

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
SEPTEMBER 7, 2016**

ITEM 2

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO

- A) ADOPT THE GRANT GUIDELINES FOR THE 2017 NONPONT SOURCE GRANT PROGRAM,
- B) AUTHORIZE STAFF TO SOLICIT AND RECOMMEND PROJECTS FOR THE 2017 NONPONT SOURCE GRANT PROGRAM, AND
- C) AUTHORIZE THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2017 NONPONT SOURCE GRANT PROGRAM.

DISCUSSION

The 2017 Nonpoint Source Grant Program includes funds from the Clean Water Act section 319(h) (CWA §319) grant and the Timber Regulation and Forest Restoration Fund (TRFRF). The CWA §319 grant, awarded by the U.S. Environmental Protection Agency (U.S. EPA), provides funding to states to implement their respective nonpoint source pollution control programs. A portion of these funds may be used for grants to implement total maximum daily loads (TMDLs) and watershed-based plans to restore water bodies impaired by nonpoint sources of pollution. The amount that California receives from U.S. EPA each year varies, but is typically around \$4,000,000. The State Water Resources Control Board (State Water Board) is authorized by U.S. EPA to administer the CWA §319 grant.

For the last two fiscal years (2015-16 and 2016-17), the California Natural Resources Agency (CNRA) awarded approximately \$2,000,000 per fiscal year to the State Water Board from the TRFRF to fund forest restoration projects. At this time, it is unknown if the CNRA will award money to the State Water Board from the TRFRF for fiscal year 2017-18. The TRFRF funds would supplement the 2017 Nonpoint Source Grant Program, and would be used to fund projects that implement forest management measures on forest lands to improve water quality.

State Water Board staff will solicit projects for the 2017 Nonpoint Source Grant Program according to the 2017 Nonpoint Source Grant Program Guidelines (Guidelines). The Guidelines were developed by staff of the State Water Board, the Regional Water Quality Control Boards (Regional Water Boards), and U.S. EPA. The Guidelines, which include the 2017 Nonpoint Source Program Preferences, are consistent with the [2014-2020 California Nonpoint Source Program Implementation Plan](#).

In addition to adopting these Guidelines, the resolution authorizes staff to solicit and recommend projects for funding by the 2017 Nonpoint Source Grant Program to the State Water Board Executive Director or designee. The resolution would also authorize the Executive Director, or designee, to award and execute finance agreements for the 2017 Nonpoint Source Grant Program and to perform all acts and to do all things necessary and convenient to implement such agreements.

POLICY ISSUE

Should the State Water Board:

1. Adopt the proposed 2017 Nonpoint Source Program Grant Guidelines and Program Preferences, and deems projects that comply with the Guidelines and Program Preferences eligible to compete for funding from the 2017 Nonpoint Source Grant Program?
2. Authorize staff to solicit and recommend projects to the Executive Director for funding by the 2017 Nonpoint Source Grant Program?
3. Authorize the Executive Director, or designee, to award and execute finance agreements and amendments to implement projects recommended for funding by the 2017 Nonpoint Source Grant Program, and to perform all things necessary and convenient to implement such agreements?

FISCAL IMPACT

State appropriations authorized for federal funding are expected to be sufficient to fund the recommended projects. Staff resources to conduct the solicitation and manage the selected projects are provided through a U.S. EPA grant.

REGIONAL BOARD IMPACT

Yes, if the Review Panel recommends projects in Regional Water Board boundaries, Regional Water Board staff are responsible for managing the projects.

STAFF RECOMMENDATION

The State Water Board should adopt the proposed resolution.

<p>State Water Board action on this item will assist the Water Boards in reaching Goal 1 of the Strategic Plan Update: 2008-2012 to “Implement strategies to fully support the beneficial uses for all 2006-listed water bodies by 2030.” In particular, approval of this item will assist in fulfilling “Objective 1.1. Implement a statewide strategy to efficiently prepare, adopt, and implement TMDLs, which result in water bodies meeting water quality standards, and adopt and begin implementation of TMDLs for all 2006-listed water bodies by 2019.”</p>
--

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2016-

ADOPTING THE 2017 NONPOINT SOURCE PROGRAM GUIDELINES AND PROGRAM PREFERENCES, AUTHORIZING STAFF TO SOLICIT AND RECOMMEND PROJECTS, AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO AWARD AND EXECUTE FINANCE AGREEMENTS FOR THE 2017 NONPOINT SOURCE GRANT PROGRAM

WHEREAS:

1. The 2017 Nonpoint Source Grant Program consists of funds from the Clean Water Act section 319(h) (Clean Water Act 319(h)) grant awarded by the U.S. Environmental Protection Agency, and may also include funds from the Timber Regulation and Forest Restoration Fund appropriated by the California state legislature.
2. The 2017 Clean Water Act 319(h) grant provides funding to states to implement their nonpoint source programs. A portion of these funds may be used for grants to implement total maximum daily loads (TMDLs) and watershed-based plans to restore water bodies impaired by nonpoint sources of pollution.
3. The State Water Resources Control Board (State Water Board) is authorized to administer approximately \$4,000,000 in federal funds pursuant to Clean Water Act section 319 for local NPS pollution control implementation activities.
4. Assembly Bill 1492 (2012, Chapter 289) specifies moneys deposited in the Timber Regulation and Forest Restoration Fund may be used, upon appropriation by the California state legislature, to fund timber restoration grant programs.
5. The State Water Board, Regional Water Quality Control Boards, and U. S. Environmental Protection Agency staff have developed guidelines and program preferences for the 2017 Nonpoint Source Grant Program to target funds on nonpoint source priority pollutants and water bodies as identified in the 2014-2020 Nonpoint Source Program Implementation Plan.

THEREFORE BE IT RESOLVED THAT:

The State Water Board

1. Adopts the proposed [2017 Nonpoint Source Program Grant Guidelines and Program Preferences](#), and deems projects that comply with the Guidelines and Program Preferences eligible to compete for funding from the 2017 Nonpoint Source Grant Program.
2. Authorizes staff to solicit and recommend projects to be funded by the 2017 Nonpoint Source Grant Program.

D R A F T

3. Authorizes the Executive Director, or designee, to award and execute finance agreements and amendments to implement projects that address the Guidelines and Program Preferences and to perform all acts and to do all things necessary and convenient to implement such agreements.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 7, 2016.

Jeanine Townsend
Clerk to the Board