* and *implement* projects that reduce the discharge of agricultural pollutants from irrigated lands. Funding available through the AWQGP and Section 319 includes:

- [Proposition 40](#) - \$11.4 million
- [Proposition 50](#) - \$29.5 million
- CWA Section 319 – approximately \$5.5 million

To address California's need for water quality monitoring to further define and identify the source of water quality problems related to irrigated agriculture, the SWRCB is dedicating the \$11.4 million State Proposition 40 funds for such surface water quality monitoring projects. In the AWQGP, this type of monitoring project is referred to as Project Planning Monitoring. Results of the Project Planning Monitoring must be used to develop a plan to implement appropriate [management measures](#) to address the identified water quality problem.

The Proposition 50 and Section 319 monies will be used to fund implementation projects that demonstrate immediate and long-term improvements to surface water quality. Section 319 funds must be used for projects implementing established Total Maximum Daily Loads ([TMDLs](#)) or TMDLs that are under development. Monitoring associated with implementation projects will be identified and funded as part of the project and will not compete for Project Planning Monitoring funds.

### **B. Funding Priorities**

AWQGP and Section 319 funding priority will be given to projects that:

- Demonstrate the greatest potential to reduce the discharge of pollutants;
- Implement established [TMDLs](#) or TMDLs under development;
- Are consistent with the corresponding RWQCB [Watershed Management Initiative \(WMI\)](#) and other watershed plans;
- Address discharges from irrigated lands on a regional, watershed-based scale;
- Implement pollution prevention;
- Use technically and scientifically feasible methods to document and verify results through water quality monitoring or other means;
- Leverage other funds (private, local, in-kind, or Federal);
- Serve disadvantaged communities;
- Monitor for pollution source identification and problem definition.

Eligible projects and corresponding priorities are described in more detail in [Section III](#). AWQGP funding priorities as listed above, are reflected in the project ranking and [selection criteria](#) identified in [Section V](#).

### **C. Project Solicitation and Selection Process**

Within 30 days of adoption of these guidelines by the SWRCB, a Solicitation Notice will be issued. The Notice will provide application and project proposal submittal information. After release of the Solicitation

Notice and prior to the submittal deadline, the SWRCB, RWQCB, and USEPA staff will conduct informal workshops to assist applicants in developing projects that address the priorities listed above.

Applicants are encouraged to consult with the applicable RWQCB staff in developing their project proposal. If the proposed project meets Section 319 funding criteria, the applicant is also encouraged to consult with USEPA staff. Agency contacts are contained in [Appendix C](#).

Proposals will be evaluated for eligibility by SWRCB, RWQCB and USEPA staff. Eligible proposals will undergo a thorough review and ranking process where the funding source will be determined. (See [Section V](#) for more details. The proposal preparation and evaluation processes are detailed in Sections IV and V, respectively.) Projects recommended for funding will be presented to the public for comment and then to SWRCB for final consideration.

#### **D. Project Timeframes**

Following SWRCB adoption of selected projects, SWRCB staff will prepare and execute grant agreements or contracts with the funding recipient. A project may begin when the corresponding agreement is executed. The SWRCB will not retroactively fund any work that has already been initiated or completed on the project prior to execution of the agreement. Projects funded from Proposition 40 must be completed by September 30, 2008. Projects funded by Proposition 50 must be completed by March 31, 2008. Projects funded with Federal Section 319 monies must be completed within a three-year time period, start after September 1, 2005, and end no later than December 31, 2009. The SWRCB staff will notify all successful grant recipients of the applicable deadlines.

### **III. Program Requirements**

The funding sources within the AWQGP and Section 319 have specific requirements. Additionally, the SWRCB places requirements on this type of funding programs.

All projects must be consistent with the NPS Program Plan and either implement appropriate management measures, or monitor water quality. NPS management measures have been identified in the [NPS Program Plan](#) to specifically address agricultural nonpoint sources of pollution that affect State waters. A partial list of Management Practices that may be applicable to the agricultural management measures is included in [Appendix D](#). The SWRCB's NPS Encyclopedia also provides information on [Management Practices](#) and is available on <http://www.swrcb.ca.gov/quality.html> or <http://www.swrcb.ca.gov/nps/encyclopedia.html>.

All implementation projects must be consistent with applicable adopted local watershed management plans where they exist. Projects must:

- Provide measurable long-term water quality benefits;
- Include an effectiveness and assessment component, with monitoring where applicable; and
- Comply with the California Environmental Quality Act (CEQA), where applicable. (See [Appendix E](#) for further details of CEQA requirements);

For Section 319 funds, irrigated agriculture projects will be given a priority in the selection process. However, projects that address other categories of NPS pollution will also be considered. For Section 319 funds, projects must:

1. Implement activities to achieve pollutant reductions consistent with established TMDLs or TMDLs under development; and
2. Be consistent with watershed plans that address the USEPA-required elements for watershed-based plans (see [Appendix B](#)).

All implementation projects that propose pollution load and/or concentration reductions must report annual pollution load reductions (i.e. sediment and nutrients) based either on monitoring or estimations.

Successful grant recipients will be required to report project information and data to the SWRCB and the appropriate RWQCB. All water quality data generated must be compatible with the submittal requirements of the Surface Water Ambient Monitoring Program (SWAMP). Additional information regarding SWAMP requirements is available at: <http://www.swrcb.ca.gov/swamp/index.html>

Grant recipients must comply with applicable labor code sections that require payment of prevailing wage on public works projects.

State bond-funded implementation projects that assist in fulfillment of the goals of the CALFED Bay-Delta Authority (CALFED) Program must:

- Be consistent with the CALFED Programmatic Record of Decision; and
- Be implemented to the maximum extent possible through local and regional programs.

Additional Information on the CALFED Programs is available at: <http://calwater.ca.gov/>

Projects in the San Gabriel and Los Angeles River Watersheds must be consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan. The Plan is available at [http://www.rmc.ca.gov/plans/index\\_commonground.html](http://www.rmc.ca.gov/plans/index_commonground.html)

## **A. Eligible Grant Recipients**

Public agencies and nonprofit organizations, as these terms are defined in Appendix A, are eligible to receive funds. Public agencies may include local government agencies, special districts (e.g. resource conservation districts or water districts), State or Federal agencies, and Native American tribes. Educational institutions that are established as a public agency or nonprofit organization may also qualify to receive grant funds.

The SWRCB encourages partnerships through special districts, regional agencies, boards, commissions, coalition groups and other umbrella organizations formed to improve regional water quality management efforts. Parties that wish to collaborate on a project may elect to use a contractor-subcontractor relationship, joint venture partnership, joint powers authority, or other forms of inter-agency/organization agreement. **Applicants** that are partnerships must identify one eligible partner as the lead party responsible for entering into a funding agreement with the SWRCB.

Applicants are encouraged to form a “management team” of experienced individuals that will provide technical support with customized farm plans, written materials, meetings, monitoring, and other tangible efforts. For example, the **management team** may include a project coordinator, the landowner(s), a conservationist, a pest control advisor, a university researcher, a farm advisor and an industry representative.

## **B. Eligible Project Types**

The following types of projects are eligible to compete for AWQGP and Section 319 funds.

### Implementation Projects

Implementation Projects are those that utilize NPS management measures and practices to reduce or eliminate the discharge of polluted **runoff** from irrigated agricultural lands (or other sources for Section 319 funds).

All implementation projects must include a monitoring and assessment component or quantifiable measure of the project effectiveness. The extent to which management measures are implemented, the effectiveness of the implemented measures, and the performance of the project will be reported to the SWRCB and/or RWQCB. Where applicable, water quality monitoring data must be compatible with, and will be included in the SWAMP database.

The SWRCB will seek projects that will most effectively address surface water pollution from irrigated agricultural sources by integrating some or all of the following components to increase overall project effectiveness:

- Pollution Prevention
- [Management Practices](#) (See [Appendix D](#))
- [Demonstration Projects](#)
- Effectiveness Monitoring and Evaluation
- Demonstration of Water Quality Improvement
- Research in Developing Additional Successful Management Practices
- Education and Outreach
- Information Sharing/Technology Transfer
- Technical Assistance to Implement Management Practices
- Cost-effective Project Implementation

For Section 319 funds, projects must address impaired water bodies by implementing established [TMDLs](#) or TMDLs under development, and be consistent with watershed-based plans.

#### Project Planning Monitoring

The \$11.4 million in State Proposition 40 funds will be dedicated for projects to monitor surface water quality. This monitoring must further define and identify the source of water quality problems related to discharges from irrigated agricultural lands. The monitoring results must be used to plan for the implementation of appropriate [management measures](#) or practices to address the identified water quality problem(s).

Separate review and ranking criteria for monitoring and implementation projects have been established due to the differing goals and objectives. Proposals for Project Planning Monitoring will compete against each other for the Proposition 40 funds. However, if a proposal includes Project Planning Monitoring work, together with implementation of management measures and practices (for example, education and outreach, etc.), the proposal will compete against other implementation project proposals for Proposition 50 and Section 319 funds.

The following activities are not eligible for AWQGP or Section 319 funding:

- Activities undertaken pursuant to a National Pollutant Discharge Elimination System (NPDES) permit;
- Underground Tank Cleanup;
- Leasing or purchasing of land or easement;
- Urban storm water runoff projects undertaken pursuant to a NPDES storm water permit; and
- Any costs incurred prior to the execution of a SWRCB grant agreement or contract.

#### **C. Maximum Grant Amount**

**The maximum grant amount is:**

- \$500,000 for Project Planning Monitoring Projects; and
- \$1,000,000 for Implementation Projects.

#### **D. Minimum Match Requirements**

[Applicants](#) are required to provide a funding match. The required minimum [match](#) for a Project Planning Monitoring project will be 50 percent of the total project costs. The required minimum match for Implementation projects will be 20 percent of the total project costs. The SWRCB will waive the match requirement for applicants that are a [disadvantaged community](#) where the community directly utilizes, or would utilize, the impacted water. The applicant is required to document that it is a disadvantaged



community, and the community uses the water body for the purposes identified in the RWQCB Basin Plan. See [Section IV.L](#) for more information on the required documentation.

The match may be from private, local, and/or Federal sources. For State agencies, matching funds may include State funds and services. Additionally, the match can consist of funding, in-kind service, or a combination of both. Applicants are encouraged to develop integrated projects that effectively [leverage](#) other funding sources.

## **IV. Proposal Contents**

Applicants must submit a complete proposal to the SWRCB by the deadline specified in the Solicitation Notice. Each proposal must include sections that discuss the following items to be deemed complete. Additional detail on required content of acceptable proposals will be included in the Solicitation Notice. Once the proposal is submitted to the SWRCB, the applicant waives any privacy rights as well as other confidentiality protections afforded by law with respect to the application package.

Implementation projects are required to include all of the elements listed below (Subsections A through M). Project Planning Monitoring projects are required to include all of the elements with the exception of Subsection H.

### **A. Project Title and Summary**

The Project Title must include the Project Name, the date of document, and the water body that the project addresses. The Project Summary must describe:

- The proposed project,
- Its goals and objectives,
- The location (including an estimate of acreage or miles of waterways being addressed),
- The proposed work,
- The project classification, and
- The resulting benefits.

**The summary is limited to 500 words.**

### **B. Water Quality Protection**

All AWQGP and Section 319 projects must be consistent with State and local water quality protection plans. Proposals must describe how the project complies with local or regional watershed management plans, the RWQCB's Basin Plan, the SWRCB's NPS Program Plan, and other plans adopted by the Water Boards for the region where the project is located. The proposal should identify how project implementation will be coordinated with any local watershed groups. The Water Quality Protection section of the proposal must describe how the project implements water quality programs and policies by including the following information:

ITEM	Proposition 40 Monitoring Projects	Proposition 50 Implementation Projects	CWA Section 319 Implementation Projects
A description of the water body that the project addresses and the corresponding beneficial uses, including the specific reaches affected by the project.	✓	✓	✓
The water quality problem the project addresses including specific pollutants or parameters. References to existing reports and water quality data documenting the previous work should be included.	✓	✓	✓
The importance of addressing the specific water quality problem relative to the overall health of the watershed.		✓	✓
The contribution to the problem from irrigated agricultural lands (or other NPS categories for Section 319 projects), where possible.	✓	✓	✓
The contribution the project proposes in defining or solving the identified water quality problem.	✓	✓	✓
A description of how the proposed project is consistent with any local watershed management plan, the applicable RWQCB Watershed Management Initiative Chapter* and Plans and Policies.		✓	✓
<b>TMDL Implementation Projects</b>			
Identification of the TMDL the project is addressing.		X	✓
The implementation activities proposed to achieve the specified pollutant load reductions.		X	✓
An estimate of the anticipated load reduction to be achieved by the project.		X	✓
The proposed annual reporting of estimated or measured reductions during the project period.		X	✓

X - Additional points may be awarded

\* The Watershed Management Initiative chapter for each RWQCB can be found at the web sites listed in Appendix C.

For implementation projects that are within the California Bay Delta Authority Solution Area, and assist in achieving one or more goals of the CALFED Bay-Delta Program, a description of how the project is consistent with the CALFED Record of Decision must be provided in this section of the proposal. Further guidance on the identification of projects located within the CALFED Solution Area will be provided with the Solicitation Notice.

For projects in the San Gabriel and Los Angeles River Watersheds, a description of how the project is consistent with the *San Gabriel and Los Angeles River Watershed and Open Space Plan* must be included.

### C. Environmental Compliance

The project proposal must include a plan for compliance with all applicable environmental review requirements. The plan should address all the potential environmental and economic impacts of the proposed project, including mitigation, as required under the California Environmental Quality Act (CEQA) and, if applicable, the National Environmental Policy Act (NEPA). The plan should also address compliance with local, county, State, and Federal permitting requirements. The SWRCB's Division of Financial Assistance (Division) staff will review environmental documents for all proposed projects to assure CEQA compliance prior to execution of the grant Agreement. Environmental compliance requirements are described in more detail in [Appendix E](#).

## D. Project Description

All proposals must include a detailed description of the activities, investigations, methods, procedures, equipment, and facilities that constitute the proposed project. The goals and objectives of the project must be identified.

For implementation projects, the section must identify which of the [management measures](#) listed in the SWRCB's "State of California Nonpoint Source Program Five-Year Implementation Plan, July 2003 through 2008," are proposed to be implemented.

All aspects of a proposed implementation project must be categorized within one, or a combination, of the following management measures:

- [Erosion](#) and Sediment Control;
- [Nutrient](#) Management;
- Pesticide Management;
- Grazing Management;
- Education/[Outreach](#); and
- Irrigation Water Management. \*

\*Includes practices related to [drainage](#) management and other activities to address other pollutants including boron, salt, and selenium.

[Section 319](#) projects that address pollution from NPS categories other than irrigated agriculture must implement appropriate [management measures](#) for the category addressed.

For all projects, the description must provide the information necessary to evaluate the technical feasibility and the scientific adequacy of the project to meet the specified goals and objectives. The rationale for the proposed project activities and facilities should be sufficiently detailed to understand the relationship to water quality improvements. Where applicable, the relevant research or reliability of proposed project elements that have been proven to be effective should be described.

Where requested funding is for a component of a larger project (i.e. effectiveness monitoring of an implementation project), the section must describe all of the components of the larger project and identify which elements of the project the AWQGP or Section 319 is proposed to fund. For example, if implementation of [management practices](#) will be funded by a different funding source, the description must include a discussion of:

- Proposed management practices and a corresponding description of the elements to be funded through the AWQGP or Section 319;
- How the elements are integral to the implementation of the larger project; and
- How the integration of the project components provides multiple benefits.

A vicinity map must be provided to show the general location of the project. A more detailed map showing the location of activities or facilities of the project, the surface water bodies that will be affected and proposed monitoring locations must also be provided. If applicable, [disadvantaged communities](#) must be identified on the detailed map.

## E. Work to Be Performed

Based on the goals and objectives of the proposed project, the Work to Be Performed section must include:

- A list and description of all project tasks;
- Work products to be produced and submitted; and
- A corresponding time-line for the items discussed above.

This section must provide enough detail to clearly explain all tasks necessary to complete the project. This information will be placed into the Work to be Performed section of the grant agreement or contract. (See [Section VI](#) for further details regarding grant agreements.)

## **F. Project Effectiveness (Including [Monitoring](#) and Assessment)**

Implementation projects must include a plan to evaluate project effectiveness. Project Assessment and Evaluation Plans must identify:

- Effectiveness measures for the project and how data will be collected;
- Planned water quality data and quantitative measures of management practice and measure implementation; and
- Reporting of data in a format compatible with SWRCB and USEPA databases. Specific reporting requirements and formats will be included in the Solicitation Notice.

Implementation projects also must include a plan to document results including water quality improvement. A monitoring plan and Quality Assurance Project Plan (QAPP) with associated schedule and budget is required for all projects that include water quality monitoring. Impartial experts must assist in developing and implementing the plan and certifying the results.

The effectiveness of State funding programs in protecting beneficial uses and improving water quality must be quantified to the maximum extent possible with water quality monitoring. Additionally, the SWRCB tracks the extent of implementation of [management measures](#) and promotes information exchange and coordination. Effectiveness may also be measured in other appropriate terms besides water quality monitoring data. Effectiveness measures should be provided for all project components.

Water Quality Monitoring plans for Project Planning Monitoring, and Implementation Projects that include water quality monitoring, must identify:

- How pre-project conditions and water quality will be or have been determined;
- Assumptions used in developing the plan;
- Accuracy of the data to be produced;
- Methodologies that will be used and the data that will be collected;
- How the data will be used to evaluate success in relation to project goals and objectives;
- How external factors such as changes in weather, cropping programs, and sampling location access will be taken into account;
- How the monitoring component allows integration of data into the Surface Water Ambient Monitoring Program (SWAMP); and
- How the data and other information will be handled, stored, reported and made accessible to the SWRCB and others.

## **G. Submittal List and Schedule**

The Submittal List and Schedule section must include:

- Descriptions of items to be submitted to the SWRCB or RWQCB (reports, assessments, other documents),
- Estimated completion dates, and
- Projected costs for each major element of the project.

For implementation projects, the project must be fully functional upon completion of all the tasks listed. Project tasks funded by sources other than the AWQGP or 319, but that are a functional part of the project must be included in the overall schedule. The proposal must not be dependent on future phases of work in order to meet its objectives.

## H. Education, Outreach, Community Involvement and Acceptance

Education, outreach, and community support are project components that can lead to expanded implementation of management measures and long-term effectiveness. These project components help to ensure that the investment of public funds will continue to provide benefits beyond the immediate project. Inclusion of these elements in project formulation is strongly encouraged.

Education includes training, technology transfer to other potential applications, and information sharing to pass knowledge on to the public, growers and agricultural consultants.

**Outreach** efforts can foster project support and participation. Efforts may include the solicitation of community involvement in the formulation of the project and in monitoring efforts.

This section of the proposal will describe how the outcomes of the project will be used to further public knowledge of water quality conditions and management practice effectiveness. Activities may include data sharing with other organizations and coordination efforts with local governments and other local entities (community-based organizations, grower associations, watershed groups, etc.). The role and support of local groups or other interested organizations in the project should be described. Potential third party impacts and/or benefits should be identified. Potential opposition to the proposed project should also be identified. Applicants are strongly encouraged to submit copies of letters of support or evidence of communicating with appropriate local watershed groups, etc. as appendices to their application. The demonstration of open communication channels with local groups will be reviewed as part of the outreach and community involvement component of the application.

An educational component of the project in some cases may be a significant part of the project. The proposal should describe public outreach to the groups or individuals that may be affected by the project. The schedule for educational and outreach activities should be included in the Submittal List and Schedule section. The proposal should describe how educational activities are expected to: (1) affect standard agricultural practices (or practices associated with other NPS pollution sources, if applicable), and (2) extend knowledge beyond project participants.

## I. Costs and Financial Feasibility

The Cost and Financial Feasibility section of the proposal must provide a complete estimate of project costs and funding sources. Each project will be screened for cost-effectiveness based on established cost curves and values. Applicants must clearly state what steps have been taken to make the project cost-effective. The estimate must include:

- Labor, material costs, project tasks, and other costs associated with each proposed task;
- Cost justification;
- The sources of all **match** funds;
- The amount of matching funds applied to each task;
- Tasks that are completely supported by matching funds; and
- A line item budget showing the costs for each budget category (i.e. personnel, equipment, etc.)

## J. Readiness to Proceed

Projects considered to be ready to proceed will be evaluated on the status and timing of the following items in this section of the proposal (with timeframes provided for items not completed):

- Secured matching funds;
- Commitments from project partners and subcontractors;
- Plan of acquisition (including schedule) of necessary equipment, labor, land and other project elements;
- Necessary approval of the proposed project by the applicable RWQCB and other permitting agencies;

- The firmness and expected timing of sources of in-kind resources;
- A statement indicating project compliance with CEQA, and, as applicable, NEPA. (See Appendix E for CEQA requirements.); and
- Other necessary acceptances of obligations.

These factors must also be identified in the project timeline. Only proposals that clearly demonstrate a project is ready to proceed within the time frame set forth for the AWQGP and Section 319 funds will be eligible to compete for funding.

#### **K. Qualifications of Applicant and Partners**

The proposal must identify the roles and qualifications of the applicant and project partners. The legal authorities of the applicant and partners to conduct the work and to receive and spend State funds must be provided. The applicant must also describe any legal agreements among partners that ensure project performance and tracking of funds. The proposal must also describe any similar work performed by the applicant and/or project partners. The academic and work-related qualifications of individuals that have been identified to implement the project must be identified. Copies of legal agreements, résumés and other documents may be submitted as appendices.

The proposal must identify any impartial experts, that have developed or propose to develop the monitoring plan and who will certify the results. The qualifications of the experts must also be provided.

#### **L. Disadvantaged Communities**

[Disadvantaged communities](#) must provide supporting information if requesting waiver of matching fund requirements. The community must verify that it is a disadvantaged community using the procedures in [Appendix F](#). The community must provide documentation that it does, or would use the identified water body for beneficial purposes as described in the applicable RWQCB Basin Plan.

#### **M. Appendices**

Proposals may include Appendices with supplemental materials required by the other sections and may include additional maps, diagrams, letters of support, copies of agreements, or other items applicable to the implementation of the proposed project. All documents must be provided in accordance with the requirements set forth in the Solicitation Notice.

## V. Project Evaluation

Proposals will be evaluated in two stages. First, SWRCB and RWQCB staff will review all proposals to determine if they are complete, are ready to proceed to a grant agreement or contract, and the applicants and proposed project are eligible for AWQGP funding, in accordance with the requirements set forth in Table V.A below. Projects with a complete proposal and determined to be eligible will be ranked for funding priority. Ranking will be in accordance with the criteria established in Table V.B. **Information submitted after the proposal due date will not be considered in the review.**

**Table V.A – Completeness and Eligibility Determination**

Yes/No

Table V.A – Completeness and Eligibility Determination		Yes/No
1.	Does the proposal contain all the items required in the Solicitation Notice?	
2.	Is the applicant a public agency or non-profit organization in accordance with Section III.A of these guidelines?	
3.	Does the project address polluted runoff from irrigated agricultural land? If not, does the project implement an existing TMDL or a TMDL under development, as required for CWA Section 319 funding?	
4. *	Does the project address a surface water quality problem identified by a SWRCB or RWQCB program?	
5. *	Is the project consistent with the RWQCB Basin Plan(s)?	
6.	Is the project consistent with a local watershed management plan(s), if a local watershed plan exists? For 319 does the plan include all of the required elements of a watershed plan?	
7.	For Project Effectiveness: Does the project include a plan to evaluate effectiveness?  a) Does the project propose the use of qualified impartial experts to document and verify water quality improvement/project effectiveness?  For Project Planning Monitoring:  a) Is the monitoring project intended to further define and identify the source of the water quality problem?  b) Does the project include development of an implementation plan for appropriate management measures?	
8.	Does the project propose the appropriate required funding match?	
9.	Is the project reasonably ready to proceed, with sufficient information indicating that the applicant is ready to proceed into a SWRCB funding agreement?  Do there not appear to be any significant obstacles that may delay project completion?	
10. *	For Proposition 50 projects located within the San Gabriel or Los Angeles River watersheds Only:  Is the project consistent with the San Gabriel and Los Angeles Watershed and Open Space Plan as adopted by the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy?	
11.**	For Proposition 50 Projects within the California Bay Delta Authority Solution Area and that further a CALFED objective Only:  Is the project consistent with the Programmatic Record of Decision? (Prop 50, Water Code section 79507)  Is the project implemented to the maximum extent possible through local and regional programs?	
12.	Is each project component described in sufficient detail so that a grant agreement or contract can be prepared based on the information submitted?	

\* RWQCB staff to assist in determination of Item.

\*\* California Bay Delta Authority staff to assist determination of item.

A team of technical reviewers, as described in [Section V](#), will review and assign points to elements of each eligible project proposal. The total points received by a proposal will be used by the project Selection Panel to determine recommended funding priority (see [Section VI.C](#)).

**Table V.B – Point System for Implementation Projects**

Criteria	Points Possible
<b>A. Regional Priorities*</b>	
<ul style="list-style-type: none"> <li>How well does the project address SWRCB and RWQCB priorities as reflected in the TMDL programs, Watershed Management Initiative Chapters, the objectives listed in the <a href="#">Nonpoint Source Program Five-Year Implementation Plan</a>, and/or RWQCB proposed or approved <a href="#">irrigated agricultural land waiver</a> or permit?</li> <li>How well does the project assist in the implementation of a TMDL that is established or under development?</li> </ul>	16
<b>B. Project Benefits</b>	
<ul style="list-style-type: none"> <li>What is the project's potential to reduce pollutants and protect water quality?</li> <li>How well will the project contribute to the long-term attainment and maintenance of water quality standards?</li> <li>How well are the project implementation strategies and solutions coordinated with existing watershed management efforts to implement a regional, watershed-based approach?</li> <li>How well does the project provide for an integrated approach and multiple benefits?</li> <li>How well does the project incorporate a source reduction/pollution prevention strategy?</li> <li>How well does the project promote increased awareness and adoption of management practices through the use of educational materials, activities, and/or technology transfer from this to other projects?</li> <li>How well does the project propose a multi-year strategy for education and outreach to interested stakeholders beyond the project participants?</li> </ul>	28
<b>C. Technical/Scientific Merit</b>	
<ul style="list-style-type: none"> <li>How well does the project use established management measures in achieving its goals and objectives?</li> <li>Does the proposal contain tasks and scheduling that are technically feasible to achieve the project's goals and objectives?</li> <li>How well does the project (including tasks funded by non-AWQGP sources) propose to meet its goals and objectives without relying on future phases or funding?</li> </ul>	20
<b>D. Monitoring and Assessment</b>	
<ul style="list-style-type: none"> <li>How well does the proposed water quality monitoring plan set a basis for demonstrating, mapping, and tracking long-term water quality improvements (may include the use of geographic information system (GIS) technology)?</li> <li>How well does the project quantify water quality improvements and measurable evaluation parameters to demonstrate project effectiveness?</li> <li>How well does the proposed monitoring plan integrate the requirements of SWAMP and QAPP?</li> <li>Does the proposed monitoring plan include annual reports of pollutant reductions, if applicable?</li> <li>Does the proposed project provide a solid framework for data storage and transfer, including water quality and GIS data? With local watershed groups?</li> </ul>	15
<b>E. Community Involvement and Acceptance</b>	
<ul style="list-style-type: none"> <li>How well does the applicant demonstrate community involvement and support for the project, including watershed groups, farmers, appropriate commodity groups, environmental groups, technical experts, etc?</li> </ul>	5
<b>F. Qualifications of Applicant and Partners</b>	
<ul style="list-style-type: none"> <li>How well are the proposed partnership agreements and corresponding roles described in the proposal?</li> <li>How applicable is the education and experience of the project partners to perform the proposed work? How qualified are the monitoring partners to meet the QAPP requirements?</li> </ul>	6



G. Costs and Financial Feasibility	
<ul style="list-style-type: none"> <li>How reasonable are the costs of the work proposed and the benefit derived? Has the applicant taken steps to create a cost-effective project?</li> <li>How well established are the proposed cost-sharing partner commitments? (For example, are the matching funds dependent on further uncertain actions of other entities?)</li> <li>How well does the proposed project provide further <b>leveraging</b> benefits through other funding programs? (For example, private, local, and/or Federal funding programs)</li> </ul>	10
H. Service to Disadvantaged Communities	
<ul style="list-style-type: none"> <li>Is the applicant a <b>disadvantaged community</b>?</li> <li>Does or would the community derive beneficial use from the impacted water body?</li> </ul>	5
<b>Total Possible Points:</b>	105

\* To be reviewed by applicable RWQCB staff

**Table V.C – Point System for Project Planning Monitoring Projects**

Criteria	Points Possible
A. Regional Priorities*	
<ul style="list-style-type: none"> <li>How well does the project assist with implementation of RWQCB proposed or approved <b>irrigated agricultural land waiver</b>, permit, or TMDL?</li> <li>How severe is the water quality problem associated with the constituent(s) the project proposes to monitor? (Higher point value shall be given for increased level of severity.)</li> </ul>	20
B. Project Benefits	
<ul style="list-style-type: none"> <li>What is the potential that the proposed monitoring will lead to the resolution of water quality problems associated with irrigated agricultural lands?</li> <li>How well does the proposal link water quality monitoring with development of alternatives to address the identified problem and sources?</li> <li>Does the proposed project provide a solid framework for data storage and transfer? With local watershed groups?</li> </ul>	29
C. Technical/Scientific Merit	
<ul style="list-style-type: none"> <li>How well defined are the water quality constituents and water bodies that are to be addressed in the project?</li> <li>How appropriate is the proposed project for identifying and locating the sources of water pollution (including GIS technology)?</li> <li>How well has the proposal identified the irrigated agriculture farming practices and other land use activities in the study area that could contribute to the impairment of the surface water?</li> <li>Does the proposal contain tasks and scheduling that are technically feasible to meet the project's goals and objectives?</li> <li>How well will the project (including tasks funded by non-AWQGP sources) meet the project goals and objectives without relying on future phases or funding? How appropriate are the water quality sampling and analysis techniques (including detection levels) to define the water quality problem and sources of pollutants?</li> <li>How well does the project propose to identify land use activities or other factors affecting the sources and causes of the water quality problem?</li> <li>How appropriate are the sampling locations and timing with respect to land use activities and climatic conditions?</li> <li>How well does the proposed monitoring plan integrate the requirements of SWAMP and the QAPP?</li> </ul>	32
D. Community Involvement and Acceptance	
<ul style="list-style-type: none"> <li>How well does the proposed implementation plan address the development of community involvement and support for the project, including watershed groups, farmers, appropriate commodity groups, and UC Cooperative Extension personnel?</li> </ul>	4

E. Qualifications of Applicant and Partners	
<ul style="list-style-type: none"> <li>How well are the proposed partnership agreements and corresponding roles described in the proposal?</li> <li>How applicable is the education and experience of the project partners to perform the proposed work? How qualified are the monitoring partners to meet the QAPP requirements?</li> </ul>	6
F. Costs and Financial Feasibility	
<ul style="list-style-type: none"> <li>How reasonable are the costs for the work proposed and the benefit derived? Has the applicant taken steps to create a cost-effective project?</li> <li>How well established are the proposed cost-sharing partner commitments? (For example, are the matching funds dependent on further uncertain actions of other entities?)</li> <li>How well does the implementation plan propose further <a href="#">leveraging</a> of benefits through other funding programs? (For example, private, local, and/or Federal funding programs)</li> </ul>	9
G. Service to Disadvantaged Communities	
<ul style="list-style-type: none"> <li>Is the applicant a <a href="#">disadvantaged community</a>?</li> <li>Does or would the community derive beneficial use from the impacted water body?</li> </ul>	5
<b>Total Possible Points :</b>	105

\* To be reviewed by applicable RWQCB staff

## VI. Funding Process

A Solicitation Notice for project proposals will be issued at least two months prior to the required due date for submittal. The Solicitation Notice will provide more detailed instructions on the mechanics of submitting proposals. The Solicitation Notice will be posted on the SWRCB website at <http://www.swrcb.ca.gov/funding/awqgp/index.html> and e-mailed to all interested parties on the mailing list. To be placed on the e-mail list, visit: [http://www.swrcb.ca.gov/lyrisforms/swrcb\\_subscribe.html](http://www.swrcb.ca.gov/lyrisforms/swrcb_subscribe.html).

Once the SWRCB has adopted the AWQGP guidelines, they will be posted on the web site. Paper copies will be available upon request.

SWRCB and RWQCB staff will hold AWQGP Proposal Preparation workshops at the beginning of the solicitation period. The workshops will assist applicants in understanding the program requirements and the essential components of an acceptable proposal. Applicants are encouraged to work with RWQCB and USEPA staffs in developing proposals.

### A. Proposal Submittal

The procedure for submitting a complete proposal will be provided in the Solicitation Notice. Proposals must be submitted electronically. SWRCB or RWQCB staff can assist applicants that do not have Internet access to submit proposals.

The proposal must contain all the required items listed in these guidelines and the Solicitation Notice. Any information received after the submittal deadline will not be used in the SWRCB's funding review process. For an overview of proposal requirements, please see [Section IV](#) of these guidelines.

### B. Eligibility Review

Within four weeks of the proposal submission deadline, the SWRCB's Division of Financial Assistance with RWQCB staff assistance will conduct a completeness and eligibility review of all timely submissions. Eligibility for AWQGP funding will be determined by the criteria in Table V.A.: Eligibility Determination in [Section V](#) of these guidelines. Applicants with incomplete packages or that are deemed ineligible will be notified.

## C. Funding Priority Review

The SWRCB will request technical assistance for proposal review from the following organizations:

- RWQCB;
- Department of Pesticide Regulation;
- Department of Water Resources;
- Department of Food and Agriculture;
- University of California;
- UC Cooperative Extension;
- California Association of Resource Conservation Districts;
- Agriculture Commissioners;
- California Bay-Delta Authority;
- USEPA;
- United States Geological Survey;
- Department of Conservation;
- Biologically Integrated Farming Systems Program within the University of California - Sustainable Agriculture Research and Education Program;
- United States Department of Agriculture; and
- National Resources Conservation Service.

**Technical reviewers** from agencies external to the USEPA and SWRCB and RWQCB must confirm they do not have a conflict of interest with any projects they review.

All eligible proposals will be scored by technical reviewers. The group of technical reviewers for each proposal will include one technical reviewer from the applicable RWQCB. If the project is a statewide project, SWRCB staff will provide technical review instead of the RWQCB. At least three reviewers will be assigned to each eligible proposal. SWRCB staff will assign technical reviewers from other agencies by matching the expertise of the agency with the project's technical elements as identified on the application. The technical reviewers will score proposals in accordance with either Table V.B "Point System for Implementation Projects" or Table V.C "Point System for Project Planning Monitoring Projects". RWQCB reviewers will evaluate projects with respect to regional priorities and will verify whether projects implement a component of a **TMDL** that is either established or under development. Technical reviewers may discuss the projects and preliminary point determinations with other reviewers to resolve questions or inconsistencies.

SWRCB staff will compile point totals and reviewer comments for each project and develop a preliminary project ranking.

The Project Selection Panel will be convened with one member from the agencies listed above to review the preliminary project ranking and review comments. The Project Selection Panel will generate a "Recommended AWQGP Funding List" of the top-ranked projects. The Project Selection Panel may consider geographic distribution of projects in developing the final recommended funding list. The Project Selection Panel may recommend reducing individual project grant amounts based on AWQGP and individual project budget evaluations.

The Project Selection Panel will present its recommendations to SWRCB and RWQCB management for concurrence or modification. Only complete proposals, with a Scope of Work well prepared for timely agreement/contract execution, will be presented to the SWRCB for a grant program funding commitment.

Within 12 weeks of the proposal submittal deadline, the Division of Financial Assistance will send the eligible **applicants** the final recommended funding list. The recommended AWQGP Funding List will be posted on the SWRCB web site at <http://www.swrcb.ca.gov/funding/awqgp/index.html> for public review. Rating sheets for individual proposals will be available upon request.

**D. SWRCB Workshop and Meeting**

A public hearing on the recommended AWQGP Funding List will take place at a regularly scheduled SWRCB Workshop. SWRCB consideration of the funding list, and the associated funding commitments will take place at a SWRCB Meeting scheduled after the Workshop.

**E. Funding Agreement Management**

Upon the approval of the final recommended funding list, successful applicants will be notified of the SWRCB's commitment to fund the proposed project. Subsequently, a grant agreement will be executed between the SWRCB and the applicant.

For local and regional projects, RWQCB staff will be the grant agreement manager. For projects of a statewide nature, SWRCB staff will be the grant Agreement manager.

Only work performed after the execution date of the Agreement will be eligible for reimbursement. Within three months of grant Agreement execution, recipients will be required to electronically submit project summary and tracking information to the SWRCB for entry into the appropriate databases. The project summary information will be made available to the public through the SWRCB's web site.

Disbursement of AWQGP funds may be provided on a monthly basis to reimburse the **applicants** for work performed. Advance funds will not be provided. A cash flow budget must be provided showing anticipated expenses and receipt of funds to cover expenses during the project period. The budget should identify the major tasks and sources of funds in quarter-year increments. (Grant recipients will need to update cash flow projections annually).

**F. Project Administration**

The SWRCB or RWQCB Agreement Manager will be the grant recipient's contact person and will be responsible for assisting the recipient in understanding the Agreement terms and approving Agreement deliverables items prior to release of funds. For projects that span multiple regions, either one lead RWQCB or the SWRCB will administer the project and provide corresponding Agreement management.

**G. Timeframes for Project Duration**

AWQGP funded projects must not start until after grant Agreement execution. Project completion requirements specific to funding sources is as follows for projects determined to be funded by specific sources:

- Proposition 40: Projects must be completed by September 30, 2008.
- Proposition 50: Projects must be completed by March 30, 2008.
- CWA Section 319: Projects must be completed within a three-year time period and must start after September 1, 2005, and end no later than December 31, 2009.

## Appendix A – Glossary of Terms

**Applicants** – A [public agency](#) or non-profit organization submitting a proposal.

**AWQGP – Agriculture Water Quality Grant Program** – A grant program supported by proposition 40 and 50 funds to reduce the effects of polluted discharge and runoff from irrigated agricultural land to the State's water bodies.

**BIFS – Biologically Integrated Farming Systems** – An agricultural pollution prevention program administered by the University of California Sustainable Agriculture Research and Education Program (SAREP at <http://www.sarep.ucdavis.edu/>).

**CWA Section 319** – Clean Water Act Section 319 provides Federal funds to implement the *Plan for California's Nonpoint Source Pollution Control Program* (Program Plan).

**Demonstration Project** – A project consisting of technology or practices tested to evaluate the project's effectiveness in achieving its objectives. This term is not to be equated with a "pilot" project, which is to test unproven technologies.

**Disadvantaged Community** – A municipality, including, but not limited to a city, town or county, or a reasonably isolated and divisible segment of a larger municipality, that has an average median household income that is less than 80 percent of the statewide annual median household income.

**Drainage** – The removal of excess water from the land surface and/or from the soil profile.

**Surface Drainage** - The diversion or orderly removal of excess water from the surface of the land by means of improved natural or constructed channels, supplemented when necessary by the sloping and grading of land surfaces to these channels.

**Subsurface Drainage** - The removal of excess water from the soil profile by means of drain tiles, perforated pipes, or other devices.

**Effectiveness Monitoring** –The collection of information to compare the data collected prior to implementation of a mitigation management measure with the data collected after implementation of the mitigation measure. It provides information for the evaluation of how well the implementation measure has mitigated the problem.

**Erosion** – The detachment and movement of soil and rock particles by gravity, wind, water, freezing and thawing, and/or other natural phenomena.

**Impaired Water Body** – Surface waters identified by the RWQCB as impaired because water quality objectives are not being achieved or where the designated beneficial uses are not fully protected after application of technology-based controls. A list of impaired water bodies is compiled by the SWRCB pursuant to CWA section 303(d). More information on the [303\(d\)](#) list can be found at this web site: [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html).

**Irrigated Agricultural Land** – Land where water is applied to produce, but not limited to, crops in rows and fields, tree crops, commercial nurseries, nursery stock production, managed [wetlands](#) and rice production. For the purpose of this program, irrigated pasture is also considered irrigated agriculture.

**Irrigated Agricultural Lands Waiver**– A conditional waiver approved pursuant to Water Code Section 13269 that applies to irrigated agricultural lands. The Central Valley RWQCB has adopted two conditional waivers of waste discharge requirements for discharges from irrigated agricultural lands. The Central Coast RWQCB is developing conditional waivers of waste discharge requirements for discharges from irrigated agricultural lands.

**Leveraging** – The use of one source of funding for a project to stimulate contributions of other sources of funding.

**Match** – Sometimes called matching funds, match is the total share of project funding that the recipient provides in addition to the requested grant amount. The purpose of matching funds is to further demonstrate the commitment of the project proponents to complete the project and to leverage additional funds to further project success. The required match is calculated as a percentage of the total project cost, not the requested amount.

**Management Measures** – economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.

**Management Practices** – Those agriculture practices or set of practices determined by the board, or the regional board, or the water quality planning agency for a designated area to be the most effective feasible means of preventing or reducing the generation of a specific type of nonpoint source pollution, given technological, institutional, environmental, and economic constraints. In the past, the term “Best Management Practices” (BMP) was used and may be seen in various documents.

**Management Team** – Persons experienced in the management system that will provide technical support via customized farm plans, written materials, monthly meetings, intensive monitoring, and other tangible efforts.

**Monitoring** – Sampling and/or testing, especially on a regular or ongoing basis. Systematically collecting and interpreting information that allows the integration of data into statewide monitoring efforts, including, but not limited to, the surface water ambient monitoring program carried out by the State Water Resources Control Board. Also see Effectiveness Monitoring and Project Planning Monitoring.

**MRP – Monitoring and Reporting Program** – A program established by a Regional Water Quality Control Board that describes the terms, conditions or requirements for a discharger that must be addressed to monitor and evaluate the discharge of waste to waters of the State and to determine compliance.

**NPS – Nonpoint Source Pollution** – A diffuse discharge of pollutants throughout the natural environment. As water from rainfall, snow melt, irrigation, or human activities moves over and through the ground, it can pick up and carry away natural and synthetic pollutants, eventually depositing them into lakes, rivers, wetlands, coastal waters and underground sources of drinking water. Agricultural storm water discharges and return flows from [irrigated agriculture](#) are included as nonpoint sources even though they may have a single point of discharge. Other examples of nonpoint source pollution include sediment loading in streams, phosphorous pollution of lakes from seepage of lakeside septic systems, and nitrate pollution of groundwater from feedlots or from fertilizer applications to fields.

**NPS Program Plan** – A SWRCB-adopted plan developed in collaboration with the Regional Water Quality Control Boards (RWQCBs) and the California Coastal Commission to meet the requirements of Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 and Section 319 of the Clean Water Act. The Plan addresses California’s NPS pollution by assessing the State’s NPS pollution problems/causes and implementing management programs.

**Nonprofit Organization** - Any nonprofit public benefit corporation formed pursuant to the Nonprofit Corporation Law (commencing with Section 5000 of the Corporations Code), qualified to do business in California, and qualified under Section 501(c)(3) of the Internal Revenue Code.

**Nutrients** – Elements/Minerals used to enhance growth of vegetation, typically of Nitrogen, Phosphorous and/or Potassium composition.

**Project Planning Monitoring** –The collection of data to further define identified water quality problems in order to determine the scope of a proposed implementation project. Project planning monitoring is designed to identify the “source” area, and the extent of impairment to the environment from the source area.

**Outreach** – The practice of conducting local public awareness activities through targeted community interaction. Designed to educate and/or inform the public about a particular issue using respected and locally relevant channels of communication.

**Proposition 40** - The \$2.6 billion "California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002" passed by voters on March 5, 2002, ". The passage of Proposition 40 provided funds for local assistance grants, as provided for in Sections 5096.600 through 5096.683 of the Public Resources Code.

**Proposition 50** – The "Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002". This \$3.44 billion initiative was passed by California voters on November 5, 2002.

**Public Agency** – A city, county, city and county, district, the State or Federal government, Native American tribes, or any agency or department thereof.

**Regional Water Quality Control Board – RWQCB** - The California Regional Water Quality Control Boards

**Runoff** – The portion of precipitation or irrigation water that moves across land as surface flow and enters streams or other surface receiving waters. Runoff occurs when the precipitation rate exceeds the infiltration rate.

**Selection Criteria** – The set of requirements (wants and needs) used to choose a project for a given program or for funding; the specifications or criteria used for selecting or choosing a project based on available funding.

**Stakeholder** – An individual, group, coalition, agency or others who are involved in, affected by, or have an interest in the implementation of a specific program or project.

**State Water Resources Control Board or SWRCB** – The California Water Resources Control Board.

**Technical Reviewers** – A group of agency representatives assembled to evaluate the technical competence of a proposed project and the feasibility of the project being successful if implemented.

**TMDL – Total Maximum Daily Load** - The maximum quantity of a particular water pollutant that can be discharged into a water body without violating a water quality standard.

**Watershed** – The area that collects and conveys rainfall to a specific stream course.

**Wetlands** – Lands that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, fens, and vernal pools.

**303d List** – Under Section 303(d) of the Federal 1972 Clean Water Act, as amended, states, territories and authorized tribes are required to develop a list of water body segments within their jurisdiction that do not meet water quality standards as defined by established Total Maximum Daily Loads (TMDL). The law requires that these jurisdictions establish priority ranking for water on the lists and develop action plans to improve water quality. (California's 2002 Section 303(d) list of water quality limited segments by state and by region can be accessed through this web site: [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html))

**CWA Section 319** – Congress amended the Federal Clean Water Act (CWA) in 1987 to establish the Section 319 Nonpoint Source Management Program. Under Section 319, California receives grant money, which supports activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring. California uses a portion of the grants to fund the implementation of the NPS management plan.

## **Appendix B - Required Elements for Watershed-Based Plans as per CWA Section 319**

To ensure that Section 319 projects make progress towards restoring waters impaired by nonpoint source pollution, U.S. EPA is requiring that all projects implemented with Section 319 funds must be consistent with watershed-based plans that include at least the elements listed below. U.S. EPA also requires that Section 319 funded projects implement activities to reduce pollutant loads consistent with an existing TMDL or a TMDL under development.

U.S. EPA believes that the nine required elements outlined below are critical to assure that public funds to address nonpoint source water pollution are used effectively. The watershed planning process is dynamic and iterative, and projects whose plans address each of these nine elements may proceed even though some of the information in the plan is imperfect and may need to be modified over time as information improves.

In California, a wide range of plans are being used to comply with the nine required elements, often in combination with each other. Examples of plans that are being used to in California include local watershed plans, coordinated resource management plans, TMDL implementation plans, comprehensive conservation and management plans, RWQCB's Water Quality Control Plans (Basin Plans), and the RWQCB WMI Chapters under the WMI Integrated Plan, and combinations thereof. Applicants should work with the RWQCBs to verify that the combination of plans have the nine elements. Those elements that are not included in existing plans will need to be incorporated into the plans, as appropriate, to be eligible for Section 319 funds.

The required watershed-based plan elements are as follows:

- a. An identification of the causes and sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in this watershed-based plan.
- b. An estimate of the load reductions expected for the management measures described under paragraph (c) below.
- c. A description of the NPS management measures that will need to be implemented to achieve the load reductions estimated under paragraph (b) above and an identification (using a map or a description) of the critical areas in which those measures will be needed to implement this plan.
- d. An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan.
- e. An information/education component that will be used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing the NPS management measures that will be implemented.
- f. A schedule for implementing the NPS management measures identified in this plan that is reasonably expeditious.
- g. A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.
- h. A set of criteria that can be used to determine whether loading reductions are being achieved over time and substantial progress is being made toward attaining water quality standards and, if not, the criteria for determining whether this watershed-based plan needs to be revised or, if a NPS TMDL has been established, whether the NPS TMDL needs to be revised.
- i. A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established under item (h) immediately above.



You may also refer to the full text of the Section 319 guidelines that is available on U. S. EPA's NPS website at: <http://www.epa.gov/fedrgstr/EPA-WATER/2003/October/Day-23/w26755.htm>

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## **Appendix C – Agency Contacts and Watershed Management Initiative Websites**

### **RWQCB Contacts**

Region 1, North Coast Region –

William Winchester, (707) 576-2682, R1 – WPD, [wincb@rb1.swrcb.ca.gov](mailto:wincb@rb1.swrcb.ca.gov)

Region 2, San Francisco Bay Region –

Carrie Austin, (510) 622-1015, RB2 – Planning, [cma@rb2.swrcb.ca.gov](mailto:cma@rb2.swrcb.ca.gov)

Region 3, Central Coast Region –

Alison Jones, (805) 542-4646, RB3 – San Luis Obispo, [ajones@rb3.swrcb.ca.gov](mailto:ajones@rb3.swrcb.ca.gov)

Region 4, Los Angeles Region –

Raymond Jay, (213) 576-6689, RB4- Non-Point Source, [rjay@rb4.swrcb.ca.gov](mailto:rjay@rb4.swrcb.ca.gov)

Region 5, Central Valley Region –

Jeanne Chilcott, (916) 464-4788, RB5 – Sacramento, [chilcoj@rb5s.swrcb.ca.gov](mailto:chilcoj@rb5s.swrcb.ca.gov)

Region 6, Lahontan Region –

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Region 8, Santa Ana Region –

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### **Watershed Management Initiative Programs**

Region 1: <http://www.swrcb.ca.gov/rwqcb1/programs/watersheds.html>

Region 2: <http://www.swrcb.ca.gov/rwqcb2/download/r2wmi02c.pdf>

Region 3: <http://www.swrcb.ca.gov/rwqcb3/WMI/Index.htm>

Region 4: [http://www.swrcb.ca.gov/rwqcb4/html/programs/regional\\_programs.html#Watershed](http://www.swrcb.ca.gov/rwqcb4/html/programs/regional_programs.html#Watershed)

Region 5: <http://www.swrcb.ca.gov/rwqcb5/programs/index.html#Watershed>

Region 6: [http://www.swrcb.ca.gov/rwqcb6/WMI/WMI\\_Index.htm](http://www.swrcb.ca.gov/rwqcb6/WMI/WMI_Index.htm)

Region 7: <http://www.swrcb.ca.gov/rwqcb7/wmi.html>

Region 8: <http://www.swrcb.ca.gov/rwqcb8/html/wmi.html>

Region 9: <http://www.swrcb.ca.gov/rwqcb9/programs/wmc.html>

## Appendix D – List of Management Measures and Management Practices

**Management Measure1 - Erosion and Sediment Control** (This Management Measure can be applied to cropland, orchards, irrigated cropland, range and pasture, permanent hayland, nursery crop production, and specialty crop production)

**Management Practices-** The following management practices apply to **MM1**

- Conservation Cover
- Conservation Cropping Sequence
- Conservation Tillage
- Contour Farming
- Contour Orchard and Other Fruit Area
- Cover and Green manure Crop
- Critical Area Planting
- Crop Residue Use
- Delayed Seed bed Preparation
- Diversion
- Field Border
- Filter Strip
- Grade Stabilization Structure
- Grassed Waterway
- Grasses and Legumes in Rotation
- Sediment Basins
- Contour Strip-cropping
- Field strip-cropping
- Terrace
- Water and Sediment Control Basin

### Management Measure 2 - Nutrient Management

**Management Practices-** The following management practices apply to **MM2**

- Develop [nutrient](#) management plan
- Determine soil productivity
- Use producer documented yield history
- Soil testing for pH, phosphorous, potassium, and nitrogen
- Plant tissue testing
- Manure, sludge, mortality compost, and effluent testing.
- Use proper timing
- Use of small grain crop cover
- Buffer areas
- Control phosphorus losses using erosion/sediment control MPs.

### Management Measure 3 – Pesticide Management

**Management Practices-** The following management practices apply to **MM3**

- Inventory pest problems
- Consider soil and site characteristics
- Use Integrated Pest Management (IPM) strategies
- Use of less toxic alternatives
- Use lower rates than stated on label
- Use of organic farming techniques
- Integrated crop management
- Re-calibration of spray equipment, use of anti backflow devices

## Management Measure 4 - Irrigation Management

**Management Practices-** The following management practices apply to **MM4**

- Irrigation water management
- Water measuring device
- Soil and crop water use data
- Irrigation system, drip or trickle
- Irrigation system, sprinkler
- Irrigation system, surface and subsurface
- Irrigation field ditch
- Irrigation land leveling
- Irrigation system, tailwater recovery
- Filter strip
- [Surface drainage](#) field ditch
- [Subsurface drainage](#)
- Water table control
- Controlled drainage
- Use of safety devices to prevent backflow when injecting liquid chemicals into irrigation systems (American Society of Agricultural Engineers recommendation in standard EP409 [ASAE, 1989])

## Appendix E – CEQA Requirements

California law requires projects likely to have potentially significant environmental effects to comply with California Environmental Quality Act (CEQA; Public Resource Code §21000 et seq.). CEQA applies to “projects” proposed to be undertaken or requiring approval by the State and local government agencies. “Projects” are activities that have the potential to have a physical impact on the environment and require the issuance of permits from local or State agencies. Detailed requirements are given in the CEQA Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3).

All project contracts or grant agreements having a work activity that requires CEQA compliance will be allowed to use funds under the contract or agreement (up to \$10,000 with 319 funds; may be more with bond funds) to complete CEQA requirements consistent with the definition of “cost” as defined by the Public Resources Code section 32025 and to complete applicable permits. The amount budgeted should be consistent with the size and complexity of the project. Work that is subject to CEQA shall not proceed under the contract or agreement until the Project Manager has received documents that satisfy the CEQA process.

The SWRCB’s selection of a project for funding does not foreclose appropriate consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project during the CEQA review process. Complete information on CEQA can be found at <http://ceres.ca.gov/ceqa/>.

The information presented here is intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the SWRCB when reviewing projects; they are not intended to supersede or replace CEQA Guidelines.

### **CEQA Requirements**

As defined under CEQA, the applicant is usually the *Lead Agency* and will be responsible for the preparation, circulation and consideration of the environmental document prior to approving the project. In the situation where the applicant is a nonprofit organization, the local agency having primary jurisdiction over the proposed project will usually be the *Lead Agency*. The SWRCB and other agencies having jurisdiction over the proposed project are generally *Responsible Agencies* and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The project may be exempt from CEQA or the applicant may use a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report to comply with CEQA requirements. It is the responsibility of the applicant to demonstrate that:

- (1) CEQA does not apply to the project;
- (2) The proposed project comes under an exemption to CEQA requirements, or
- (3) Proper environmental documents have been prepared and comply with CEQA requirements.

The applicant may use a previously prepared document accompanied by a checklist to determine if the project is adequately covered. If the project is not adequately covered by an existing document, an updated Negative Declaration or Environmental Impact Report may need to be prepared. Applicants should contact the Project Manager before they decide to use an existing final document.

Public participation: Public participation and review are essential to the CEQA process (Section 15087). An earnest public participation program can improve the planning process and reduce the chance of delays due to public controversy. Each public agency, consistent with its existing activities and procedures, should include formal and informal public involvement and receive and evaluate public reactions to environmental issues related to its project. Public comments or controversies not addressed during the planning of a proposed project could result in the need for a subsequent environmental document at a later stage or lead to legal challenges, delaying the project and raising the cost significantly.

## **Exemptions from CEQA**

In many circumstances, the applicant's project may be approved under a statutory or categorical exemption from CEQA. Applicants must submit the exemption findings to the Project Manager for these projects. After the applicant's decision-making bodies approve the project, the applicants should file a Notice of Exemption with the County Clerk and provide a copy of the notice to the Project Manager.

A *Notice of Exemption* should include:

- A brief description of the project;
- A finding that the project is exempt;
- References stating the applicable statutory or categorical exemption in the law or State guidelines;
- A brief statement supporting the finding of exemption.

Categorical Exemptions cannot be used if the project is in an environmentally sensitive area. Compliance with applicable Federal environmental regulations, including consultation with Federal authorities, is required for some exempt projects.

## **Initial Study (IS) [CEQA Guideline Section 15063]**

If no exemption is appropriate, then an IS is developed. An IS is a preliminary analysis prepared by the Lead Agency to determine whether an Environmental Impact Report (EIR) or a Negative Declaration (ND) should be prepared. The IS uses the fair argument standard to determine if a project may have a significant environmental effect that cannot be mitigated before public release of the environmental document. The criteria for "significance" of impacts (Sections 15064 et seq.) must be based on substantial evidence in the record and includes:

- Direct effects;
- Reasonably foreseeable indirect effects;
- Expert disagreement;
- Considerable contribution to cumulative effects; and
- Special thresholds for historical and archaeological resources.

If an applicant can determine that an EIR will clearly be required for the project, an Initial Study is not required but may still be desirable to focus the analysis of impacts. **Most applicants for funding would not be expected to prepare an EIR, since most project proposals are expected to be limited in scope.**

The IS must include:

- A project description;
- An environmental setting;
- Potential environmental impacts;
- Mitigation measures for any significant effect;
- Consistency with plans and policies; and
- The names of preparers.

If a checklist is used, it must be supplemented with explanations for all applicable items, including the items that are checked "no impact". Checklists should follow the format used in Appendix G of the most recent revision (1999 or later) of the CEQA Guidelines.

If the project has no significant effect on the environment, the applicant should prepare an Initial Study (IS) and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) (Section 15371).

## **Negative Declaration (ND)**

An ND is a written statement, briefly explaining why a proposed project will not have a significant environmental effect. It must include:

- A project description;
- The project location;
- The identification of the project proponent;
- A proposed finding of no significant effect; and
- A copy of the IS.

For an MND, mitigation measures included in the project to avoid significant effects must be described.

The applicant must provide a notice of intent to adopt a ND (Section 15072) specifying:

- The review period;
- The time and location of any public meetings or hearings on the proposed project;
- A brief project description; and
- The location that copies of the proposed negative declaration or mitigated negative declaration is available for review.

A copy of the notice of intent and the proposed ND must be mailed to responsible and trustee agencies, agencies with jurisdiction, and all parties previously requesting notice. Since the SWRCB will be a Responsible Agency, the ND/IS also needs to be circulated through the State Clearinghouse (Sections 15072 and 15073). The notice of intent must be posted in the county clerk's office and sent to the State Clearinghouse with 15 copies of the ND.

After the review period ends, the applicant should review and address comments received. The applicant's decision-making body should make a finding that the project will have no significant effect on the environment based on the commitment to adequately mitigate significant effects disclosed in the IS or the lack of significant effects, and the absence of significant comments received, and adopt the ND.

### **Notice of Completion**

Draft environmental documents must be submitted to the State Clearinghouse for review by State agencies (Section 15205). The applicant needs to send 15 copies of the ND to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance (Section 15205e).

The applicant may use the standard *Notice of Completion and Environmental Document Transmittal Form* included in the CEQA Guidelines (Appendix C), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

- A brief project description;
- The project location;
- The address where the draft environmental document is available; and
- The public review period.

On the backside of the form, applicants should put a check on any of the "REVIEWING AGENCIES" that they would like draft documents to be sent to including "SWRCB – Financial Assistance"; otherwise the State Clearinghouse will select the appropriate review agencies.

The applicant must also send a formal transmittal letter to the State Clearinghouse giving them the authority to distribute the copies of the document. If a consultant is preparing the draft environmental document, the consultant must obtain a formal transmittal letter from the applicant stating that they give permission to the consultant to send the copies of the document to the State Clearinghouse. The letter should include the State Clearinghouse number.

If the applicant needs a shorter review period than the 30 or 45-day period required by the CEQA Guidelines, the applicant, not the consultant, must submit a written request. This formal request can be included in the transmittal letter stating the reasons for a shorter review period. Use the following address to send documents to the State Clearinghouse:

STATE CLEARINGHOUSE  
OFFICE OF PERMIT ASSISTANCE  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
P.O. Box 3044  
SACRAMENTO, CA 95812-3044

The focal point of the CEQA review is the State Clearinghouse. The review starts when the State Clearinghouse receives your ND/IS or Mitigated Negative Declaration at which time it will assign a Clearinghouse number (SCH#) to the project. If a Notice of Preparation (NOP) was previously filed, the

State Clearinghouse will use the SCH# assigned to the NOP. This ten-digit number (e.g. SCH# 2002061506) is very important and should be used on all documents, such as inquiry letters, supplemental drafts, final environmental documents, etc. The State Clearinghouse will send the applicant an *Acknowledgment of Receipt* card when the document is received. If applicants have any questions about the State Clearinghouse procedures, they should call (916) 445-0613.

To ensure that responsible agencies, including the Project Manager, will receive copies of the environmental document for review, the applicant should send them directly to the agencies. This submittal does not replace the requirement to submit environmental documents to the State Clearinghouse for distribution (Section 15205f). The applicant is also responsible for sending copies of the environmental documents to any local or Federal responsible agency with jurisdiction over any part of the proposed project.

After the review period ends, the State Clearinghouse should send the applicant a letter stating that the review process is closed and that they have complied with the review requirements. Any comments from State agencies will be forwarded with the letter. Lack of response from a State or Federal agency does not necessarily imply concurrence.

When the comment period closes, the applicant should review all comments received during the review process, including any oral comments received at formal or informal public meetings. The applicant should then consider whether comments are significant enough to require a complete revision of the environmental document or the proposed project, or whether minor changes in the document or addition of mitigation measures could adequately address the issues raised.

Within five days after the applicant's decision-making body has made a decision to proceed with the project, the applicant should prepare and file a *Notice of Determination* (NOD) with the Governor's Office of Planning and Research and the local County Clerk (see Appendix D of the CEQA Guidelines).

### **Mitigation Monitoring and Reporting Program under CEQA**

In an MND, when a potentially significant impact can be mitigated to avoid or substantially reduce the project's significant environmental effect, a Mitigation Monitoring Plan should be adopted (Section 15097). The Mitigation Monitoring Plan is implemented to ensure that mitigation measures and project revisions identified in the Final MND are implemented; in some cases, they are made a condition of project approval by a Responsible Agency. Mitigation Monitoring Plan must include all changes in the proposed project that mitigate each significant environmental impact and insure implementation of each mitigation measure. The Mitigation Monitoring Plan is often made part of the draft MND so that the Lead Agency can make revisions based on public comment.

Effective Mitigation Monitoring Plans:

1. State the objective of the mitigation measure and why it is recommended;
2. Explain the specifics of the mitigation measure and how it will be implemented;
3. Identify measurable performance standards by which the success of the mitigation can be determined;
4. Provide for contingent mitigation if monitoring reveals that the success standards are not satisfied;
5. Identify who is responsible for implementing the mitigation measure;
6. Identify the specific location of the mitigation measure; and
7. Develop a schedule for implementation.



## **Appendix F – Disadvantaged Communities Agricultural Water Quality Grants Program**

The SWRCB will waive the match requirement for applicants that are a disadvantaged community and the community uses the impacted water body for the purposes identified in the RWQCB Basin Plan

For the AWQGP, disadvantaged community means that the annual Median Household Income (MHI) for the community is less than 80 percent of the California average annual MHI. The annual MHI is based on the most recent census data or a local survey approved by the SWRCB. Using the 2000 census data, 80 percent of the California average annual MHI is \$37,994.

If a community believes that the census data does not represent the community, and the community is not a “Census Designated Place”, a City, or a Town, the community may apply to the SWRCB for designation as a “disadvantaged community”. The application must include a map with sufficient geographic detail to define the boundaries of the disadvantaged community, and the number of people in the community. If necessary to establish eligibility, the SWRCB may request additional information including a list of properties, the number of households, and income and/or property values of the community. If the application does not provide an adequate basis for the calculation of median household income, the SWRCB may require an independent income survey conducted in accordance with a pre-approved methodology. A subdivision of State government cannot be considered a disadvantaged community with hardship.

The applicant also must provide documentation that the community uses the impacted water for the uses designated in the applicable RWQCB Basin Plan. Documentation can include pictures or a description of the manner the community uses the water. RWQCB staff may request additional documentation from applicants, or independently verify the water uses.

If you need any assistance with this eligibility determination please contact the SWRCB or RWQCB staff.