2019 Nonpoint Source Grant Program Guidelines

Clean Water Act section 319 and Timber Regulation and Forest Restoration Funds

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A. General Information

The 2019 Nonpoint Source (NPS) Grant Program aims to reduce and mitigate the effects of nonpoint source pollutants in waters of the state. Nonpoint source pollutants include sediment, pesticides, nutrients, and other pollutants from diffuse, nonpoint sources. The funds in the NPS Grant Program are reserved for implementation projects that install treatments or management practices to reduce the load of nonpoint source pollutants to, or concentration of nonpoint source pollutants in, waters of the state; projects may incorporate outreach and education, project-level planning and design, and water quality monitoring that directly support the implementation project, but may not consist entirely of outreach and education, project planning and design, or water quality monitoring.

The 2019 NPS Grant Program is supported by funds from a U.S. EPA Clean Water Act (CWA) section 319 grant (CWA 319 grant) to the State Water Board,[1] and from the Timber Regulation and Forest Restoration Fund (Timber Fund) should such funds be made available to the State Water Board (through federal budget allocation and/or the fiscal year 2019/2020 California Budget Act). Staff anticipates the CWA 319 grant will be $4,000,000 and that the California Legislature and Governor will appropriate $2,000,000 from the Timber Fund for 2019/2020. Unencumbered funds from previous grant years may be used for eligible projects in accordance with the 2019 Nonpoint Source Grant Program Preferences and source fund requirements. Projects and recipients of NPS Grant Program funding are subject to state and federal law requirements. The State Water Board considered the Human Right to Water while establishing the criteria in these guidelines.

B. Eligibility, Review, and Selection Process

To apply for funding, applicants must submit a complete proposal per Section D of these guidelines (Proposal Instructions), using the State Water Resources Control Board (State Water Board) Financial Assistance Application Submittal Tool (FAAST): https://faast.waterboards.ca.gov/.

Applicants are strongly encouraged to discuss their proposals with Regional Water Quality Control Board (Regional Water Board) staff prior to submitting their proposals. See Appendix 6 for a list of grant coordinators per region. This consultation should occur well in advance of the proposal deadline so that Regional Water Board staff have time to provide comments on the proposal and ensure the proposal addresses the priorities of the Regional Water Board. Regional Water Board staff ultimately determine whether proposals meet regional program preferences so applicants who discuss their proposals with Regional Water Board staff generally have a higher chance of being selected for funding. Applicants are also encouraged to begin their proposals well in advance of the submittal deadline; failure to submit a complete proposal by the deadline will result in disqualification.

Applicants should note that the eligibility requirements for the CWA 319 grant and Timber Fund are different. Applicants may apply for one or both sources of funding, but proposals must meet the minimum eligibility requirements for the funding source(s) selected to be considered for funding. If eligible for both funding sources, Water Board staff make a final determination as to which funding source is most appropriate. Minimum eligibility requirements for both funding sources are shown in Table 1.

[1] U.S. EPA has final approval authority of all projects funded with CWA 319 funds.

Table 1: Minimum Eligibility Requirements

Funding Source	Minimum Eligibility Requirements	Ineligibility Considerations
CWA 319 and Timber Fund	• An applicant must be a public agency, nonprofit 501(c)(3) organization, Federally Recognized Tribe**, state agency, public college, or a federal agency. *** Federally Recognized Tribes must waive sovereign immunity to be eligible for funding.* • Project must address NPS Program Preferences (Section E). • Project must meet funding match requirements unless eligible for match waiver per Appendix 4. See Section D, Proposal Instructions for match funding requirements. • Grant project must be completed in three years or less. • Minimum funding request: $250,000 • Maximum funding request: $800,000[2]	• For-profit organizations, private organizations, and 501(c)(4) organizations are ineligible. • Projects necessary to satisfy an enforcement or civil settlement or judicial order • Projects that directly support the production of cannabis
CWA 319 Only	• Implement on-the-ground management measures (MMs) and/or management practices (MPs) that reduce nonpoint source pollutant loads to NPS-impaired surface waters and groundwater. • Demonstrate water quality improvement as an outcome of the proposed project, specifically through quantifiable pollutant load or concentration reductions • Implement an adopted or nearly-adopted total maximum daily load (TMDL), or TMDL alternative (see definition of TMDL and TMDL alternative in Appendix 2, Definitions) • Implement a watershed-based plan or combination of plans that fulfill USEPA's nine minimum elements (see Appendix 1: Minimum Elements for Watershed-Based Plans per CWA section 319) • Must demonstrate climate change resilience	• Projects or activities required by or that implement a National Pollutant Discharge Elimination System (NPDES) permit, including urban, area-wide stormwater programs covering discharges from a storm sewer system, and general industrial and construction stormwater permits, or an order applicable to regulated stormwater discharges under CWA section 402(p)[3] • Projects that convert or upgrade individual septic systems[4] • Projects that are either entirely or primarily education and outreach • Research studies and pilot projects
Timber Fund Only	• Implement forest management measures[5] or other management measures that will result in water quality improvements on forest lands in a state responsibility area (SRA) or on land not in an SRA that pose a threat to the SRA or on land draining from the SRA. SRAs are delineated by the California Department of Forestry and Fire Protection and can be viewed on the SRA viewer: http://www.fire.ca.gov/firepreventionfee/sraviewer. • Cannabis operations on properties where projects are proposed must be enrolled under the State Water Board's General Waste Discharge Requirements and Waiver of	• Timber Funds shall not be used to pay for or reimburse any requirements, including mitigation of a project proponent or applicant included as a condition of any permit required by the Forest Practice Act and Forest Practice Rules.[6] However, projects that implement Working Forest Management Plans or Nonindustrial Timber Management Plans will not be summarily denied on the basis that the project is a required condition of the plan.[7]

[2] Total cost of a project including match can exceed $800,000, but grant amount is limited to $800,000
[3] Projects may address urban stormwater activities that do not directly implement a final NPDES permit or order applicable to regulated stormwater discharges under CWA section 402(p).
[4] Individual septic system upgrades are not eligible for this grant program; however, large-scale upgrades or conversion of an entire community, or portion of a community, or a group of individual upgrades within proximity of each other that address a common impairment to the same waterbody and are part of one grant project, may be supported, as long as the project meets all other eligibility requirements.
[5] http://www.waterboards.ca.gov/water_issues/programs/nps/encyclopedia/2_forest.shtml
[6] Pub. Resources Code, § 4629.8(b).
[7] Pub. Resources Code, § 4597.19.

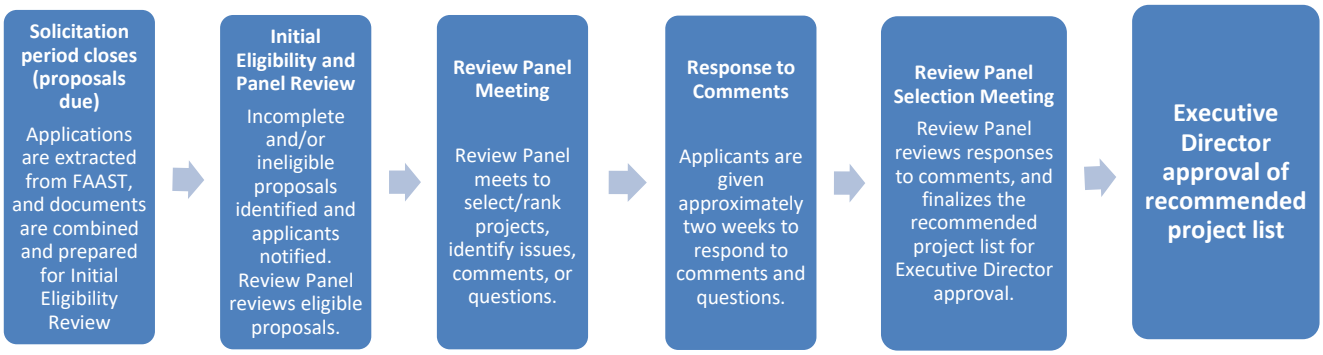
Funding Source	Minimum Eligibility Requirements	Ineligibility Considerations
	Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation or a Regional Water Board's cannabis permit.	

The general selection process is shown in the figure below. Upon closing of the solicitation period (generally about twelve weeks from the announcement date), State and Regional Water Board staff will assess the proposals for minimum eligibility requirements. Using contact information provided in FAAST, State Water Board staff will notify applicants of their eligibility status.

After initial minimum eligibility determination, a Review Panel consisting of staff from the State and Regional Water Boards (Water Boards), and U.S. EPA, will complete technical reviews of the proposals. Applicants may be asked to respond to questions and/or comments from the Review Panel. During the response to comments period, applicants may contact their Regional Grant Coordinator to ensure that responses satisfactorily address the comments. After responses to comments are received, Water Board staff will not discuss applicant proposals until the Executive Director has approved the recommended project list.

The Review Panel will review responses to comments, rank proposals, finalize the recommended funding list, and present the recommended funding list to the State Water Board Executive Director for approval. After approval from the State Water Board Executive Director, all applicants will be notified of their ranking and funding status via the email addresses provided in their FAAST accounts. Award of grants is contingent on receipt of funds from U.S. EPA and the California Budget Act, and successful contracting with applicants. After it is approved by the Executive Director, the State Water Board will post the recommended funding list to the NPS website. The Executive Director may, at his or her discretion, modify the recommended funding list to ensure that all funds are encumbered. This includes selecting eligible projects to replace projects that drop out or become ineligible for funding.

Figure 1: General Selection Process



Funding Match Requirement

Proposals for both the CWA 319 grant and Timber Fund must include a funding match, unless the applicant qualifies and applies for a full or partial match waiver. See proposal instructions (Section D) for more information about applying for a full or partial match waiver. Funding match may include but is not limited to donated funds, other grants, volunteer services, and in-kind services. Match may be provided by state, federal, or local organizations.

The funding match is calculated based on total **eligible** project cost, or the requested grant amount plus match. All projects require a minimum match of 25% of the total project cost (except eligible septic system

upgrades or conversions, which require a minimum match of 75% of the total project cost). Tables 2 and 3 show examples of funding match calculations. The State Water Board reserves the discretion to review and approve funding match sources and expenditures.

Table 2: Match Requirement Example

Applicant A is submitting a proposal with a total project cost of $350,000 and is required to meet the 25% match for the total cost of the project ($350,000). Total Project Cost = $350,000 Funding Match = 0.25 X $350,000 = $87,500 Grant Request = $350,000 - $87,500 = $262,500

Table 3: Match Requirement Example (Septic System Upgrade or Conversion)[8]

Applicant B is submitting a proposal with a total project cost of $1,000,000 and is required to meet the 75% match for the total cost of the project ($1,000,000). Total Project Cost = $1,000,000 Funding Match = 0.75 X $1,000,000 = $750,000 Grant Request = $1,000,000 - $750,000 = $250,000

The grantee may start using match funds after being formally notified by email from the State Water Board that its project has been approved for funding. However, using the funding match before the grant agreement is executed is at the risk of the grantee. The funding match cannot be used to cover expenses incurred prior to formal notification by email from the State Water Board, or expenses incurred during the development of the FAAST application and proposal.

C. Other Funding Considerations

1. Useful Life

Practices implemented with NPS grant funds shall be operated and maintained for the expected lifespan of the specific practice and in accordance with commonly accepted standards (e.g., Natural Resources Conservation Service (NRCS) practices standard life).

2. Catastrophic Release Contingency Plan

CWA 319-funded projects that could result in catastrophic release (liquid or sediments) to surface waters will be required to prepare a contingency plan for approval by U.S. EPA and State Water Board as part of the scope of work (see appendix 8).

3. Grant Agreement

Successful grantees will work with their Regional Water Board's NPS Program and Grant Coordinators, as well as State Water Board Division of Financial Assistance and Division of Water Quality staff, to finalize the grant agreements for their projects. During grant agreement development, grantee responsiveness to and timely submission of any requested information by the State Water Board and Regional Water Boards will support a timely funding process. Lack of responsiveness during scope of work development may result in withdrawal of the grant award.

[8] Individual septic system upgrades are not eligible for this grant program; however, large-scale upgrades or conversion of an entire community, or portion of a community, or a group of individual upgrades within proximity of each other that address a common impairment to the same waterbody and are part of one grant project, may be supported, as long as the project meets all other eligibility requirements.

4. Reimbursement of Costs

Only work performed within the terms and scope of work of the grant agreement will be eligible for reimbursement. Eligible costs may include reasonable costs for engineering design, legal fees, preparation of environmental documentation, environmental mitigation, pre- and post-project monitoring, project implementation, and indirect costs. Grantees with projects funded by CWA section 319 funds shall be responsible for complying with federal standards set forth in the Uniform Grant Guidelines (2 CFR, §§ 1500 et seq.) including Standards for Financial and Program Management in subpart D and federal cost principles set forth in subpart E.

Indirect Costs - Federally negotiated indirect cost rates between grantee and a federal agency will be honored by the State Water Board. The grantee must provide a copy of the negotiated rate agreement to demonstrate how it applies indirect costs and commits to follow it throughout the length of the grant. If a grantee had a federally negotiated indirect cost rate agreement, but has let the agreement lapse or expire, the grantee is not eligible for indirect cost rates in their grant from the State Water Board. If the grantee has never had a federally negotiated indirect cost rate agreement, the State Water Board will allow an indirect cost rate of up to 10% of modified total direct costs (MTDC). MTDC equals the sum of personnel services, operating expenses, travel, and up to the first $25,000 of contracting expenses. MTDC does not include expenses for equipment. See Appendix 7 for further information about indirect costs.

Costs that are not reimbursable with grant funding include, but are not limited to:

a) Costs incurred outside the terms of the grant agreement with the State Water Board;
b) Operation and maintenance costs after project is completed or for prior projects;
b) Purchase of equipment not integral to the project;
c) Establishing a reserve fund;
d) Replacement of existing funding sources for ongoing programs;
e) Expenses incurred in preparation of the FAAST application and proposal; and
f) Payment of principal or interest of existing indebtedness or any interest payments unless the debt is specifically authorized under the grant agreement with the State Water Board, the State Water Board agrees in writing to the eligibility of the costs for reimbursement before the debt is incurred, and the purposes for which the debt is incurred are otherwise reimbursable project costs.

5. Project Assessment and Evaluation Plan (PAEP)

Applicants are required to submit a draft PAEP as part of their grant application. Grantees will be required to complete a final PAEP following grant execution. See Appendix 5 for further information.

D. Proposal Instructions

1. Create an account in State Water Board Financial Assistance Application Submittal Tool (FAAST) at https://faast.waterboards.ca.gov/ and obtain a login and password. State Water Board staff will use the email address(es) associated with the FAAST account for most communication, so please make sure that it is accurate.
2. Complete the FAAST application questionnaire for the *2019 Nonpoint Source – Clean Water Act section 319 & Timber Regulation & Forest Restoration Fund*.
3. Complete Attachments A – J, and upload each attachment separately to FAAST. Include the attachment letter, title of attachment, the FAAST PIN#, title of project, and page number at the top/header of each page. All attachments must be uploaded to FAAST and may not be stored or referenced in a "DropBox" type external location.
4. Submit proposals, including all attachments, using FAAST, by 5:00 PM of the application closing date, or the entire application will be disqualified. See grant solicitation notice for application submittal deadline.
5. When responding to comments, include the FAAST PIN#, title of project, and page number at the top/header of each page. If the comments require an update or change to one of the attachments (e.g., project description, scope of work, budget, etc.), highlight or flag changes (e.g., using tracked changes).

Attachment A: Project Narrative (up to 11 pages, not including associated attachments)

1) Project Description (10 points)
   a. Describe the purpose of the project.
   b. Describe the proposed work. Note any outreach and education components of the project.
   c. Describe any planning that has been completed and any that that remains to be done (e.g., design plans or environmental permits).
   d. Describe whether the proposed project is part of a larger effort (e.g., part of a phased project, or component of a project that is receiving funding from other sources). Clearly identify what work the State Water Board would be funding. If the project is part of a larger project, provide an overview of phases of work in the larger project and next steps and timing for completing the larger project.
2) Watershed Description (5 points)
   a. Describe the project location at the hydrologic unit code (HUC) 12 level (or larger HUC 8 or HUC 10 level if necessary).
   b. Describe the land cover type in the project area (e.g., how much land is covered by forests, wetlands, impervious surfaces, agriculture, and other land and water types). Water types include wetlands or open water in the watersheds.
   c. Describe the land use in the watershed (e.g., how people use the landscape – urban, agriculture, conservation, timber, or mixed uses), and the percentage of each land use in the watershed.
   d. Describe the relative size of the project area, in relation to the watershed.

NOTE: Information for this section need not be obtained through field studies or surveys. Information may be obtained from online or literature references, or other sources such as www.ecoatlas.org,[9] or USGS National Hydrography Dataset (NHD).

3) Watershed-Based Planning (5 points)

Describe how the project fits into a holistic watershed approach as follows:

a. Provide a representative description of completed, ongoing and future water quality improvement or restoration activities, and other activities in the watershed (by your organization, or others) to improve water quality.

b. Describe previous and current watershed-based planning activities that inform the need for the proposed project, and explain the relative priority of the proposed project among other activities, goals and/or milestones in the watershed-based planning documents. Reference watershed planning documents, TMDL(s), TMDL implementation plans, Basin Plans, and other planning efforts as necessary, and list these documents in Attachment C: Watershed-Based Planning Verification Table.

c. Identify stakeholder groups (e.g., environmental interests, commercial interests, homeowners, local government) affected by the project and describe their involvement in watershed-based planning activities.

d. Describe how the project does or will leverage other local, state and/or federal resources (e.g., programs, projects and funding such as the Fisheries Restoration Grant Program at California Department of Fish and Wildlife, Proposition 1-funded projects, Integrated Regional Water Management plans, local tax measures, and Drinking and Clean Water State Revolving Fund projects) to accomplish more extensive implementation activities that will result in greater water quality improvements including those in the watershed-based plan and TMDL.

4) Site Selection (5 points)

a. If specific project implementation sites have been identified, describe the process and criteria used to identify and prioritize the project sites.

b. If specific project implementation sites have not been selected, identify high priority areas within the watershed and the prioritization method and criteria that will be used for site selection.

5) Project relationship to water quality (10 points)

a. Identify the waterbody or waterbody segments that the project will affect, and identify the water quality impairments and designated beneficial uses for those water segments.

b. Identify the specific pollutant(s) that the project will reduce (e.g., sediment, nitrogen, pesticides, temperature).

c. ***For 319 proposals,*** describe how the project will work towards achieving goals or milestones listed in a pertinent TMDL, Basin Plan, watershed-based plan, etc. Estimate quantitative water quality benefits in the form of annual pollutant load reductions and describe method for estimating load reductions. All reductions in sediment load must be reported in units of tons/year, and all

[9] California EcoAtlas provides access to maps and tools that can be used to create a complete picture of aquatic resources in the landscape by integrating stream and wetland maps, restoration information, and monitoring results with land use, transportation, and other information important to the state's wetlands.

reductions in phosphorous and/or nitrate must be reported in pounds/year. Other units should match the units in the TMDL as much as possible.

***For Timber Fund proposals*,** describe how the proposed project will contribute to achieving water quality objectives or TMDL targets, and provide quantifiable estimates (e.g., X degrees, X mg/L) of anticipated water quality improvements from the proposed work.

For more information on water quality objectives and standards, and/or TMDL targets, contact your Regional Water Board Grant Coordinator (Appendix 6).

d. Provide an estimate of when projected water quality benefits would be measurable (e.g., within 5 years, after 5 years, after 10 years) following implementation of the proposed project.

e. Describe whether the project includes water quality monitoring. If water quality monitoring is included, indicate whether a Monitoring Plan and Quality Assurance Program Plan (QAPP) have been developed or if they will be developed as part of the project. Describe whether the proposed monitoring is part of a regional monitoring program or data collection effort and how the proposed additional data will add value to the existing monitoring program. If the project includes water quality monitoring and the project is approved for funding, the grantee will be required to develop a Monitoring Plan and a QAPP. The QAPP must be approved by the State Water Board Quality Assurance officer (listed in the Surface Water Ambient Monitoring Program Quality Assurance Program Plan). Additional information about quality assurance can be found here: http://www.waterboards.ca.gov/water_issues/programs/swamp/tools.shtml#qa. In addition, all data collected from water quality monitoring must be compatible with California Environmental Data Exchange Network (CEDEN) and must be SWAMP-comparable as described in the Surface Water Ambient Monitoring Program Quality Assurance Program Plan.

NOTE: Water quality monitoring is not a required element of project proposals.

6) Technical Basis (5 points)

a. Discuss the scientific and/or technical basis for work being proposed (e.g., basis for selecting the location of the work and/or the proposed management measures (MMs) and management practices (MPs)). If applicable, summarize pertinent information and documents and provide references. Referenced information and documents including designs, relevant literature, citations, studies, and/or web links will be reviewed at the reviewer's discretion. Project design plans and drawings may be included as part of the project maps and figures (see Attachment H).

7) Management Measures and Management Practices (5 points)

a. Identify the management measures (MMs) and management practices (MPs) to be implemented and identify the basis for selecting the proposed MM and MP. For example, describe whether the selection was based on cost, landowner participation, effect on water quality, or a combination of these. If MPs have not been selected, describe the process and criteria that will be used to select them.

b. If proposing new or innovative MMs/MPs different from standard MMs or MPs,[10] briefly summarize scientific research on the effectiveness of these practices if not already described above in section 6.

[10] See California Management Measures and Natural Resources Conservation Service (NRCS) Practices Service Life (or NPS Grant Program webpage) for standard MMs/MPs.

NOTE: Applicants may reference information and documents including design plans, relevant literature, citations, studies, and/or web links, but should summarize information in the proposal. References will be reviewed at the reviewer's discretion.

c. Provide engineering designs for MMs/MPs, if available (see Attachment H – Maps and Figures).

8) Project Team (8 points)

a. If known, provide names of project team members (including partners, contractors and subcontractors) and their roles in the project. Identify members' relevant credentials and qualifications, education, technical and administrative experience, knowledge, and skills necessary to complete the project.

b. If contractors or consultants have not yet been identified, describe what qualifications and specific expertise you will be looking for; you may provide examples of past successes for the proposed team in completing previous grant-funded projects.

NOTE: See list of businesses and persons disqualified and/or otherwise ineligible to receive new/future work as prime contractors, subcontractors, consultants, sub-consultants, members of a joint venture, vendors or material suppliers: http://www.waterboards.ca.gov/water_issues/programs/enforcement/fwa/dbp.shtml

c. Describe any partnership agreements and institutional structures that will be necessary to support successful completion of the project, such as a memorandum of understanding between entities.

d. Describe how you will coordinate and cooperate with relevant local, state, and federal agencies, and the timeframe for coordination.

e. Describe watershed stakeholder groups and the mechanisms and processes that will be used to facilitate stakeholder involvement, coordination and communication (e.g., quarterly meetings, technical advisory committee) and the timing or schedule for such interaction.

f. Describe how this coordination and communication will influence decisions made regarding project implementation and/or long-term operation and management of MPs.

9) Project Management (5 points)

a. Confirm that the project will be completed within three years from grant execution date. Note that grant execution date is typically one year following approval.

b. Describe how you will monitor and track the progress of the project to completion (e.g., identify milestones, decision points, project management methods and tools) track overall project implementation and progress of the project tasks, budget expenditures, and conformance to the agreed upon scope of work and schedule.

c. Describe how you will adapt to changes, problems, unexpected challenges, etc.

10) Project Financing and Funding Match (5 points)

a. Discuss the cost-effectiveness of the project.

b. Indicate whether applying for a full or partial match waiver. If applying for a full or partial match waiver, follow the instructions in Appendix 4, and submit Exhibit A, Certification of Understanding as Attachment F. If applying for a full match waiver, do not complete sub-section c.

c. Describe how the cost share, match, in kind services, etc., will be tracked throughout the project.

d. Describe whether project costs include planning work. Note that all planning paid for by the grant or match must be directly related to the proposed scope of implementation work in the proposal.

11) Readiness to proceed (5 points)

a. Identify and describe any needed assessments or data gaps and how they will be addressed by the project.

b. Identify any permits/approvals that may be required to implement the project (e.g., local, state, federal), their status, and the anticipated timeframe for their completion.

c. If applicable, identify any landowner agreements that will be required and how you plan to obtain them.

12) Climate Change Resiliency (4 points)

In response to California State Water Resources Control Board Resolution No. 2017-0012, Comprehensive Response to Climate Change, all applicants requesting project funding from either the CWA section 319 or the Timber Fund shall provide a short description in their project narrative on how their projects will be resilient to climate change. Describe the potential vulnerabilities of the proposed project to climate change and the adaptation responses to those vulnerabilities (e.g., how the MPs will be designed to accommodate extended dry periods, lower stream flows during dry months and higher stream flow during wet months, sea level rise and sea water intrusion).

In addition, describe how the proposed project will increase the overall resiliency of the watershed to climate change and/or how the project will mitigate climate change impacts. Examples could include:

- Improves water quality
- Increases water supply
- Maintains instream flow levels
- Decreases streambank erosion
- Decreases vulnerability to catastrophic wild fire
- Increases groundwater recharge
- Reduces extreme temperature fluctuations
- Reduces dust and soil loss
- Reduces toxic algal blooms
- Increases carbon sequestration

13) Adaptability/Transferability (2 points)

a. If applicable, discuss how the project has been adapted from a past effort and how the project utilizes established techniques; and

b. If applicable, discuss the benefits beyond the immediate project by demonstrating the applicability of the proposed activities to other watersheds or regions

14) Environmental Justice and Human Right to Water (1 point)

Environmental Justice (EJ) is defined by California statute as "The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies."[11] Further, the Human Right to Water Law (Wat. Code,

[11] Government Code, § 65040.12.

§ 106.3) establishes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking and sanitary purposes. If the project will address an EJ issue including those that implement the Human Right to Water Law, include the following information:

a. EJ needs and issues within the project area and how they were identified;

b. How the proposed project will directly address an EJ issue in the community(ies);

c. Demographics of the community(ies) in the project area (race, income etc);

d. How the community(ies) within the project area have been or will be involved in project process;

e. Water supply, water quality, and other environmental needs of the community(ies) and how these needs have been or will be addressed by the project;

f. Any negative impact the project may have on the community(ies); if applicable; and

g. How the project leverages diverse local efforts and community-based collaborative strategies to involve people of all races, cultures and incomes, including minority populations and low-income populations or other disadvantaged populations and ensure that benefits are distributed equitably.

Attachment B: Scope of Work (10 points) – limit 5 pages

Provide a concise scope of work, suitable for use in preparing the grant agreement. Examples can be found on the NPS Grant Program webpage (NPS Program webpage[12]). Competitive applicants will work closely with their Grant Coordinator at the applicable Regional Board when developing the scope of work.

a. Briefly state the purpose for which funding is being requested.

b. Write the Scope of Work as a series of tasks. Describe the specific purpose of each task, starting with an action verb and including details (as sequential steps or subtasks, etc.) of how, when, who, and/or where the task will be accomplished.

c. Include all California Environmental Quality Act (CEQA) – related tasks, and identify permits needed.

d. Include a task for preparing the project's draft and final reports.

e. Provide a table of deliverables for tasks with the due date relative to the start date (e.g., 30 days after start date).

Attachment C: Watershed-Based Plan Verification Table (5 points)

If applying for CWA 319 funds, complete the nine-element verification table (located on the NPS Program webpage). Include title(s) of and links to applicable existing and adopted Watershed Plans or documents that collectively address all the U.S. EPA's "Nine Minimum Elements to Be Included in a Watershed Plan for Impaired Waters Funded Using Incremental section 319 Funds". More information on U.S. EPA's nine-element watershed plans can be found in Appendix 1: Minimum Elements for Watershed-Based Plans per Clean Water Act section 319 of these grant guidelines, and Chapter 2, Section 2.6 of U.S. EPA's Handbook[13].

Note: Applicants seeking only Timber Fund money are not required to complete the nine-element verification table.

[12] http://www.waterboards.ca.gov/water_issues/programs/nps/319grants.shtml
[13] https://www.epa.gov/nps/handbook-developing-watershed-plans-restore-and-protect-our-waters

Attachment D: Schedule (5 points)

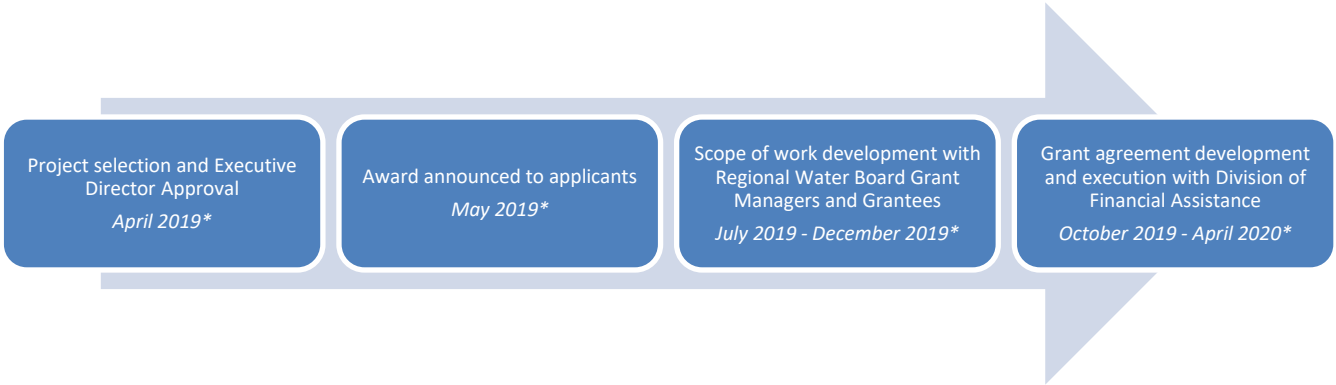
Provide a Gantt chart or Gantt chart-like table of the project schedule. Identify deliverables and other milestones in the scope of work (see Attachment B, above) to demonstrate an understanding of critical path elements for moving forward with this project or phase of project. Do not include tasks that have already occurred, such as early planning activities, or tasks that are expected to occur outside of the 3-year grant timeline. The project tasks proposed for funding must be limited to 3 years. If end date or critical due dates are not yet known, identify at what point in the project they will be available (e.g., monitoring, watershed prioritizing, deliverables).

a. Show the sequence and timing for implementation of each task in the proposed project;

b. Include CEQA (level of analysis needed, and expected timeline); and

c. Identify project start and end dates (e.g., project start date x and project end date y). Start date should be when the grant agreement is approved, but no later than June 30, 2020. The project end date cannot be later than June 30, 2023.

When developing a project schedule, applicants should note the project execution timeframe shown below. Grant agreements are not expected to be executed before April 2020.



* Dates are subject to change.

Attachment E: Budget (5 points)

Complete the budget template. An MS Excel version of the detailed and summary budget tables is provided on the NPS Grant Program webpage.[14] Budget should have sufficient detail for reviewer to assess cost effectiveness of proposed work. All costs must be directly related to the project. Provide a reasonable estimate of the project costs for all items including planning and design costs, construction, and indirect costs. The tables should be submitted in MS Excel format. Do not change the format in the budget tables.

Attachment F: Funding Match (5 points)

Applicants must submit either letters of match commitment and/or a request for a waiver of match (partial or full) as described in Appendix 4: Request for Reduction of Funding Match for Disadvantaged Communities. Letters of match commitment should be on the organization's letterhead, describe the total amount in dollars of match provided and how the match will be provided (e.g., cost share, cash, in kind services) and be signed by someone with authority to make financial decisions. Note that if the project is ultimately approved for funding, and matching funds are found to be unavailable at the time of executing the grant agreement, this will cause grant funds to be withdrawn. If requesting a waiver or reduction of the funding match, provide the

[14] http://www.waterboards.ca.gov/water_issues/programs/nps/319grants.shtml

information required in Appendix 4: Request for Reduction of Funding Match for Disadvantaged Communities, and sign Exhibit A: Certificate of Understanding.

Attachment G: Project Performance Table (5 points)

Complete a draft Project Performances Measures Table per Appendix 5.

Attachment H: Project Maps and Figures (5 points)

Create up to three pages of maps that meet the criteria below. Maps may be submitted in .jpg or .pdf format, and should be readable when printed as an 11 x 17" or smaller.

a. Watershed location within the state;

b. Watershed boundary;

c. Polygon(s) where the project is located, and denoting the HUC-12 number(s) on the map;

d. Waterbodies within the specified watershed that are CWA section 303(d) listed and the listed pollutant(s); and

e. Other relevant information that will help reviewers understand the proposed project (e.g., locations identified as priority restoration sites, other key landmarks, major land uses, implementation activities, design drawings, sampling sites and/or stream gages).

Attachment I: Environmental Clearance Checklist (1 point)

Funded projects must comply with the CEQA and Federal environmental regulations. Complete the Environmental Clearance Checklist located here.[15] See Appendix 3: Environmental Review Process for more information on CEQA requirements.

Attachment J: Additional Attachments (optional)

Letter(s) of Non-Financial Support – Letter(s) of Support from collaborating agencies or community members may be included as "Attachment J." Letters of support are not required and will not affect scoring. Letters of support should be addressed to the Regional Water Board Grant Coordinators shown in Appendix 6.

15 https://www.waterboards.ca.gov/water_issues/programs/nps/docs/319grants/2018/2018_attach_i_env_clearance.pdf

E. 2019 Nonpoint Source Program Preferences

North Coast Regional Water Board (Region 1)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Albion River, Big River, Garcia River, Gualala River, Navarro River, Noyo River, Scott River	Sediment: Implement management measures or practices to reduce sediment discharges to surface waters from unpaved roads, landings, watercourse crossings, and other similar infrastructure. Restore riparian vegetation and reconnect floodplains to restore natural functions of the river for improved water quality. Implement large wood augmentation or enhancement projects and/or projects to address channel incision/aggradation and/or degradation. Projects should be focused in and along watercourses that provide salmonid habitat. Temperature: Implement management measures or practices to reduce instream water temperatures and increase groundwater recharge through: tailwater reduction, cold-water spring connection, rainwater capture, offstream storage, groundwater recharge, flow augmentation, beaver dam analogues, and/or riparian shade restoration projects.
Elk River	Sediment: Implement management measures to address sediment. Projects may include one or more of the following: • Sediment remediation measures • High flow channels • Creation of inset floodplains • Placement of instream large woody debris • Off-channel sediment detention basins • Infrastructure improvements • Vegetation management • Levee modification or removal
Laguna de Santa Rosa	Sediment/Phosphorus: Implement management measures or practices to reduce sediment and phosphorus discharges to surface waters. Projects may include reducing discharges from unpaved roads, landings, watercourse crossings, and other similar infrastructure. Projects may also include reducing discharges from unregulated nonpoint sources. Restore riparian vegetation and reconnect floodplains to restore natural ecosystem functions for improved water quality. Temperature: Implement management measures or practices to reduce instream water temperatures and increase groundwater recharge. Measures may include, but are not limited to: cold-water spring connection, rainwater capture, offstream storage, groundwater recharge, flow augmentation, beaver dam analogues, and/or riparian shade restoration projects.
Russian River	Sediment: Implement management measures or practices to reduce sediment discharges to surface waters from unpaved roads, landings, watercourse crossings, and other similar infrastructure. Restore riparian vegetation and reconnect floodplains to restore natural functions of the river for improved water quality. Implement large wood augmentation or enhancement projects and/or projects to address channel incision/aggradation and/or degradation. Projects should be focused in and along watercourses that provide salmonid habitat. Temperature: Implement management measures or practices to reduce instream water temperatures and increase groundwater recharge through: tailwater

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
	reduction, cold-water spring connection, rainwater capture, offstream storage, groundwater recharge, flow augmentation, beaver dam analogues, and/or riparian shade restoration projects. Pathogens/Indicator Bacteria: Implement management measures or practices to reduce pathogen or bacteria discharges to surface waters in the Russian River Watershed.
Shasta River	Temperature: Implement management measures or practices to reduce instream water temperatures and increase groundwater recharge through: tailwater reduction, cold-water spring connection, rainwater capture, offstream storage, groundwater recharge, flow augmentation, beaver dam analogues, and/or riparian shade restoration projects.
Timber Fund Projects	Implement forest management measures on forest lands in watersheds within State Responsibility Area. Project must demonstrate water quality improvement.

San Francisco Bay Regional Water Board (Region 2)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Tomales Bay (including tributaries)	Pathogens: Design and implement management measures/management practices according to ranch water quality plans (Ranch Plans), manure management plans (Manure Plans), and nutrient management plans (Nutrient Plans) developed to comply with grazing waiver, dairy and equestrian facility permit requirements.
	Sediment: Design and implement sediment reduction management measures/management practices as per Lagunitas Creek sediment TMDL, including but not limited to: creation of floodplain and secondary channels, the addition of large woody debris (LWD), and road sediment reduction projects
Walker Creek	Mercury: Implement management measures/management practices according to ranch water quality plans (Ranch Plans) developed to comply with the grazing waiver and dairy permit requirements.
Sonoma Creek	Pathogens: Design and implement management measures/management practices according to ranch water quality plans (Ranch Plans), manure management plans (Manure Plans), and nutrient management plans (Nutrient Plans) developed to comply with grazing waiver and dairy permit requirements.
	Sediment: Develop and implement vineyard management plans per the Sonoma Creek sediment TMDL. Develop and implement road sediment reduction plans and management practices per the Sonoma Creek sediment TMDL.Implement reach-scale projects to restore stream-riparian habitat complexity and connection to floodplains, and to balance fine and coarse sediment budgets per the Sonoma Creek sediment TMDL.
Napa River	Sediment: Develop and implement vineyard management plans per the Napa River sediment TMDL. Implement reach-scale projects to restore stream-riparian habitat complexity and connection to floodplains, and to balance fine and coarse sediment budgets per the Napa River sediment TMDL. Develop and implement rural road sediment reduction plans and management practices per the Napa River sediment TMDL.
Guadalupe River (including tributaries)	Mercury: Develop and implement mining waste remediation and erosion control per the Guadalupe River Mercury TMDL. Develop and implement stream bank stabilization
Pescadero-Butano watershed	Sediment: Develop and implement sediment reduction plans and management practices for unpaved roads per the Pescadero-Butano watershed sediment TMDL. For farmlands and grazing lands, develop and implement erosion control plans and management practices to control surface erosion and to prevent additional gully and landslide erosion per the Pescadero-Butano watershed sediment TMDL.
Timber Fund Projects	Implement forest management measures on forest lands in watersheds within State Responsibility Area. Project must demonstrate water quality improvement.

Central Coast Regional Water Board (Region 3)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Pajaro	Nutrients: Implement management measures[16] in some or all of the priority TMDL subwatersheds (e.g. Pajaro, Watsonville, Pinto, Tequisquita, Llagas, Corralitos, Salsipuedes, Carnadero, Uvas, and/or San Juan) to eliminate, reduce or treat nutrient discharges and loading to impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration[17], and improve watershed functions. Update, as needed, streamlined permits for implementation projects. Pesticides and toxicity: Implement management measures[18] in some or all of the priority TMDL subwatersheds (e.g. Pajaro, Llagas downstream of reservoir) to eliminate, reduce or treat for toxicity and pesticide and sediment discharges to/in impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration[2], and improve watershed functions. Update, as needed, streamlined permits for implementation projects.
Salinas (Lower)	Nutrients: Implement management measures in some or all of the priority TMDL subwatersheds (e.g. Moro Cojo Slough, Blanco Drain, Old Salinas River/Tembladero and its tributaries such as Reclamation Canal, Gabilan Creek, Santa Rita Creek, Natividad Creek, Alisal Creek, Espinosa Slough, Alisal Slough; Merritt Ditch and in Quail Creek and/or Chualar Creek; and tributaries to San Felipe Lake and Millers Canal; and/or Carr Lake) to eliminate, reduce or treat nutrient discharges and loading to impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration, and improve watershed functions. Update, as needed, streamlined permits for implementation projects. Pesticides and Toxicity: Implement management measures in some or all of the priority TMDL subwatersheds (e.g. Old Salinas River, Tembladero, Salinas Reclamation, Alisal, and/or Quail) eliminate, reduce or treat for toxicity and pesticide and sediment discharges to/in impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration, and improve watershed functions. Update, as needed, streamlined permits for implementation projects.

[17] Pollutant capture and filtration include processes with native vegetation and natural materials as waterbodies are not intended to be in-channel, engineered treatment systems (e.g. carbon or woodchip bioreactors).
[18] Management measures include pollutant load reduction treatment and/or source control measures with known effectiveness, and can be implemented on-farm or at edge-of field, or installed to treat runoff from collective drainages at a centralized location or on a regional scale.

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Santa Maria / Oso Flaco	Nutrients: Implement management measures in some or all of the priority TMDL subwatersheds (e.g. Oso Flaco, Orcutt/ Solomon, Bradley, Main Street Canal, Green Valley and/or Lower Santa Maria) to eliminate, reduce or treat nutrient discharges and loading to impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration, and improve watershed functions. Update, as needed, streamlined permits for implementation projects. Pesticides and Toxicity: Implement management measures in some or all of the priority TMDL subwatersheds (e.g. Oso Flaco, Orcutt/Solomon, and/or Lower Santa Maria) to eliminate, reduce or treat for toxicity, and pesticide and sediment discharges to/in impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration, and improve watershed functions. Update, as needed, streamlined permit for implementation projects.
Morro Bay (e.g. Los Osos Creek) and Franklin (Carpinteria Salt Marsh)	Nutrients: Implement management measures in some or all of the priority TMDL subwatersheds (e.g. Los Osos Creek) to eliminate, reduce or treat nutrient discharges and loading to impaired waterbodies. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitats, to support beneficial uses and meet water quality objectives, improve pollutant capture and filtration, and improve watershed functions. Update, as needed, streamlined permits for implementation projects.
San Lorenzo	Fecal Coliform: Provide technical assistance and cost-share funding to implement corrective actions for community or individual failing onsite wastewater treatment systems (OWTS) to reduce discharges to groundwater and impaired waterbodies.
Pajaro River, San Lorenzo River, Salinas, Chorro and Los Osos Creeks, and/or other waterbodies draining to sensitive coastal and marine areas, such as Critical Coastal Areas	Streams supporting anadromous fisheries: Implement management measures to establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and aquatic habitat along sensitive impaired waterbodies and their tributaries, to support threatened and endangered anadromous steelhead and Coho salmon fisheries, and to implement activities aligned with existing watershed-based plans and to meet water quality objectives and TMDL requirements. Establish and utilize function-based wetland and riparian assessment protocols (e.g., CRAM, RipRAM) to identify sites and evaluate project effectiveness in protecting and enhancing water quality and anadromous fish habitat.
Timber Fund Projects	Implement forest management measures on forest lands in the Central Coast Water Board boundaries with State Responsibility Areas (e.g. Scott Creek, Gazos Creek, San Vicente Creek, Llagas, Big Sur, Elkhorn, Arroyo Seco, Arroyo Grande, Sisquoc, San Luis Obispo, Santa Ynez, Carpinteria Creek, and/or other waterbodies) for protecting and enhancing water quality and anadromous fish habitat.

Los Angeles Regional Water Board (Region 4)

TMDL Watershed	Implementation Projects. TMDL Constituent(s)
Calleguas Creek	Nutrients and pesticides: Implement, at individual farms or regional sites, sediment retention management practices, infiltration/filtration management practices, tailwater recovery systems, tile drain treatment systems, irrigation management practices, and nutrient management practices.
Santa Clara River	Nutrients and pesticides: Implement, at individual farms or regional sites, sediment retention management practices, infiltration/filtration management practices, tailwater recovery systems, tile drain treatment systems, irrigation management practices, and nutrient management practices.
Malibu Creek	Nutrients and sediment: Implement sediment retention management practices, nutrient management practices, and irrigation management practices at farms. Implement manure management practices and runoff reduction management practices at horse/livestock facilities and ranches. Sediment: Implement sediment reduction management measures and stream-riparian habitat restoration projects.
McGrath Lake	Pesticides: Implement sediment retention management practices, filtration management practices, tailwater recovery systems, tile drain treatment systems, irrigation management practices, and nutrient management practices.
Ventura River	Nutrients and pesticides: Implement nutrient management practices, irrigation management practices, sediment retention management practices, and filtration management practices. Nutrients: Upgrade or convert septic systems on a large scale to address nutrient discharge from all or a portion of a community.

Central Valley Regional Water Board (Region 5)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Sacramento-San Joaquin Delta	Mercury: Implement best management practices to minimize methylmercury production and discharge from irrigated agriculture, managed wetlands, and open water in the Delta and Yolo Bypass. Chlorpyrifos, diazinon and pyrethroids: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies.
San Joaquin River	Chlorpyrifos, diazinon and pyrethroids: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies. Salt: Implement a real-time water quality management program for the entire SJR basin to export the maximum amount of salt out of the basin while at the same time meeting the EC water quality objectives. Dissolved oxygen: Implement management practices (MPs) in upstream watershed (lower San Joaquin River and tributaries) to reduce nutrient discharges (aqueous and sediment-bound) upstream of the impaired reach of the Stockton DWSC; implement MPs according to Irrigated Lands Regulatory Program (ILRP) management plans. Selenium: Implement activities that reduce the discharge of subsurface agricultural drainage from the Grassland Watershed to the San Joaquin River. Examples of such activities are described in the Westside Regional Drainage Plan.
Mercury-Impaired Reservoirs in the San Joaquin River Watershed	Mercury: Implement best management practices to minimize erosion and transport of mercury-contaminated sediments.
Clear Lake	Mercury: Implement best management practices to minimize erosion and transport of mercury-contaminated sediments. Nutrients: Implement best management practices to minimize erosion and transport of phosphorus.
Sacramento River	Chlorpyrifos, diazinon and pyrethroids: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies.
Mercury-Impaired Reservoirs in the Sacramento River Watershed	Mercury: Implement best management practices to minimize erosion and transport of mercury-contaminated sediments.
Cache Creek	Mercury: Implement best management practices to minimize erosion and transport of mercury-contaminated sediments.
Timber Fund Projects	Implement forest management measures on forest lands in watersheds within State Responsibility Area. Project must demonstrate water quality improvement.

Lahontan Regional Water Board (Region 6)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Blackwood Creek	Sediment, nutrients: Implement management measures to reduce sediment discharges such as watershed restoration, enhancement, and protection projects targeting nutrients and sediment; instream habitat and riparian restoration, and stream bank stabilization projects to reduce sediment and nutrient sources. May include project-level planning, design and monitoring.
Carson River, West Fork	Nitrate, nitrogen, phosphorus, sulfates, TDS, turbidity, fecal coliform, chloride: Implement management measures to reduce nutrient and sediment discharges, and to reduce contamination by fecal coliform. Projects may include watershed restoration enhancement, riparian restoration including floodplain connectivity, stream bank stabilization, and grazing exclusion fencing. May include project-level planning, design and monitoring.
Indian Creek Reservoir	Nutrients: Implement management measures to reduce nutrient discharges such as watershed restoration, enhancement, and protection projects targeting nutrients; engineered nutrient treatment/ removal (passive or active) projects; pilot scale, or full-scale implementation, nutrient management/control projects. May include project-level planning, design and monitoring.
Squaw Creek	Sediment: Implement management measures to reduce sediment discharges such as watershed restoration, enhancement, and protection projects targeting sediment; instream habitat and riparian restoration including floodplain connectivity and stream bank stabilization projects to reduce sediment sources. May include project-level planning, design and monitoring.
Tahoe, Lake	Nutrients, sediment: Implement management measures to reduce nutrient and sediment discharges such as watershed restoration, enhancement and protection projects targeting nutrients and sediment. May include project-level planning, design and monitoring.
Middle Truckee River Watershed	Sediment: Implement management measures to reduce sediment discharges to the Truckee River reach from Lake Tahoe dam through Town of Truckee such as watershed restoration, enhancement, and protection projects targeting sediment; riparian restoration and stream bank stabilization projects to reduce sediment sources. May include project-level planning, design and monitoring.
Truckee River, Upper	Nutrients; sediment: Implement management measures to reduce nutrient discharges such as watershed restoration, enhancement, and protection projects targeting nutrients and sediment; riparian restoration, including floodplain connectivity and stream bank stabilization projects to reduce nutrient and sediment sources. May include project-level planning, design and monitoring.
Timber Fund Projects	Implement forest management measures on forest lands in watersheds within State Responsibility Area. Project must demonstrate water quality improvement.

Colorado River Regional Water Board (Region 7)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Alamo River	Sediment: Implement management measures in TMDL-required water quality management plans (Water Management Plans) for agricultural drain discharges to reduce pollutants in impaired water bodies.
New River (International Boundary to Salton Sea)	Sediment: Develop and implement TMDL-required Water Management Plans and other management measures for agricultural drain discharges to reduce pollutants in impaired water bodies.
	Bacteria, trash, dissolved oxygen: Develop and implement CWA 319 fundable projects contained in the *Strategic Plan: New River Improvement Project (December 2011)*.[19] New River Pathogen and Trash TMDLs cover the whole stretch of river in the U.S. New River dissolved oxygen TMDL covers the segment of the New River from International Boundary to 0.8 miles downstream in U.S.
Imperial Valley Drains	Sediment: Develop and implement TMDL-required Water Management Plans and other management measures for agricultural drain discharges to reduce pollutants in impaired water bodies.
Coachella Valley Storm Channel	E.coli: Develop and implement TMDL-required Water Management Plans and other management measures to reduce pollutants in impaired water bodies.

[19] California-Mexico Border Relations Council. 2011.*Strategic Plan: New River Improvement Project.* Prepared by the New River Improvement Project Technical Advisory Committee.

Santa Ana Regional Water Board (Region 8)

TMDL Watershed	Implementation Projects, TMDL Constituent(s)
Newport Bay – Upper	Copper; Metals; Pathogens; Sediment; Organochlorine Compounds: Implement management measures/management practices to control ambient and 'natural' known sources of impairments; implement sediment control projects in areas not subject to the municipal separate storm water sewer system permit (Municipal Stormwater Permit) (e.g., undeveloped, open-space in or upstream of watershed).
Newport Bay – Lower	Copper; Metals; Pathogens; Organochlorine Compounds: Implement management measures/management practices to control ambient and 'natural' known sources of impairments; implement source control projects.
Rhine Channel, Lower Newport Bay	Metals; Organochlorine Compounds: Implement management measures/management practices to further reduce contaminated sediments
Newport Coast Watersheds (south of Newport Bay mouth)	Selenium, sediments, and Pathogens: Implement management measures/management practices that control ambient and 'natural' known sources of impairments; implement source control projects.
San Diego Creek Reach 1	Organochlorine Compounds, Nutrients, Sediments, Pathogens, Selenium: Implement management measures/management practices to control ambient and 'natural' known sources of impairments; implement sediment source control projects in areas not subject to the municipal separate storm water sewer system permit (Municipal Stormwater Permit) (e.g., undeveloped, open-space in or upstream of watershed).
San Diego Creek Reach 2	Nutrients; Sediments; Pathogens; Selenium: Implement management measures/management practices to control ambient and 'natural' known sources of impairments; implement sediment source control projects in areas not subject to the Municipal Stormwater Permit (e.g., undeveloped, open-space in or upstream of watershed).
Big Bear Lake and tributaries	Nutrients (and sediment to which nutrients bind): Implement nutrient and sediment control and source control management measures/management practices in areas not subject to Municipal Stormwater Permit (e.g., undeveloped, open-space in or upstream of watershed). Implement management measures/management practices that improve the biological condition of tributaries to Big Bear Lake. Expand/ enlarge the existing hypolimnetic oxygenation system to further control flux of nutrients from lake sediment into water column.
	Mercury (and methyl mercury, which is more bio-available): Implement mercury load reduction or methylation reduction management measures/management practices in the lake and/or watershed in areas not subject to the Municipal Stormwater Permit (e.g., undeveloped, open-space in or upstream of watershed).
San Jacinto River/Canyon Lake	Nutrients, and Pathogens: Implement management measures/management practices to help control or manage nutrient exchange from sediment into the water column. Implement management measures/management practices identified in the Lake Elsinore nutrients TMDL *Agricultural Nutrient Management Plan*. Implement management practices to assist agricultural growers to meet the requirements of the Agricultural Conditional Waiver of Waste Discharge (CWAD). Implement management measures/management practices to control failing on-site septic tank systems.

San Diego Bay Regional Water Board (Region 9)

Watershed/Location	Implementation Projects TMDL Constituent(s),Sources
Shelter Island Yacht Basin – San Diego Bay	Copper: Implement management practices to reduce copper loading from boats as required by Resolution No. R9-2005-0019, *Total Maximum Daily Load for Dissolved Copper in Shelter Island Yacht Basin, San Diego Bay*.
Rainbow Creek Watershed	Total Nitrogen and Total Phosphorus: Implement management practices to reduce total nitrogen and total phosphorus loading as required by Resolution No. R9-2005-0039, *Basin Plan Amendment and Final Technical Report for Total Nitrogen and Total Phosphorus Total Maximum Daily Loads for Rainbow Creek* or the requirements of the San Diego Water Board's General Agricultural Orders.
Santa Margarita River Estuary Watershed	Eutrophic (nitrogen and phosphorus that lead to eutrophic conditions): Implement management practices to reduce nonpoint sources of nitrogen and phosphorus that lead to eutrophic conditions as required by the Alternative TMDL, *Draft Staff Report: Santa Margarita River Estuary, California Nutrients Total Maximum Daily Load Project,* with Tentative Investigative Order (documents are draft and tentative until Board approved).
Beaches in the San Diego Region	Indicator Bacteria: Implement management practices to reduce nonpoint sources of bacteria as required by Resolution No. R9-2010-0001, *Revised Total Maximum Daily Loads for Indicator Bacteria, Project I – Twenty Beaches and Creeks in the San Diego Region (including Tecolote Creek)* or the requirements of the San Diego Water Board's General Agricultural Orders.
Baby Beach in Dana Point Harbor	Indicator Bacteria: Implement management practices to reduce nonpoint sources of bacteria as required by Resolution No. R9-2008-0027, *Total Maximum Daily Loads for Indicator Bacteria, Baby Beach in Dana Harbor and Shelter Island Shoreline Park in San Diego Bay*.
Tijuana River Valley	Sediment, Trash, and Bacteria: Implement management practices to reduce nonpoint sources of bacteria, sediment, and trash as identified in Resolution No. R9-2012-0030, A Resolution Endorsing the *Tijuana River Valley Recovery Team's Strategy "Living with the Water" Dated January 2012*, the Tijuana River Valley Recovery Team Recovery Strategy Living with the Water, or Resolution No. R9-2015-0035, *A Resolution Endorsing the Tijuana River Valley Recovery Team Five-Year Action Plan, March 2015*.
Loma Alta Slough Watershed	Phosphorous: Implement management practices to reduce nonpoint sources of phosphorus as required by Resolution No. R9-2014-0020, *Resolution of Commitment to an Alternative Process for Achieving Water Quality Objectives for Biostimulatory Substances in Loma Alta Slough*.

F. Appendices

Appendix 1: Minimum Elements for Watershed-Based Plans per Clean Water Act section 319

All projects supported with Clean Water Act section 319 funds must implement activities based on sound watershed-based plans as defined by the United States Environmental Protection Agency (U.S. EPA) in its "Handbook for Developing Watershed Plans to Restore Our Waters (U.S. EPA's Handbook)".[20] U.S. EPA's Handbook is based on the idea that significant environmental results are more likely where plans provide detailed information to ensure that priority activities are being undertaken to achieve water quality objectives and beneficial uses within a specific time frame. This is important for a wide range of reasons including the need to (1) ensure that limited resources address significant pollutant sources, (2) accelerate the pace of restoration, (3) provide information to leverage related resources, and (4) establish feedback mechanisms for adjustments to ensure ongoing progress.

Watershed-based plans are holistic documents that are designed to protect and restore a watershed. These plans provide a careful analysis of the sources of water quality problems, their relative contributions to the problems, and alternatives to solve those problems. Watershed-based plans should also deliver proactive measures to protect waterbodies. In watersheds where a TMDL has been developed and approved or is in process of being developed, watershed-based plans should be designed to achieve the load reductions called for in the TMDL.

U.S. EPA has identified nine elements that are critical for achieving improvements in water quality and strongly recommends that they be included in all watershed plans intended to address water quality impairments. These nine elements must be addressed in watershed plans funded with incremental Clean Water Act section 319 funds. U.S. EPA's Handbook identifies the nine elements that watershed plans must address. These elements are listed below, in the order in which they appear in the guidelines. However, they do not necessarily take place sequentially. The level of detail needed to address each of the nine elements of a watershed-based plan (WBP) will vary.

Element 1: Identification of Causes and Sources

Identification of causes of impairment and pollutant sources or groups of similar sources that need to be controlled to achieve needed load reductions and any other goals identified in the watershed plan.

Element 2: Expected Load Reductions

An estimate of the load reductions expected from management measures.

Element 3: Management Measures

A description of the nonpoint source management measures that will need to be implemented to achieve load reductions, and a description of the critical areas in which those measures will be needed to implement this plan.

Element 4: Technical and Financial Assistance

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 the plan.

[20] https://www.epa.gov/sites/production/files/2015-09/documents/2008_04_18_nps_watershed_handbook_handbook-2.pdf

Element 5: Information/Education

An information and education component used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing the nonpoint source management measures that will be implemented.

Element 6: Schedule

Schedule that is reasonably expeditious for implementing the nonpoint source management measures identified in the plan.

Element 7: Measurable Milestones

A description of interim measurable milestones for determining whether nonpoint source management measures or other control actions are being implemented.

Element 8: Evaluation of Progress

A set of criteria that can be used to determine whether loading reductions are being achieved over time and whether substantial progress is being made toward attaining water quality standards.

Element 9: Monitoring

A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established in Element 8.

The U.S. EPA Handbook addresses the watershed planning process, highlighting these elements in detail to show how to develop and implement watershed plans that will achieve water quality and other environmental goals. Please see **CHAPTER 2, SECTION 6 OF THE HANDBOOK**[21] for more information.

U.S. EPA requires that projects funded under CWA section 319 directly implement a WBP addressing the nine elements (except in select cases). U.S. EPA encourages utilization of relevant planning documents that contain some or all of the information needed to fulfill the elements of a WBP. Where information already exists, is representative of current conditions, and is of sufficient quality and detail for planning, the information may be used to fulfill appropriate WBP elements. Examples of such documents include various state and local watershed planning documents, TMDLs and TMDL implementation plans, source water protection plans, National Estuary Program Comprehensive Conservation and Management Plans (CCMPs) or NEP annual project work plans.

Applicants may work with the Regional or State Water Board Grant Coordinators listed in Appendix 6 to verify that the combination of plans address the nine elements, are readily accessible to watershed stakeholders, and provide a roadmap that can effectively guide restoration and protection efforts. Elements that are inadequate in existing plans will need to be incorporated into the plans, as appropriate, to be eligible for Clean Water Act 319 funds. As part of their project proposal, applicants will complete a table (see nine-element verification table on the NPS Program webpage[22]) to indicate where each watershed plan element is addressed. Grant awards for 319 funds may be denied if all nine elements are not adequately addressed.

Additional information is included in EPA's 2013 *Nonpoint Source Program and Grants Guidelines for States and Territories* (https://www.epa.gov/sites/production/files/2015-09/documents/319-guidelines- fy14.pdf).

[21] https://www.epa.gov/sites/production/files/2015-10/documents/2008_04_18_nps_watershed_handbook_ch02.pdf

[22] http://www.waterboards.ca.gov/water_issues/programs/nps/docs/319grants/2017/2017_fp_attach%20_h_9_element_verify%20_table.pdf

Appendix 2: Definitions

Applicant - means an entity that files an application for funding under the provisions of the NPS Grant Program with the State Water Resources Control Board (State Water Board).

Application - refers to the electronic submission to the State Water Board that requests grant funding for the project that the applicant intends to implement. It includes the responses to the questions included in the on-line application system (FAAST) as well as the proposal.

Beneficial Uses - refers to the uses that streams, lakes, rivers, and other water bodies, have to humans and other life. These uses, or beneficial uses, are outlined in the Regional Water Board's Water Quality Control Plan (i.e., basin plan). Categories of beneficial uses include water contact recreation, non-water contact recreation, municipal water supply, cold fresh water habitat, and more. Each body of water in the State has a set of beneficial uses it supports that may or may not include all categories of beneficial uses. Different beneficial uses require different water quality objectives. Therefore, each beneficial use has a set of water quality objectives designed to protect that beneficial use.

Disadvantaged Community – means a community with an annual median household income that is less than 80% of the statewide annual median household income (California Water Code section 79505.5 (a)).

Environmental Justice – means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or social-economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations, or the execution of Federal, State, local, and tribal programs and policies.

Forest lands - California Public Resource Code section 12220(g): Land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Funding Match – means funds made available by the grantee. Match may include state funds and services, federal funds and services, local funding, or donated and volunteer services from non-state sources. Eligible reimbursable expenses incurred after the applicant is notified of funding approval and prior to the project completion date can be applied to the funding match. Additionally, education and outreach may qualify as a portion of the funding match. Unless the applicant qualifies for a funding match waiver or reduction, the match must be 25% or more of the total project cost, and for septic system upgrades, match must be 75% or more of the total project cost.

Grantee – refers to grant recipients such as public agencies, state public colleges, federally recognized tribes, or nonprofit organizations as defined in this Appendix, which are eligible for grant funding.

Granting Agency – means the agency that is funding a proposal and with which a grantee has a grant agreement. The State Water Board will be the granting agency for the Nonpoint Source Grant Program.

Human Right to Water – Assembly Bill 685 makes California the first state in the nation to legislatively

recognize the human right to water. In Water Code section 106.3, the state recognizes that "every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." The human right to water extends to all Californians, including disadvantaged individuals and group and communities in rural and urban areas. https://www.waterboards.ca.gov/water_issues/programs/hr2w/index.shtml

Hydrologic Unit Code - A **hydrological code** or **hydrologic unit code** is a sequence of numbers or letters that identify a hydrological feature like a river, river reach, lake, or area like a drainage basin (also called watershed or catchment). The United States Geological Survey created a hierarchical system of hydrologic units originally called regions, sub-regions, accounting units, and cataloging units. Each unit was assigned a unique **Hydrologic Unit Code**. As of 2010, there are six levels in the hierarchy, represented by hydrologic unit codes from 2 to 12 digits long, called regions, subregions, basins, subbasins, watersheds, and subwatersheds.

Impaired Water Body – means surface waters identified by the Regional Water Boards 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 State Water Board pursuant to Clean Water Act section 303(d).

Implementation – refers to on-the-ground TMDL/watershed plan actions targeted toward achieving water quality goals. See Project Eligibility Requirements for more detailed information.

Ineligible Applicant- an applicant that does not meet the eligibility requirements specified in Project Eligibility Requirements.

Local Public Agency – any city, county, city and county, or district.

Management Measures – means economically achievable methods for the control of the addition of pollutants from existing and new categories and classes of Nonpoint Source pollution, which reflect the greatest degrees of pollutant reduction achievable through the application of the best available Nonpoint Source pollution control practices, technologies, processes, siting criteria, operating methods, or alternatives (http://www.waterboards.ca.gov/water_issues/programs/nps/docs/plans_policies/nps_progplan_vii.pdf).

Management Practices – include, but are not limited to, structural and nonstructural controls and operation and maintenance procedures. Management Practices can be applied before, during, and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

Nearly Adopted TMDL–scheduled to be adopted by the Regional Water Board by June 30, 2019.

Nonpoint Source Pollution (NPS) – Nonpoint source pollution is water pollution that does not originate from a discrete point, such as a sewage treatment plant outlet. Nonpoint source pollution is a by-product of land use practices, such as those associated with farming, timber harvesting, construction management, marina and boating activities, road construction and maintenance, mining, and urbanized areas not regulated under the point source stormwater program. Primary pollutants include sediment, fertilizers, pesticides and other pollutants that are picked up by water

traveling over and through the land and are delivered to surface and groundwater via precipitation, runoff, and leaching. From a regulatory perspective, pollutant discharges that are regulated under the National Pollutant Discharge Elimination System Permit are considered to be point sources. By definition, all other discharges are considered NPS pollution.

Nonpoint Source Program Implementation Plan for 2014-2020, California (Nonpoint Source Program Plan[23]**)** – refers to the State Water Board plan developed in collaboration with the Regional Water Boards and the California Coastal Commission and approved by U.S. EPA in August 2015. The plan addresses California's NPS pollution by assessing the State's NPS pollution problems/causes and implementing management programs.

Nonpoint Source Program Pollution Control Program - refers to California's coastal nonpoint pollution control program (coastal nonpoint program), which meets the requirements of section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990. The California coastal nonpoint program was approved by NOAA and EPA in July 2000.

Nonpoint Source (NPS) Program Preferences - projects located in adopted or nearly adopted TMDL watersheds identified by the Regional Water Board's NPS and TMDL programs that are considered priority implementation projects (see Section E: 2019 NPS Program Preferences).

Nonprofit Organization – means any organization under sections 501c (3), 501(c)(4), or 501(c)(5) of the Federal Internal Revenue Code.

Section 501(c)(3) defines nonprofit organizations as:
"Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which incurs to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office."

Section 501(c)(4) defines nonprofit organizations as:
"Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes."
Subparagraph (A) shall not apply to an entity unless no part of the net earnings of such entity inures to the benefit of any private shareholder or individual."

Pollutant Load Reduction – means the decrease of a pollutant (in mass or concentration) in the impaired waterbody resulting from the implementation of the project.

Private Party/Entity – refers to an entity that is not a unit of government including, but not limited to, a

[23] http://www.waterboards.ca.gov/water_issues/programs/nps/docs/plans_policies/sip_2014to2020.pdf

corporation, partnership, company, nonprofit organization or other legal entity or natural person.

Project – refers to the entire set of actions, including planning, permitting, constructing, monitoring, and reporting on all of the proposed activities, including structural and non-structural implementation of management measures and practices.

Project Area - refers to the geographical boundaries, as defined by the applicant, which encompass the area where the project will be implemented/constructed including the area where the benefits and impacts of project implementation or planning activities extend. For projects to develop local watershed management plans, the project area includes the entire area included in the planning activities.

Proposal – refers to all of the supporting documentation submitted that details the project and actions that are proposed for funding pursuant to an application for a grant.

Public Agency – is any city, county, city and county, district, the State, or any agency or department thereof.

Public Colleges – refers to State Universities, University of California, and California community colleges.

Public Works – as defined in the California Labor Code, section 1720.

Regional Agency – means a public agency with statutory authority over land use or water management whose jurisdiction encompasses an area greater than the jurisdictional boundaries of any one local public agency.

Section 303(d) List – refers to Clean Water Act section 303(d) that requires each state to periodically submit to the U.S. EPA for approval a list of impaired waters. Impaired waters are those that are not meeting the State's water quality standards. Once the impaired waters are identified and placed on the list, section 303(d) requires that the State establish TMDLs that will meet water quality standards for each listed water body

State Responsibility Area - State responsibility area is a legal term defining the area where the State has financial responsibility for wildland fire protection. See Department of Forestry and Fire Protection–Fire and Resource Assessment Program[24] for a map of state responsibility areas.

Stakeholder – is 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. Stakeholders for NPS projects include people and organizations invested in the watershed and outcome of the watershed-based plan.

Technical Review Panel (Review Panel) – panel composed of State and Regional Water Board staff and U.S. EPA representative(s) to review the eligibility of the applicant and project, in addition to reviewing evaluating, scoring, and ranking the proposals for funding.

Timber Regulation and Forest Restoration Fund (TRFRF) Program – is a component of Pub. Resources Code

[24] http://frap.fire.ca.gov/projects/sra_mapping/

§ 4629.6. The major elements of the TRFRF Program provide a funding stream via a one-percent assessment on lumber and engineered wood products sold at the retail level, seek transparency and efficiency improvements to the State's timber harvest regulation programs, provide for development of ecological performance measures, establish a forest restoration grant program, and require program reporting to the Legislature.

Total Maximum Daily Load (TMDL) – the document presenting the calculation of the maximum amount of a pollutant that can be discharged into a water body so that the waterbody will meet and continue to meet water quality standards for that particular pollutant, determination of pollutant reduction targets, and allocation of load reductions necessary to the source of the pollutant. In California, TMDLs include an implementation plan to achieve the pollutant reduction targets.

Total Maximum Daily Load (TMDL) Alternative – a locally-controlled pollution control program that is not a TMDL, that is expected to solve pollution problems, that has many of the same elements as a TMDL, and that has some legal or financial guarantee that it will be implemented. To meet the objectives of a TMDL Alternative for purposes of applying for funding, the pollution control program must:

- Be problem-specific and waterbody-specific.
- Have reasonable time limits established for correcting the specific problem, including load reduction or interim targets when appropriate.
- Have a monitoring component to evaluate effectiveness.
- Have adaptive management built into the plan to allow for course corrections if necessary.
- Have enforceable pollution controls or actions stringent enough to attain the water quality standard(s).
- Be feasible, with enforceable legal or financial guarantees that implementation will occur.
- Be actively and successfully implemented and show progress on water quality improvements in accordance with the plan.
- Describe management measures and actions designed to meet water quality standards.
- Have an implementation schedule and measurable milestones.
- Describe criteria that are used to determine loading reductions achieved over time.
- Contain an information/education component.

Watershed Management Area (WMA) – is a basic planning unit and may contain one or more drainage "basins" or "watersheds." For more detailed information on WMAs refer to the Watershed Management Initiative Chapter(s) of the Regional Water Boards in which the project is located.

Appendix 3: Environmental Review Process

I. Purpose

This appendix details steps the applicants must take to comply with environmental review requirements for the 2019 Nonpoint Source Grant Program administered by the State Water Resources Control Board (State Water Board). Generally, the process is accomplished through compliance with the California Environmental Quality Act (CEQA). Detailed requirements are given in the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). For information on how to obtain a copy of CEQA and the CEQA Guidelines, contact the State Clearinghouse at (916) 445-0613.

This appendix is intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the State Water Board when reviewing applications for funding; they are not intended to supersede or replace the CEQA Guidelines. The 2019 Nonpoint Source Grant Program also includes funds from federal sources administered by the U.S. EPA and is therefore subject to some federal environmental regulations. The federal requirements are clearly emphasized in this appendix.

A. CEQA Requirements

All projects funded under the NPS Grant Program must comply with the CEQA. Grantees are responsible for complying with all applicable laws and regulations for their projects, including CEQA. State Water Board selection of a project for a grant does not indicate that the consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project is adequate.

During the CEQA process for the release, consideration, and adoption of a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for a project, the lead agency shall comply with all requirements for notification of and/or consultation with a California Native American tribe, where the project is in geographic area traditionally and culturally associated with the tribe (Pub. Resources Code §21080.3.1 and 75102).

Provide the status of all environmental documents required for the project. Attach any draft or final CEQA documents that are available. For guidance on the environmental clearance, please see our website at: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/grant_info/index.shtml#ceqa or http://resources.ca.gov/ceqa/

As defined under CEQA, the applicant may be the Lead Agency if they are a public agency, and will be responsible for the preparation, circulation, and consideration of the environmental document prior to approving the project. If the grantee is a nonprofit organization, then another state agency subcontracting to the grantee needs to be the lead agency. If the State Water Board needs to be the Lead Agency, then the applicant should state this in the proposal. The State Water Board and other agencies having jurisdiction over the proposed project are *Responsible Agencies* and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The applicant may use a Negative Declaration (ND), a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR) to 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 or subsequent document should be prepared. Applicants should contact the Regional Water Board Grant Coordinator before they decide to use an existing final document.

Public participation: For all projects, public participation and review are essential to the CEQA process (CEQA Guidelines, 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.

B. Exemptions from CEQA

In many circumstances, the applicant's project may be approved under a statutory or categorical exemption from CEQA. Applicants should submit the exemption findings to the State Water Board for these projects. After the Lead Agency approves the statuary or categorical exemption for the project, the Lead Agency should file a Notice of Exemption with the County Clerk and provide a copy of the Notice to the State Water Board.

A Notice of Exemption should include:

1. a brief description of the project;
2. a finding that the project is exempt;
3. references stating the applicable statutory or categorical exemption in the law or State guidelines; and
4. a brief statement supporting the finding of exemption.

Categorical Exemptions cannot be used if the project may have a "significant effect on the environment" as described in CEQA Guidelines, section 15065, or is considered an exception to a class of categorical exemptions as described in CEQA Guidelines, section 15300.2. Compliance with applicable federal environmental regulations including consultation with federal authorities is required for some exempt projects.

II. DETAILED PROCEDURES

A. Preparation of an Initial Study (CEQA Guidelines, section 15063)

An Initial Study is a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a ND should be prepared. The Initial Study 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 (CEQA Guidelines, sections 15064 et seq.) must be based on substantial evidence in the record and includes:

1. direct effects;
2. reasonably foreseeable indirect effects;
3. expert disagreement;
4. considerable contribution to cumulative effects; and
5. 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.

The Initial Study must include:

1. a project description;
2. an environmental setting;
3. potential environmental impacts;
4. mitigation measures for any significant effects;
5. consistency with plans and policies; and
6. 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[25] 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 a ND (or MND) and Initial Study (CEQA Guidelines, section 15371).

B. Negative Declaration

A Negative Declaration (ND) is a written statement, briefly explaining why a proposed project will not have a significant environmental effect. It must include:

1. A project description;
2. The project location;
3. The identification of the project proponent;
4. A proposed finding of no significant effect; and
5. A copy of the Initial Study.

For MNDs, 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 (CEQA Guidelines, section 15072) specifying:

1. the review period;
2. the time and location of any public meetings or hearings on the proposed project;
3. a brief project description; and
4. the location that copies of the proposed ND or MND 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. The ND/Initial Study also needs to be circulated through the State Clearinghouse (CEQA Guidelines, sections 15072 and 15073). The notice of intent must be posted in the county clerk's office and sent to the State Clearinghouse with fifteen (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 Initial Study or the lack of significant effects, and the absence of significant comments received, and adopt the ND.

C. Notice of Completion

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

The applicant may use the standard *Notice of Completion* included in the CEQA Guidelines (see State Clearinghouse Handbook website - Appendix C[26]), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

1. a brief project description;
2. the project location;
3. the address where the draft environmental document is available; and
4. the public review period.

[25] http://resources.ca.gov/ceqa/docs/ab52/final-approved-appendix-G.pdf
[26] https://www.opr.ca.gov/docs/NOC.pdf

On the back 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 "State Water Board – 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 (SCH#).

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/Initial Study or MND at which time it will assign a 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 questions about the State Clearinghouse procedures, they should call the State Clearinghouse at (916) 445-0613.

To ensure that responsible agencies, including the Division, 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 (CEQA Guidelines, section 15205(f)). 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[27] of the CEQA Guidelines).

D. NPS Implementation Program Funding Requirements

[27] https://www.opr.ca.gov/docs/NOD.pdf

If the applicant applies for Nonpoint Source Grant funding, the State Water Board must ensure that federal agencies are afforded adequate review of environmental documents for projects that will be federally funded. The State Water Board will send copies of the CEQA/National Environmental Policy Act (NEPA) document (draft or final) directly to federally designated agencies as part of the review process. To do this, the applicant will need to submit seven (7) copies of their draft or final environmental document, including any NEPA related documents discussed below, to the State Water Board.

Normally, one (1) copy will be used for the State Water Board's review and the other six (6) copies will be distributed to federally designated agencies. The federally designated agencies must have at least thirty (30) calendar days to review a ND/Initial Study. Six (6) days mailing time is also added to the review period, which would then be thirty-six (36) calendar days from the date the environmental document was mailed to the reviewing agency.

If any of these agencies identify an issue of concern, the State Water Board will consult with the agency to determine the necessary and appropriate actions to resolve the issue. Ideally, the federal consultation review should be done concurrently with the CEQA review to allow all comments to be addressed at one time and prevent the need for supplemental documentation. However, federal consultation may also be initiated before or after CEQA review, but must be completed before a funding commitment can be approved by the State Water Board.

E. Mitigation Monitoring & Reporting Program

In a MND, when a potentially significant impact can be mitigated to avoid or substantially reduce the project's significant environmental effect, a Mitigation Monitoring Plan (MMP) should be adopted (CEQA Guidelines, section 15097). The MMP 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. The MMP must include all changes in the proposed project that mitigate each significant environmental impact and ensure implementation of each mitigation measure. The MMP should also identify how the mitigation measure is to be monitored to determine if it is meeting the specified performance standard or measure of success. The MMP is often made part of the draft MND so that the Lead Agency can make revisions based on public comment.

Effective MMPs:

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 4: Request for Reduction of Funding Match for Disadvantaged Communities (DACs)

I. Purpose

This Appendix provides a method for requesting a waiver or reduction of the funding match for the Nonpoint Source Grants Program for Disadvantaged Communities (DAC). The State Water Board will review the information submitted by the applicant and decide, based on the information provided, whether to grant, amend, or deny, the request for the waiver or reduction. Applicants can use CalEnvironScreen,[28] a database created by the Office of Environmental Health Hazard Assessment that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects, to determine if they are eligible for a waiver or reduction of funding match.

Applicants requesting a full or partial reduction in match must submit a signed certificate of understanding (Exhibit A). Applicants requesting a partial reduction in match must submit letters of match commitment (e.g., cost share, cash, in-kind services). Letters must be on the funding entity(ies)'s letterhead and be signed by a person with authority to allocate funds.

At a minimum, the following information must be included in the application:

- Provide a map with sufficient geographic detail to define the boundaries of the disadvantaged community.
- Describe the methodology used in determining the total population of the project area and the total population of the disadvantaged community(ies) in the project area. The applicant must include what census geographies (e.g., census designated place, census tract, census block) were used and how they were applied. Also, the applicant must explain how the disadvantaged communities were identified.
- Provide annual median household income data for disadvantaged communities in the project area.
- Provide information on amount and type of direct benefit(s) the project(s) provides to the disadvantaged community(ies).
- Describe disadvantaged community's(ies') past, current, and/or future efforts to include disadvantaged community representatives in the planning and/or implementation process.
- Letters of support from representatives of disadvantaged communities indicating their support for the project or portion of the proposal designed to provide direct benefits to the disadvantaged communities and acknowledging their inclusion in the planning and/or implementation process.
- The following data requirements must be met:
    - Median household income (MHI) and population data sets must be from the 2010 or later United States Census Bureau data sets, or an income/population survey if no representative census data is available; and
    - Median household income data used in analysis must be from the same time period and geography as the population data.

II. Allowances

Applicants may estimate total and disadvantaged community population numbers by whatever means that are accessible to them as long as the above data requirements are met.

For assistance with accessing census data see the Census Bureau American FactFinder website (http://factfinder.census.gov/). In determining MHI and population for a disadvantaged community(ies) and the project area, applicants may use a single type of census geography or combinations of 2010 Census geographies that best represent the project area. However, the census geography used must be consistent for

[28] https://oehha.ca.gov/calenviroscreen

both MHI and population. Official census geographies, such as census tract, place, and block group, are acceptable. The intent of including this flexibility is to allow applicants a choice so that population and income data in the project area can be accurately represented.

Use of zero values for populations and MHI for disadvantaged communities are not appropriate in data sets. Text, data, and other information that supports selection of areas as a DAC must be provided. For assistance with accessing census data, see the Census Bureau's website (http://www.census.gov/#) or American FactFinder website (http://factfinder.census.gov/). Include the method used for population determination, the population of the project area, population of DACs in the project area, MHI data for DACs, and calculation of the reduced funding match.

III. Steps to Request a Reduced Funding Match

The project must be located within and benefit a DAC. If the project is not located within and does not benefit a DAC, do not apply for a reduced funding match or a match waiver. The DAC should be identified in the description of the project area in the proposal. Applicants should ensure the description of the DAC is adequate to determine whether the community meets the definitions in this Appendix. The DAC should also be shown on maps of the project area. In describing the DAC, include the relationship to the project objectives and information that supports the determination of DAC in the project area.

The mere presence of a project within a DAC area is not sufficient cause to grant a reduction of the funding match. The DAC must be involved in the implementation process. Supporting information that demonstrates how the DAC is, or will be, involved in the implementation process of the project must be included. Information must demonstrate how the DAC or their representatives are participating in the implementation process. As indicated above, include letters from the DAC representatives that verify support of and inclusion and participation in the process. If DAC representation or participation in the implementation process cannot be demonstrated, do not apply for a reduced funding match.

The required funding matches for the Nonpoint Source Grant Program are presented in proposal instructions Section D. Where the project directly benefits a DAC, a reduction in the required funding match may be allowed. The funding match is calculated based on the total project cost.

Applicants must explain anticipated benefits and impacts to the DAC in their project area for the specific work item in their proposal. The explanation should include the nature of the anticipated benefit, the certainty that benefit will accrue if the project is implemented, and which DAC in the project area will benefit and/or be impacted.

IV. Definitions

Block Group – means a census geography used by the Census Bureau that is a subdivision of a census tract. A block group is the smallest geographic unit for which the Census Bureau tabulates sample data. A block group consists of all the blocks within a census tract with the same beginning (block) number.

Census Designated Place – means a census geography used by the Census Bureau that is a statistical entity, defined for each decennial census according to Census Bureau guidelines, comprising a densely settled concentration of population that is not within an incorporated place, but is locally identified by a name. Census designated places are delineated cooperatively by state and local officials and the Census Bureau, following Census Bureau guidelines.

Census Tract – means a census geography used by the Census Bureau that is a small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for the purpose of presenting data. Census tract boundaries normally follow visible features, but may follow governmental unit boundaries and other non-visible features in some instances; they always nest within counties. Census tracts

are designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions at the time of establishment. Census tracts average about 4,000 inhabitants.

Community – for the purposes of this grant program, a community is a population of persons residing in the same locality under the same local governance.

Disadvantaged Community – a community with an annual MHI that is less than 80% of the statewide MHI (California Water Code section 79505.5 (a)).

Place – a census geography used by the Census Bureau that is a concentration of population either legally bounded as an incorporated place, or identified as a Census Designated Place.

Exhibit A: Certification of Understanding

The undersigned certifies that:

The application submitted by <Insert Name of Applicant> for <Insert Proposal Title> and <FAAST PIN> for a 2019 Nonpoint Source Grant contains a request for reduction of funding match based on the presence of a disadvantaged community.

The above named applicant understands:

- The reduction of the funding match presented in the application is a request that will not be automatically granted.
- The State Water Resources Control Board will review the disadvantaged community information submitted in the application prior to making a decision to accept, modify, or deny such a reduction.
- Should the proposal be chosen for funding, but the requested reduction in funding match be rejected or modified, the grantee is responsible for costs exceeding the grant funding amount to complete the project.
- The granting agency will rescind the grant award if the grantee cannot cover increased costs due to rejection or modification of the request for a reduction of the funding match or adequately restructure the grant proposal so that it can meet the intent of the original proposal.

Authorized Representative's Signature: _____

Printed Name: _____

Title: _____

Agency: _____

Date: _____

Appendix 5: Project Assessment and Evaluation Plan

The purpose of this Appendix is to provide background information on Project Assessment and Evaluation Plans (PAEPs) and the Project Performance Measures Tables. If approved for funding, the grantee will be required to complete a PAEP following grant execution.

A. BACKGROUND

Monitoring, assessment, and performance measures must be designed so that the State Water Resources Control Board (State Water Board) can ensure that the projects meet their intended goals, achieve measurable outcomes, and provide value to the state of California. The State Water Board requires that all grant-funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the proposal. Applicants are required to prepare and submit Project Performance Measures Tables, specific to their proposed project, as part of the project proposal. If funded, all grantees must prepare a PAEP as part of the grant agreement, which will include the performance measures tables. Guidance and tools for preparing a PAEP and the accompanying Project Performance Measures Tables can be found from the web link on the Grant and Loans website.[29]

The goals of a PAEP are to:

- Provide a framework for assessment and evaluation of project performance;
- Identify measures that can be used to monitor progress towards achieving project goals and desired outcomes;
- Provide a tool for grantees and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill the grant agreement requirements;
- Provide information to help improve current and future projects; and
- Quantify the value of public expenditures to achieve environmental results.

Many projects include activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include water quality measurements; measurement-based estimates of pollution load reductions; acres of habitat restored; feet of stream channel stabilized; additional water supply; improved water supply reliability and flexibility; groundwater level measurements; stream flow measurements; or other quantitative measures or indicators. These and other measures and/or indicators should be selected to fit the performance evaluation needs of the project.

B. PROJECT PERFORMANCE MEASURES TABLES

A Project Performance Measures Table must be submitted as part of the project proposal. Applicants are required to complete multiple Performance Measures Tables depending on what types of activities are proposed. A Project Performance Measures Table should be submitted for each project included in the proposal. Use the following guidance when completing tables for a project:

Project Goals:	Identify the project goals as they relate to activities or items outlined in the proposal/grant agreement.
Desired Project Outcomes:	Identify the measurable results that the project expects to achieve by implementing project activities consistent with the specified goals.

[29] http://www.waterboards.ca.gov/water_issues/programs/grants_loans/paep/index.shtml

Project Performance Measures:	Appropriate project performance measures that include: (1) Output Indicators representing measures to efficiently track outputs (activities, products, or deliverables); and (2) Outcome Indicators, measures to evaluate change that is a direct result of the work and can be linked through a weight-of-evidence approach to project activities or outputs (e.g. improvements in environmental conditions, awareness, participation, or community, landowner, or local government capacity);
Measurement Tools and Methods:	Methods of measurement or tools that will be used to document project performance (e.g. California Rapid Assessment Method,[30] California Department of Fish and Game Monitoring Protocols for fisheries restoration projects); and
Targets:	Measurable targets that are feasible to meet during the project period, such as a 90% reduction in invasive species acreage, or 50% reduction in pesticide use within the watershed.

[30] http://www.cramwetlands.org/

Appendix 6: Grant Coordinators List – CWA Section 319 and Timber Fund

NORTH COAST REGION (1)

5550 Skylane Boulevard, Suite A Santa Rosa, CA 95403

Program Preference Questions
OFFICE: (707) 576-2666

Elk River – Sediment, Russian River – Sediment/Temperature
Chuck Striplen - Charles.Striplen@Waterboards.ca.gov OFFICE: (707) 576-2689

Russian River – Pathogens/Indicator Bacteria
Charles Reed – Charles.Reed@waterboards.ca.gov OFFICE: (707) 576-2752
Alydda Mangelsdorf – Alydda.Mangelsdorf@waterboards.ca.gov OFFICE: (707) 576-6735

Scott & Shasta Rivers – Nutrients/Sediment/Temperature
Eli Scott - Elias.Scott@Waterboards.ca.gov OFFICE: (707) 576-2610
Bryan McFadin – Bryan.McFadin@Waterboards.ca.gov OFFICE: (707) 576-2751

Albion River, Big River, Garcia River, Gualala River, Navarro River, and Noyo River - Sediment/Temperature
Jonathan Warmerdam – Jonathan.Warmerdam@Waterboards.ca.gov OFFICE: (707) 576-2468

Laguna de Santa Rosa – Sediment/Phosphorus/Temperature
David Kuszmar – David.Kuszmar@waterboards.ca.gov OFFICE: (707) 576-2693

General Program Questions
Clean Water Act 319 (h)
Berny Reed – Bernadette.Reed@waterboards.ca.gov OFFICE: (707) 576-2678
Michele Fortner - Michele.Fortner@waterboards.ca.gov OFFICE: (707) 576-6706
Katharine Carter - Katharine.Carter@waterboards.ca.gov OFFICE: (707) 576-2290

Timber Fund and Restoration Projects
Jonathan Warmerdam – Jonathan.Warmerdam@Waterboards.ca.gov OFFICE: (707) 576-2468
Katharine Carter - Katharine.Carter@waterboards.ca.gov OFFICE: (707) 576-2290

SAN FRANCISCO BAY REGION (2)

Leslie Ferguson
1515 Clay Street, Suite 1400, Oakland, CA 94612 OFFICE: (510) 622-2344
Leslie.Ferguson@waterboards.ca.gov

CENTRAL COAST REGION (3)

Katie McNeill
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5427
Katie.McNeill@waterboards.ca.gov OFFICE: (805) 549-3336

LOS ANGELES REGION (4)

Shana Rapoport
320 West Fourth Street, Suite 200 Los Angeles, CA 90013
Shana.Rapoport@waterboards.ca.gov OFFICE: (213) 576-6763

CENTRAL VALLEY REGION (5)	
Holly Grover (CWA section 319) 11020 Sun Center Drive #200, Rancho Cordova, CA 95670-6114 Holly.Grover@waterboards.ca.gov	OFFICE: (916) 464-4747
Colt Brockman (Timber Fund) 364 Knollcrest Drive, #205, Redding, CA 96002 Colt.Brockman@Waterboards.ca.gov	OFFICE:(530) 224-3215
LAHONTAN REGION (6)	
Anne Holden (CWA section 319) 2501 South Lake Tahoe Blvd. South Lake Tahoe, CA 96150 Anne.Holden@waterboards.ca.gov	OFFICE: (530) 542-5450
Douglas Cushman (Timber Fund) Douglas.Cushman@waterboards.ca.gov	OFFICE: (530)542-5414
COLORADO RIVER BASIN REGION (7)	
Francisco Costa 73720 Fred Waring Drive, Suite 100 Palm Desert, CA 92260 Francisco.Costa@waterboards.ca.gov	OFFICE: (760) 776-8937
SANTA ANA REGION (8)	
David Woelfel 3737 Main Street, Suite 500, Riverside, California 92501-3339 David.Woelfel@waterboards.ca.gov	OFFICE: (951) 782-7960
SAN DIEGO REGION (9)	
Craig Carlisle 2375 Northside Drive, Suite 100 San Diego, California 92108 Craig.Carlise@waterboards.ca.gov	OFFICE: (619) 521-3378
State Water Board	
Grant Program Information **Jeanie Mascia** Division of Water Quality 1001 I Street, 15th Floor Sacramento, CA 94244 Jeanie.Mascia@waterboards.ca.gov	OFFICE: (916) 323-2871
FAAST and Funding Match Questions **Lisa Labrado** Division of Financial Assistance 1001 I Street, 16th Floor Sacramento, CA 94244 Lisa.Labrado@waterboards.ca.gov	OFFICE: (916) 341-5638
General FAAST Issues with Uploading Documents and Attachments FAAST_ADMIN@waterboards.ca.gov	OFFICE: 1-866-434-1083
U.S. EPA Region 9	
Sue Keydel keydel.susan@epa.gov	OFFICE: 619-321-1961

Appendix 7: Indirect Cost Guidance

The Office of Management and Budget and federal agencies officially implemented the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (aka "Uniform Guidance")[31] in December 2013. The Uniform Guidance is in Title 2 of the Code of Federal Regulations.

The State Water Board is considered a pass-through entity under the Uniform Guidance. The Uniform Guidance imposes requirements on pass-through entities and their subrecipients (i.e., the grantee) to ensure that the Federal award (i.e., CWA section 319 grant) is used in accordance with Federal statutes, regulations, and the terms and conditions of the Federal award (2 CFR 200.331(a)(1)). One requirement of the Uniform Guidance is to fund indirect costs as follows:

- The pass-through entity is required to honor a federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government (2 CFR 200.331(a)(4)).
- If no such rate exists, then the pass-through entity must either negotiate a rate with the subrecipient (in compliance with part 200 of the Uniform Guidance), or apply a de minimis indirect cost rate as defined in 2 CFR 200.414(f), Indirect (F&A) costs (2 CFR 200.331(a)(4)).

Below is a list of questions and answers about how the State Water Board handles indirect costs for the Nonpoint Source Grant Program.

Questions and Answers about Indirect Costs

1) Will the State Water Board honor federally-recognized indirect cost rates between applicants/grantees and a Federal agency?
   a. The Nonpoint Source Grant Program will honor federally-recognized indirect cost rates between applicants and a Federal agency. The applicant must provide a copy of the negotiated rate agreement to demonstrate how they apply indirect costs, and commit to follow it throughout the length of the grant. If an applicant had a federally-recognized indirect cost rate agreement, but has let the agreement lapse or expire, the applicant is not eligible for indirect cost rates in their grant from the State Water Board.

2) What if the applicant does not have a federally-recognized indirect cost rate agreement?
   a. If the applicant has never had a federally-recognized indirect cost rate agreement, the Nonpoint Source Grant Program will allow an indirect cost rate of 10% of modified total direct costs (MTDC).

3) Does the 10% apply to personnel costs or to the entire grant amount?
   a. The 10% applies to modified total direct costs (MTDC). MTDC equals the sum of personnel services, operating expenses, travel, and up to the first $25,000 of sub-contracting expenses. MTDC does not include expenses for equipment.

4) When grantees use subcontractors as match, does the sub-contractor's indirect cost count as match?
   a. Yes. It is unnecessary for grantees at this time to calculate the portion of indirect costs from their subcontractors billing rates. However, grantees who enter into agreements with subcontractors that use grant funds must follow the Uniform Guidance.

[31] According to the grants.gov website, the Uniform Guidance is a "government-wide framework for grants management," and it synthesizes and supersedes guidance from earlier Office of Management and Budget (OMB) circulars.

5) Can grantees use indirect costs in excess of 10% of the MTDC as match funds?
   a. No, grantees may not use indirect costs in excess of 10% of the MTDC toward match.

6) What types of costs qualify as indirect costs?

   Note: this answer applies only to applicants who have never had a federally-recognized indirect cost rate agreement, and who are therefore eligible for the State Water Board's indirect cost rate.

   a. Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. Because of the diverse characteristics and accounting practices of organizations, it is not possible to specify the types of cost which may be classified as indirect cost in all situations. Examples of common indirect costs include administrative/clerical services, rent, utilities, internet and telephone service, maintenance, and general office supplies. **Costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both.** Direct cost of minor amounts may be treated as indirect costs under the conditions described in §200.413(d).[32] After direct costs have been determined and assigned directly to awards or other work as appropriate, indirect costs are those remaining to be allocated to benefitting cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned as a direct cost.

7) Do grantees have to submit supporting documentation for their indirect costs with invoices?
   a. No. However, grantees must retain documentation of their indirect costs for audit purposes.

[32] 2 CFR 200.413(d): "Any direct cost of minor amount may be treated as an indirect (F&A) cost for reasons of practicality where such accounting treatment for that item of cost is consistently applied to all Federal and non-Federal cost objectives."

Appendix 8: Catastrophic Release Contingency Plan Requirement

Contingency Plans must be EPA-approved and in place for CWA 319-Funded Mining Projects that have potential for an unplanned discharge of untreated fluid. Below is a contingency plan template, completed for a fictional project with potential for mine drainage release.

A) Name, location and description of the site and how to access to the site:

The Little Frying Pan Treatment System is located at latitude/longitude 39.247789° N/-106.398364° W. The site is located along the Little Frying Pan Gulch, approximately 5 miles west of the town of Leadville, Lake County, CO. Entrance to the site is from County Road 567.

B) Actions taken to minimize the risk for an unplanned release:

Any potential for and unplanned discharge from the site would be associated with high intensity precipitation events. Sediment controls will be installed as a precautionary measure during construction and not removed until the site has been stabilized. The treatment system has been designed to treat a specified design flow and flows in the system are limited to those that are directed into the system by a design flow pipe or rock lined channel. In certain situations when it is not possible to limit the inflow to design capacity an emergency spillway will be constructed to direct excessive flows out of the treatment system.

C) Onsite Control Actions to be taken if an unplanned release occurs:

Where appropriate, emergency repair work will consist of reestablishing and redirecting the flow path of the discharge, repairing the treatment system, and repairing other facilities necessary to restore functionality to the treatment system.

D) Who will be notified if an unplanned release occurs:

NOTIFICATIONS TO BE MADE: Prior to any event that may discolor water mine entry

Organization	Contact Name	Contact Number/Info	Notified? When?
City of Leadville Police	Dispatch	(719) 486-1365	DAY OF EVENT
Leadville-Lake County Fire Department	Dispatch	(719) 486-2990	DAY OF EVENT
Lake County Sheriff	Dispatch	(719) 486-1249	DAY OF EVENT
EPA Region 3 Emergency Response Spill Line	On Scene Coordinator on duty	(215) 814-5000 (800) 438-2474 (in Region 3 only)	DAY OF EVENT
EPA Nonpoint Source Program Project Officer			DAY OF EVENT
CDPHE	Statewide Incidence Hotline	(877) 518-5608	DAY OF EVENT
Lake County Office of Emergency Management	Mike McHargue	(719) 486-1249	
City Of Leadville, Administrator	Sarah Dallas	(719) 486-1040	
Leadville Public Works	Brad Palmer	(719) 486-0259	

Organization	Contact Name	Contact Number/Info	Notified? When?
CWCB Department of Natural Resources State Engineer's Office	Brian Sutton, Water Commissioner, District 11	(719) 221-0367	
Lake County Director of Administration	Guy Patterson	(719) 486-7491	
Lake County Environmental Health	Jackie Littlepage	(719) 486-7481	
Colorado Division of Water Resources, Arkansas River Basin Water Commission Division 2, District 11	Steve Witte, Division 2 Engineer Brian Sutton, Water Commissioner	(719) 542-3368 Ext. 2126 (719) 221-0367	
CDPHE	Mark Rudolph	(303) 916-2179	Ongoing
DRMS	Craig Bissonnette	(970) 445-8635	Ongoing