2023 Nonpoint Source Grant Program Guidelines

Contents

A. Introduction

The 2023 Nonpoint Source (NPS) Grant Program supports projects to reduce and mitigate the effects of nonpoint source pollutants such as sediment, pesticides, and nutrients, to waters of the state within priority watersheds identified by the Regional Water Quality Control Boards (see section H for Program Preferences).

The funding for this grant program is a grant to the State Water Resources Control Board (State Water Board) from United States Environmental Protection Agency (U.S. EPA) under Clean Water Act (CWA) section 319 (CWA 319 grant). Execution of grant agreements is contingent on receipt of the CWA 319 grant from U.S. EPA. In fiscal year 2023-2024, the State Water Board anticipates receiving approximately $4,500,000 from the CWA 319 grant for this grant program. Unencumbered funds from previous grant years may also be used for eligible projects in accordance with these Grant Guidelines and fund requirements.

The State Water Board considered the Human Right to Water while establishing the criteria in these Guidelines.

B. Application, Eligibility, Review, and Selection Process

1. Application

To apply for funding, applicants must submit a complete proposal per Section D, E, F, or G, depending on project type, through the Financial Assistance Application Submittal Tool (FAAST). See grant solicitation notice for application submittal dates and deadlines. Proposals may be accepted outside of the application submittal dates and deadlines if grant funds remain after the formal solicitation period.

2. Project Types and Minimum Eligibility Requirements

Most of the funding in the NPS Grant Program is earmarked for implementation projects, or projects that implement management practices to improve impaired waters. Implementation includes activities such as finalizing (or limited updating if necessary) design plans (e.g. 60% - 100% design plans); obtaining project permits; constructing or installing management practices; and personnel services, indirect costs, operating expenses, monitoring, targeted education/outreach events that promote the proposed implementation, and reporting necessary to support construction.

Planning proposals will be accepted, and planning activities may be included in implementation proposals, however, expenses for planning activities will be tracked separately and the amount of funds earmarked for planning is smaller than that earmarked for implementation. Planning includes activities such as development of watershed-based plans through site selection, management practice selection, and preparation of design plans (at least 60%), as well as personnel services, indirect costs, and operating expenses necessary to support planning.

The NPS Grant Program focuses mainly on improving impaired waters, but some funding may be awarded to proposals for protection of high-quality waters (see Definitions section for

high-quality waters definition). In addition, some funding may be awarded to proposals for post-fire recovery to protect high-quality waters or to improve impaired waters.

The proposal instructions and minimum eligibility criteria differ by project type and are shown in Table 1.

The Executive Director of the State Water Board or their designee may waive certain minimum eligibility criteria for projects, for good cause and on a case-by-case basis, provided that the project meets the essential eligibility criteria of addressing a NPS Grant Program Preference, and of implementing a watershed-based plan if applicable, and to the extent that the waiver is not contrary to the requirements of the Federal Grant and other applicable law. Notwithstanding the foregoing, in no case will any ineligible entity or project identified in section B.3 of these Guidelines be eligible for funding under the NPS Program.

Table 1: Proposal Instructions and Minimum Eligibility Criteria for Project Types

Minimum Eligibility Criteria	Implementation proposal - Impaired Waters	Implementation proposal - High-Quality Waters	Implementation proposal - Post-Fire Recovery	Planning proposal
Anticipated program funding amount (subject to change)	$3.0 million	$400,000	$800,000	$800,000 **(1)**
For proposal instructions, see section:	Section D	Section E	Section F	Section G
1. Implement on-the-ground management practices that reduce nonpoint source pollutant loads	X	X	X	
2. Demonstrate water quality improvement through estimated pollutant load or concentration reductions	X	X	X	
3. Reduce nonpoint source pollution to a waterbody	X	X	X	

Minimum Eligibility Criteria	Implementation proposal - Impaired Waters	Implementation proposal - High-Quality Waters	Implementation proposal - Post-Fire Recovery	Planning proposal
4. Implement an adopted or nearly adopted total maximum daily load (TMDL), TMDL Vision Plans or TMDL alternative	X			
5. Implement a watershed-based plan or combination of plans that fulfills USEPA's nine minimum elements (see Appendix 1)	X	X	X **(2)**	
6. Address an NPS Grant Program Preference (Section H)	X	X	X	X
7. Meet minimum and maximum funding request, respectively	$250,000 - $1,000,000	$250,000 - $400,000	$250,000 - $800,000	$50,000 - $250,000
8. Applicant must be a nonprofit 501(c)(3) organization, Federally Recognized Tribe, or federal, state, local, or other public agency or public college **(3)**	X	X	X	X
9. Consult with Regional Water Board Grant coordinator **(4)**	X	X	X	X
10. Secure funding match as described in Appendix 4 (or qualify for waiver per Appendix 5)	X	X		X

Minimum Eligibility Criteria	Implementation proposal - Impaired Waters	Implementation proposal - High-Quality Waters	Implementation proposal - Post-Fire Recovery	Planning proposal
11. Commitment to complete project in anticipated timeframe shown here	3.5 years or less (March 2024 – August 2027)	3.5 years or less (March 2024 – August 2027)	3.5 years or less (March 2024 – August 2027)	1 year or less (March 2024 – February 2025)
12. Demonstrate resilience to climate change	X	X	X	X

(1) The estimated amount of program funding for planning proposals includes planning elements in implementation proposals.

(2) Applicants may propose to submit an alternative watershed-based plan if the post-fire recovery proposal is within two years of a fire. See proposal instructions for more detail about alternative watershed-based plans.

(3) Federally Recognized Tribes must provide a limited waiver of sovereign immunity for the purposes of grant enforceability to be eligible for funding.

(4) Consultation with the Regional Water Board Grant Coordinator consists of sharing the proposal, scope of work, and budget with the Regional Water Board grant coordinator and incorporating feedback from the Grant Coordinator into the proposal. This consultation is important because Regional Water Board staff ultimately determine whether proposals meet regional program preferences.

3. Ineligible Entities and Projects

- Private entities, other than 501(c)(3) organizations, are ineligible.
- Projects necessary to satisfy an enforcement or civil settlement or judicial order are ineligible.
- Projects that directly support the production of cannabis are ineligible.
- Projects or activities that are 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) are ineligible. 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).
- Projects that convert or upgrade individual septic systems are ineligible. 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.

- Projects that are either entirely or primarily education and outreach are ineligible.
- Research studies and pilot projects are ineligible.

4. Selection Process

State Water Board anticipates announcing the request for proposals in September 2022. Upon closing of the solicitation period (generally about twelve weeks from the announcement date), State and Regional Water Board staff will conduct a preliminary eligibility check of the proposals. State Water Board staff will contact applicants with questions about their eligibility status using contact information provided in FAAST.

After the preliminary eligibility check, a Review Panel including staff from the State and Regional Water Boards (Water Boards) and U.S. EPA will review the proposals. Applicants may be asked to respond to questions and/or comments at this time. During the response to comment period, applicants may contact their Regional Grant Coordinator to help ensure that responses satisfactorily address the comments. After responses to comments are received, the Review Panel will finalize and submit the recommended project list to the State Water Board Executive Director for approval.

After approval by the Executive Director, all applicants will be notified of their funding status via the email addresses provided in their FAAST accounts, and the State Water Board will post the Fundable Project List to the NPS website. The Executive Director may, at their discretion, modify the Fundable Project List.

The Review Panel may also establish a list of eligible potential projects that may be awarded if funding becomes available (Potential Project List). The Potential Project List includes projects that are supported by the Review Panel but are ranked below projects that qualify for the Fundable Project List. Placement of a project on the Potential Project List does not constitute a commitment to provide funding.

C. Award Requirements

Below are additional requirements for projects approved for funding:

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, U.S. EPA guidance on Management Measures to Control Nonpoint Source Pollution from Urban Areas). Applicants are required to describe the expected useful life of proposed management measures and management practices as part of their proposal.

Grant Agreement Development: Successful applicants will work with their Regional Water Board's NPS Grant 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. Any award of grant funds under the NPS Grant Program is contingent on an applicant accepting the State Water Board's final grant agreement. During grant agreement development, applicant 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 award by the Deputy Director of the Division of Water Quality.

Reimbursement of Costs: Only work performed according to 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. Applicants with projects funded by CWA section 319 funds shall be responsible for complying with federal standards set forth in the Uniform Grant Guidance (2 CFR, §§ 200 et seq. and 2 CFR, §§ 1500 et seq.) including Standards for Financial and Program Management in subpart D and federal cost principles set forth in subpart E. 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;

c) Purchase of equipment not integral to the project;

d) Establishing a reserve fund;

e) Replacement of existing funding sources for ongoing programs;

f) Expenses incurred in preparation of the FAAST application and proposal; and

g) 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.

Indirect Costs: Federally negotiated indirect cost rates between an applicant and a federal agency will be honored by the State Water Board. The applicant must provide a copy of the negotiated rate agreement to demonstrate how it applies indirect costs and commit to follow it throughout the length of the grant. If an applicant had a federally negotiated indirect cost rate agreement, but has let the agreement lapse or expire and has not renewed the agreement or is not in the process of renewing it, the applicant is not eligible for an indirect cost rate and the indirect cost rate will be 0% in

their grant agreement with the State Water Board. If the applicant 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 8 for further information about indirect costs.

U.S. EPA Conditions: U.S. EPA has final approval authority of all projects funded with CWA 319 funds. 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 9).

Funding Conditions: Projects and recipients of NPS Grant Program funding are subject to state and federal requirements. The State Water Board may condition a grant agreement as appropriate to ensure projects are completed successfully, expeditiously, and in compliance with all applicable requirements.

Prevailing Wage: Grant recipients will be required to comply with any applicable prevailing wage requirements under the funding agreement.

Competitive Bid Requirements: Grant recipients are required to comply with competitive bidding protocols (2 CFR sections 200.318 to 200.326) when selecting contractors, including those requiring competition, when the recipient acquires goods and services from contractors or consultants or awards any contracts in any way related to the proposed project. The State Water Board may require documentation of compliance if proposals pre-identify contractors. Grant agreements will include the language in Appendix II to 2 CFR part 200 in all contracts and subcontracts to be awarded for the Project.

BABA: CWA 319 funds awarded by U.S. EPA after May 14, 2022, are subject to the Build America, Buy America (BABA) provisions of Public Law 117058 (the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL), signed into law on November 15, 2021). Grant recipients will be required to ensure that, as these terms are defined within and made applicable by Public Law 117-58, (a) all iron and steel used in the Project are produced in the United States; (b) the manufactured products used in the Project are produced in the United States; and (c) the construction materials used in the Project are produced in the United States.

D. Proposal Instructions for Impaired Waters

1. Create an account in State Water Board Financial Assistance Application Submittal Tool (FAAST) 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 *2023 Nonpoint Source – Clean Water Act section 319*.
3. Complete Attachments A-J and upload each attachment separately to FAAST. **Include the attachment letter (A-J), title of attachment, the FAAST Proposal Identification Number (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. Attachments must meet page limit requirements. Any information in excess of page limits will not be reviewed. Studies or other reference materials supporting the proposal must be summarized within the page limits.
4. Submit proposals, including all attachments, using FAAST, by 5:00 PM PST of the application closing date, or the entire application will be disqualified. See grant solicitation notice for application submittal deadline.
5. If requested to respond 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.), changes must be flagged or marked so it is easy to see what has changed (e.g., using tracked changes).

Attachment A: Project Narrative (70 points) – limit 13 pages

1. Project Description (5 points): Briefly describe the project. Include the purpose and benefits of the project, the proposed work, and whether the project includes monitoring, outreach, and/or education.
2. Watershed Description (2 points)
   a) Describe the watershed where the project will be located at the hydrologic unit code (HUC) 12 scale if possible. If the project will have implementation sites in more than one HUC 12 watershed, a description of the larger HUC 10 watershed is appropriate. Include land use (e.g., how people use the landscape – urban, agriculture, conservation, timber, or mixed uses), and the percentage of each land use in the watershed.
   b) Describe the relative size of the implementation sites of the project in relation to the overall 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 California EcoAtlas, which integrates stream and wetland maps, restoration information, and monitoring results with land use, transportation, and other information important to the state's wetlands in order to create a complete picture of aquatic resources in the landscape, 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) Describe other projects or activities in the watershed that have improved or will improve water quality. Activities can be completed, ongoing or planned, and can be performed by your organization, or others.

b) Describe the Watershed-Based Plan, or watershed planning documents that identify activities needed to address watershed concerns, and show that the proposed project is a priority. Watershed planning documents could include TMDL implementation plans, Basin Plans, and other watershed plans and watershed assessments. List 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. Describe 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.

d) Describe whether the proposed project is part of a larger effort (e.g., part of a phased set of projects, or component of a project that is receiving funding from other sources). If the proposed project is part of a larger effort, describe clearly what work the State Water Board would be funding, and provide an overview of phases of work in the larger project and next steps and timing for completing the larger project.

4. Site Selection Criteria (10 points for implementation proposals; 2 points for planning proposals)

a) Identify high priority areas (which may or may not be larger than the implementation sites) within the watershed and describe the prioritization method and criteria for selecting implementation sites, including the technical and scientific basis for selecting and prioritizing sites. Pertinent information should be summarized in the proposal; review of cited literature, studies or research that support site selection criteria is at reviewer's discretion.

b) Identify the location of proposed implementation sites on Attachment H: Project Map. Note that identification of implementation sites is a planning activity and subject to limited availability of planning funds in the program.

Note: Funds cannot be used for projects that implement conditions of National Pollutant Discharge Elimination System (NPDES) permits. Verify with the Regional Board Grant Coordinator whether the project location(s) is within the boundaries of a NPDES permit, and if it is within the boundaries, that the project work does not implement any conditions of an NPDES permit.

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 address for planning projects or reduce for implementation projects (e.g., sediment, nitrogen, pesticides, temperature).

c) Describe how the project will achieve goals or milestones identified in the watershed plan described in 3.b, above.

d) 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 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 more information on water quality objectives and standards, and/or TMDL targets, contact your Regional Water Board Grant Coordinator (Appendix 7).

e) 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.

Note: Water quality monitoring is not required, but if it is included in the proposal, describe what and how monitoring will occur, whether the monitoring is part of a regional monitoring program or data collection effort, and how the data will how the monitoring will used for adaptive management and assessing progress toward water quality improvement. If a project with monitoring components is approved for funding, the applicant will be required to conduct monitoring according to a Monitoring Plan and Quality Assurance Project Plan as described in Appendix 10. In addition, all data collected from water quality monitoring must be compatible with and submitted to California Environmental Data Exchange Network (CEDEN) and must be SWAMP-comparable as described in the Surface Water Ambient Monitoring Program Quality Assurance Program Plan.

6. <u>Management Measures and Management Practices (10 points)</u>

a) Describe the management measures (MMs) to be implemented and the technical and scientific basis for selecting them such as the anticipated benefit for water quality. Pertinent information from cited literature, studies or research, or basis of design that support selection should be summarized; review of cited literatureis at reviewer's discretion.

b) Describe the process and criteria used to select management practices (MPs) and whether the criteria for selection of MPs includes cost and/or landowner participation.

c) Describe the MPs for each implementation site. Note that identification of management practices is a planning activity and subject to limited availability of planning funds in the program.

d) Provide project design plans and/or engineering designs, if available. Include as one or more of the five (5) pages of additional attachments (Attachment K).

e) Describe and provide citation for the expected useful life of the proposed MPs. See California Management Measures and Natural Resources Conservation Service (NRCS) Practices Service Life for appropriate useful lives for various MMs/MPs or other appropriate references (e.g., California Fish and Wildlife Salmonid Restoration Manual, Mendocino Roads Manual, U.S. EPA guidance).

7. Project Team (9 points)

a) Provide names of project team members (including partners, contractors and subcontractors) and their roles in the project. Identify members' relevant credentials and qualifications (e.g., education, technical and administrative experience, knowledge, and skills) necessary to complete the project. Applicants may provide examples of past successes for the proposed team in completing previous grant-funded projects.

Note: See Section C – Award Requirements regarding requirements for contractor and/or subcontractor selection.

b) If contractors or consultants have not yet been identified, describe what qualifications and specific expertise is necessary to implement the proposal. 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.

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 the project team will coordinate and cooperate with relevant local, state, and federal agencies, and the timeframe for coordination. Describe how this coordination and communication will influence decisions made regarding project implementation and/or long-term operation and management of MPs.

8. Project Management (3 points)

a) Confirm that the project will be completed within the expected grant agreement execution timeframe described in Attachment D, Schedule.

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), and 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.

9. Project Budget (10 points)

   a) Discuss the cost-effectiveness of the project.

   b) If the project is an implementation proposal, provide an estimate of the costs for any and all planning activities. Planning includes site selection, management practice selection, and preparation of design plans, and personnel services, indirect costs, and operating expenses necessary to support planning. Note that all planning in a project must be directly related to the proposed scope of implementation work in the proposal.

   c) Describe if the project leverages other resources (e.g., programs, projects and private or local, state and/or federal 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.

   d) Complete both the simple and detailed tables of the 2023 NPS budget template (Attachment E, available on the NPS Grant Program webpage). Budget should have sufficient detail for reviewers to assess cost effectiveness of proposed work, and the detailed budget should address all applicable tasks and sub-tasks in the scope of 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 must be submitted in MS Excel format. Do not change the format in the budget tables.

10. Funding Match (5 pts)

Matching funds in the amount of 25% (or 75%, for eligible septic system upgrades or conversions) of the total project must be secured by the time of grant agreement execution, unless the project qualifies and is approved for a full or partial match waiver. If applying for a full or partial match waiver, follow the instructions in Appendix 5, and submit Exhibit A, Certificate of Understanding, as well as Attachment G, Partial or Full Match Waiver Request. If the required matching funds are not available at the time of grant agreement execution, grant funds will be withdrawn.

For proposals that will be providing match (either full or partial match):

   a) Describe the cost share, match, in kind services, etc., and how they will be tracked throughout the project.

   b) Complete a Match Commitment Form (Attachment F). A downloadable copy is available on the NPS Grant Program webpage. Applicants who can show that match is secured when submitting their proposal are eligible for the full 5 points; proposals with unsecured match funds are only eligible for a maximum of 3 points.

11. Readiness to proceed (8 points)
    a) Describe any project-specific planning that remains for the project (e.g., site selection and preparing design plans).
    b) Identify and describe any needed assessments or data gaps and how they will be addressed by the project.
    c) 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.
    d) If applicable, identify any landowner agreements that will be required and how you plan to obtain them.
12. Climate Change Resiliency (3 points)
    a) In response to California State Water Resources Control Board Resolution No. 2017-0012, Comprehensive Response to Climate Change, provide a short description of how this project 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).
    b) In addition, describe if the proposed project mitigates climate change impacts. Examples include:
        - Improves water quality
        - Increases water supply, groundwater recharge, carbon sequestration
        - Maintains or enhances instream flow levels
        - Decreases streambank erosion, or dust and soil loss,
        - Decreases risk of catastrophic wildfire or water quality impacts following such fires
        - Reduces extreme waterbody temperature fluctuations or conditions that promote toxic algal blooms
13. Adaptability/Transferability (2 points): If applicable, discuss how the project has been adapted from a past effort and how the project utilizes established techniques as well as the benefits beyond the immediate project by demonstrating the applicability of the proposed activities to other watersheds or regions.
14. Environmental Justice (EJ) and Human Right to Water (4 points): Describe if and how the project will incorporate environmental justice considerations or help implement the Human Right to Water Law. The Review Panel may use CalEnvironScreen (https://oehha.ca.gov/calenviroscreen) to confirm responses and evaluate this section. Include the following information:
        - EJ needs and issues within the project area and how they were identified;

- How the proposed project will directly address an EJ issue in the community (e.g., improve access to water or water quality);
- Demographics of the community in the project area (race, income, etc.);
- How the community within the project area has been or will be involved in project process;
- Any negative impact the project may have on the community; if applicable; and
- 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. Competitive applicants will work closely with their Grant Coordinator at the applicable Regional Board when developing the scope of work.

a) Write the Scope of Work as a series of tasks. Describe 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.

b) Quantify deliverables where possible, and for management practices, include minimum number to be accomplished (e.g., miles of road treated, linear feet of cattle fencing installed, acres of revegetation, etc.).

c) Include all California Environmental Quality Act (CEQA) – related tasks, and identify all 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 as a calendar date or a date relative to the start date (e.g., 30 days after start date). See grant agreement execution timeframe described in the instructions for Attachment D, Schedule, to help with developing a schedule.

Attachment C: Watershed-Based Plan Verification Table (pass/fail)

Complete the nine-element verification table (located on the NPS Grant Program webpage). Include title(s) of and links to applicable existing and adopted Watershed-Based Plans or documents that collectively address all of the nine elements. EPA requires that projects funded with CWA 319 funds must implement watershed projects guided by nine-element Watershed-Based Plans. More information on U.S. EPA's nine-element watershed-based plans can be found in Appendix 1: Minimum Elements for Watershed-Based Plans per Clean Water Act section 319 of these grant guidelines, and U.S. EPA's *Handbook for Developing Watershed Plans to Restore and Protect Our*

Waters (March 2008) and *A QUICK GUIDE to Developing Watershed Plans to Restore and Protect Our Waters* (May 2013).

Attachment D: Schedule (3 points) – limit 3 pages

Provide a Gantt chart or Gantt chart-like table of the project schedule by month, totaling three pages or less. Show all tasks and sub-tasks, deliverables and other milestones identified 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 grant timeline. The project tasks proposed for funding must be limited to the grant period. 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 and sub-task in the proposed project;

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

c) Identify project start and end dates. For implementation and planning projects, start date should be between February and June 2023, but no later than June 30, 2023. For implementation projects, the proposed project end date cannot be later than August 2027, and for planning projects the proposed project end date cannot be latter than February 2025.

Expected Grant Agreement Execution Timeframe:

Grant agreements are not expected to be executed before March 2024. When developing a project schedule, applicants should note the anticipated timeframe described below.

Step 1. Project selection and Executive Director Approval (April 2023)

Step 2. Award announced to applicants (May 2023)

Step 3. State Water Board receives CWA 319 grant from U.S. EPA (target July 2023)

Step 4. Scope of Work development with Regional Water Board Grant Managers and applicants (July 2023 through December 2023)

Step 5: Grant agreement development and execution with Division of Financial Assistance (October 2023 – June 2023)

Attachment E: Budget

Attachment F: Match Commitment Form

Attachment G: Partial or Full Match Waiver Request

See Appendix 5 for instructions.

Attachment H: Project Performance Table (3 points) – limit 2 pages

Complete a draft Project Performances Measures Table per Appendix 6, not to exceed two pages in length. Applicants will be required to complete a final Project Assessment and Evaluation Plan (PAEP) following grant execution.

Attachment I: Project Maps and Figures (5 points) – limit 3 pages

Provide up to three pages of maps. Maps must be submitted in .jpg or .pdf format and be readable when printed on 11”x17” paper. Maps must show and identify the following:

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 that are affected by the Project

e) Locations of priority implementation sites

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

Attachment J: Environmental Clearance Checklist (pass/fail)

All projects that receive funding as part of this grant program must comply with CEQA and Federal environmental regulations, as applicable. Complete the Environmental Clearance Checklist, located on the NPS Grant Program webpage to show how CEQA will be addressed (e.g., Environmental Impact Report, Mitigated Negative Declaration, or Notice of Exemption), the lead agency, and where in the environmental analysis process the project is. See Appendix 3: Environmental Review Process for more information on CEQA requirements.

Attachment K: Additional attachments (optional) – limit 5 pages

Attach up to five pages of additional documents, including letter(s) of support, figures, engineering design plans, or other information. Letter(s) of support from collaborating agencies or community members should be addressed to the Regional Water Board Grant Coordinators shown in Appendix 7**.**

E. Proposal Instructions for High-Quality Waters Proposals

Follow all instructions in Section D except the following:

In the FAAST application questionnaire for the *2023 Nonpoint Source – Clean Water Act section 319*, complete the following sections as follows.

Question #4: In this question, indicate whether a nine-element watershed plan or an alternative plan has been used to inform the need for the proposed project. If a nine-element watershed plan or collection of documents does not address the project, applicant may propose to rely on an alternative watershed plan.

Details on alternative watershed plans for unimpaired/high quality waters are described below. Alternative watershed plans must comply with US EPA Guidelines (2013) and be approved by US EPA prior to implementation.

Question #7: enter "N/A" as no TMDLs would exist for a high-quality waterbody.

In the proposal, complete the following sections as follows:

Attachment C – Watershed-Based Plan Verification Table (modified):

Complete Attachment C, Watershed-Based Plan Verification Table to demonstrate how the proposed project will implement a nine-element watershed plan. See Appendix 1 for more information. If proposing to rely on an alternative plan (see below), complete the modified version of Attachment C. Both versions of the Watershed-Based Plan Verification Table are available on the State Water Board Nonpoint Source Grant Program website.

Existing applicable planning documents such as TMDLs and Vision Plans, implementation plans and Basin plans, may contribute to the elements of Watershed-Based Plans or alternative plan.

For projects in areas for which a nine-element watershed-based plan does not exist or does not address the current situation, applicants may propose to rely on an alternative watershed-based plan instead of a Watershed-based plan. Alternative plans must be approved by US EPA prior to implementation. Applicants should plan to work with the state to develop and provide US EPA with justification for why a complete WBP is not necessary and why an alternative plan is sufficient to guide watershed project implementation.

Per U.S. EPA Nonpoint Source Program and Grants Guidelines for States and Territories (epa.gov) (2013), alternative plans should be designed to achieve water quality goals by consistently addressing a geographically appropriate scale, and comply with U.S. EPA Guidelines including addressing the five elements below:

- Identification of the causes or sources of nonpoint source pollution impairment, water quality problem, or threat to water quality;
- Watershed project goal(s) and explanation of how the proposed project(s) will achieve or make advancements towards achieving water quality goals;
- Schedule and milestones to guide project implementation;
- Proposed management measures (including a description of operation and maintenance requirements) and explanation of how these measures will effectively address the nonpoint source pollution impairment identified above; and
- Water quality results monitoring component, including description of process and measures (e.g., water quality parameters, stream flow metrics, biological indicators) to gauge project success.

F. Proposal Instructions for Post-Fire Recovery Proposals

Follow all instructions in Section D except as follows.

In the FAAST application questionnaire for the *2023 Nonpoint Source – Clean Water Act section 319*, complete the following sections as follows.

b) Project Budget Tab: Local cost match not required but may be entered if matching funds are available and will be used toward the proposed project.

c) Question #4: In this question, indicate whether a nine-element watershed plan or an alternative plan has been used to inform the need for the proposed project. If a nine-element watershed plan or collection of documents does not address post-fire recovery projects, applicant may propose to rely on an alternative watershed plan. Details on alternative watershed plans for responding to a NPS pollution emergency or urgent public health risk are described below. Alternative watershed plans must comply with US EPA Guidelines (2013) and be approved by US EPA prior to implementation.

d) Question #5: Enter "yes"

e) Question #6: Enter "post-fire recovery"

f) Question #7: If an adopted or nearly-adopted TMDL doesn't exist for the waterbody affected by the project, okay to enter "N/A"

g) Question #16: Enter "N/A"

In the proposal, complete the following sections as follows:

Attachment C – Watershed-Based Plan Verification Table:

Complete Attachment C, Watershed-Based Plan Verification Table to demonstrate how the proposed project will implement a nine-element watershed plan. See Appendix 1 for more information. If proposing to rely on an alternative plan (see below), complete the modified version of Attachment C. Both versions of the Watershed-Based Plan Verification Table are available on the State Water Board Nonpoint Source Grant Program website.

Existing applicable planning documents such as TMDLs, implementation plans and Basin plans, may contribute to Watershed-Based Plan elements or alternative plan elements.

For projects in areas for which a watershed-based plan does not exist or does not address the current situation of urgent nonpoint source pollution emergencies or public health risks, applicants may propose to rely on an alternative watershed-based plan instead of a Watershed-based plan. Alternative plans must be approved by US EPA prior to implementation. Applicants should plan to work with the state to develop and provide US EPA with justification for why a complete WBP is not necessary and why an alternative plan is sufficient to guide watershed project implementation.

Per U.S. EPA Nonpoint Source Program and Grants Guidelines for States and Territories (epa.gov) (2013), alternative plans should be designed to achieve water

quality goals by consistently addressing a geographically appropriate scale, and comply with U.S. EPA Guidelines including addressing the five elements below:

- Identification of the causes or sources of nonpoint source pollution impairment, water quality problem, or threat to water quality;
- Watershed project goal(s) and explanation of how the proposed project(s) will achieve or make advancements towards achieving water quality goals;
- Schedule and milestones to guide project implementation;
- Proposed management measures (including a description of operation and maintenance requirements) and explanation of how these measures will effectively address the nonpoint source pollution impairment identified above; and
- Water quality results monitoring component, including description of process and measures (e.g., water quality parameters, stream flow metrics, biological indicators) to gauge project success.

Attachment F – Funding Match - not required; however, if match is available, follow instructions for Impaired Waters.

Attachment G – Match Waiver Request – not required

G. Proposal Instructions for Planning Proposals

Follow all instructions in Section D except as follows:

In the FAAST application questionnaire for the *2023 Nonpoint Source – Clean Water Act section 319*, complete the following sections as follows.

a) Question #4: Okay to enter "N/A"
b) Question #7: Okay to enter "N/A" if an adopted or nearly-adopted TMDL doesn't exist for the waterbody affected by the project
c) Question #8: Okay to enter "N/A"

In the proposal, complete the following sections as follows:

Attachment A, #4a and #4b not required, but provide information as available

Attachment A, #5d and #5e not required

Attachment A, #6a through #6e not required, but provide information as available

Attachment A, #9b not required

Attachment C: Watershed-Based Plan Verification Table not required

H. Nonpoint Source Grant Program Preferences

Post-Fire Recovery (All Regions)

Applicants may submit post-fire recovery proposals to address recovery needs in areas affected by fire where the fire has occurred since 2020 and the area has been covered by an emergency proclamation by the California Governor. Post-fire recovery projects that reduce threats to water quality will be considered for funding. In addition, limited funds are available for the assessment and/or planning for the restoration of fire-impacted areas.

Please indicate “post-fire recovery” in the title of the proposal if submitting a post-fire recovery proposal. The State Water Board has discretion to determine if a proposal qualifies as a post-fire recovery project.

Planning (All Regions)

Applicants may submit planning proposals that focus on any of the waterbody-pollutant combinations listed in the following NPS Grant Program Preferences, or for planning for the restoration of and/or assessment of fire-impacted areas.

North Coast Regional Water Board (Region 1)

Waterbody: Russian River

Pollutant: Pathogens/Indicator Bacteria

Project Types: Implement management measures or practices to reduce pathogen and fecal indicator bacteria waste discharges to surface waters in areas of the Russian River Watershed. Projects should address fecal indicator bacteria inputs from one or more of the following:

- Discharges from humans
    - onsite wastewater treatment systems
    - water recreation
    - encampments of people experiencing homelessness
- Discharges from domestic and farm animals
    - grazing

Waterbody: Eel River*, Mattole River*, Gualala River, Navarro River*

Pollutant: Sediment

Project Types: 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.

Pollutant: Temperature

Project Types: Implement management measures to reduce instream water temperatures and to increase effective shade through: tailwater reduction, cold-water spring connection, rainwater capture, off-stream storage, groundwater recharge, flow augmentation, beaver dam analogues, and/or riparian shade restoration projects.

Waterbody: Albion River*, Big River*, Ten Mile River*, Noyo River*, Garcia River*, Trinity River, Van Duzen River*, Redwood Creek*, Mad River

Pollutant: Sediment

Project Types: 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, along and/or areas of impact to watercourses that provide salmonid habitat.

Waterbody: Elk River

Pollutant: Sediment

Project Types: 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 to restore natural watershed function

Waterbody: Shasta River

Pollutant: Dissolved Oxygen and Temperature

Project Types: Implement management measures or practices to address low dissolved oxygen, reduce instream water temperatures and increase groundwater recharge through: tailwater reduction, cold-water spring connection, rainwater capture, off-stream storage, groundwater recharge, flow augmentation, beaver dam analogues, riparian planting, off-stream stock watering systems, riparian fencing, cross fencing to facilitate rotational grazing, large wood augmentation, and/or channel complexity projects.

Waterbody: Scott River

Pollutant: Sediment

Project Types: Implement management measures to address sediment. Projects may include one or more of the following:

- Placement of instream large woody debris to increase floodplain connectivity
- Erosion Control BMPs on upland unpaved roads, including culvert crossing repair/upgrades
- Implementation of instream projects that increase channel roughness and floodplain connectivity
- Floodplain improvement projects that increase riparian function and develop depositional areas for fine sediment.

Pollutant: Temperature

Project Types: Implement management measures to increase effective shade. Projects may include one or more of the following:

- Riparian plantings and instream large woody debris to increase effective shade, especially in areas of identified thermal refugia
- Riparian protection management measures that allow for the establishment of native riparian vegetation, including off-stream stock watering systems, riparian fencing, cross fencing to facilitate rotational grazing, etc
- Management measures that minimize, control, or prevent the flow of warm tailwater into waterways

Waterbody: Estero San Antonio HA

Pollutant: Sediment and Nutrients

Project Types: Implement management measures or practices to reduce sediment 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. Stormwater retention projects. Restoration of riparian vegetation and reconnection of floodplains to restore natural ecosystem functions for improved water quality.

Waterbody: Laguna de Santa Rosa

Pollutant: Sediment

Project Types: Implement management measures or practices to reduce sediment 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. Stormwater retention projects. Restoration of riparian vegetation and reconnection of floodplains to restore natural ecosystem functions for improved water quality.

Pollutant: Dissolved Oxygen and Temperature

Project Types: Implement management measures or practices to address low dissolved oxygen, reduce instream water temperatures and increase groundwater recharge through: tailwater reduction, cold-water spring connection, rainwater capture, off-stream storage, groundwater recharge, flow augmentation, beaver dam analogues, riparian planting, off-stream stock watering systems, riparian fencing, cross fencing to facilitate rotational grazing, large wood augmentation, and/or channel complexity projects.

Waterbody: Salmon River

Pollutant: Temperature

Project Types: Implement management measures or practices to reduce instream water temperatures and increase groundwater recharge through restoration of floodplains and riparian areas impacted by legacy mining, tailwater reduction, cold-water spring connection, rainwater capture, off-stream storage, groundwater recharge, flow augmentation, beaver dam analogues, riparian planting, large wood augmentation, and/or channel complexity projects.

***Waterbodies that include Critical Coastal Areas.**

San Francisco Bay Regional Water Board (Region 2)

Waterbody: Tomales Bay (including tributaries)

Pollutant: Pathogens

Project Types: Design and implement management measures/management practices according to ranch water quality plans, waste management plans, and nutrient management plans developed to comply with grazing waiver, and confined animal facility permit requirements.

Pollutant: Sediment

Project Types: 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.

Waterbody: Walker Creek

Pollutant: Mercury

Project Types: Implement management measures/management practices according to ranch water quality plans (Ranch Plans) developed to comply with the grazing waiver and general confined animal facility permit requirements. Grazing management practices such as streambank stabilization and/or revegetation, fencing, filter strips, management of pasture residual dry matter and road stabilization, should control and reduce the remobilization of mercury-laden sediments along Walker Creek; thereby reducing the potential for

methylmercury formation and bioaccumulation within the aquatic food web (helping to meet TMDL targets).

Waterbody: Sonoma Creek

Pollutant: Pathogens

Project Types: Design and implement management measures/management practices according to ranch water quality plans, waste management plans, and nutrient management plans developed to comply with grazing waiver, and confined animal facility permit requirements.

Pollutant: Sediment

Project Types: 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.

Waterbody: Napa River

Pollutant: Sediment

Project Types: 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.

Waterbody: Pescadero-Butano Watershed

Pollutant: Sediment

Project Types: 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.

Waterbody: Petaluma River (including tributaries)

Pollutant: Bacteria

Project Types: In support of the Petaluma River Bacteria TMDL, design and implement management measures/management practices according to ranch water quality plans, waste management plans, and nutrient management plans developed to comply with grazing waiver and confined animal facility permit requirements.

Waterbody: Pillar Point Harbor and Venice Beach Watersheds

Pollutant: Bacteria

Project Types: In support of the Pillar Point Harbor and Venice Beach Bacteria TMDL, design and implement management measures/management practices according to ranch

water quality plans, waste management plans and nutrient management plans developed to comply with confined animal facility permit requirements.

Waterbody: Drakes Estero, Drakes Bay, Fitzgerald Marine Reserve (including tributaries) which drain to High Quality Waters and sensitive coastal and marine areas, such as State Marine Reserves, State Marine Conservation Areas and Critical Coastal Areas

Pollutant: Any pollutants associated with upstream land-uses

Project Types: Implement management measures or enhance habitat in high-quality waters and tributaries to protect beneficial uses and prevent degradation to aquatic habitat for cold and warm water fish species.

Central Coast Regional Water Board (Region 3)

Waterbody: Chorro and Los Osos Creeks and all tributaries, Franklin Creek and all tributaries, the Santa Ynez River and all tributaries, and Elkhorn Slough

Pollutant: Nutrients and Dissolved Oxygen

Implementation Project Types:

Implement source control and edge of field management measures to improve pollutant capture, filtration, and/or treatment (e.g., on-farm irrigation and nutrient management, vegetated grassed ditches, denitrifying biofilters/bioreactors, cover crops, etc.) and to eliminate, reduce or treat discharges and pollutant loading. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and estuarine aquatic habitat to improve watershed functions and support beneficial uses e.g. cold fresh water habitat, warm fresh water habitat, estuarine habitat, wildlife habitat, rare threatened or endangered species-migration, spawning, reproduction and/or early development, commercial and sport fishing, and shellfish harvesting.

Update, as needed, streamlined or county-wide or watershed-wide master permits with established permittable practices for federal Clean Water Act (CWA) section 319(h) funded project sites to incentivize implementation of habitat restoration and water quality improvement projects.

Monitor discharge, surface water and/or groundwater quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving surface or groundwater water quality, provide regulatory compliance assistance for agricultural operations, document habitat condition improvement, and confirm the attainment of water quality standards).

Waterbody: Pajaro River and all tributaries, San Lorenzo River and all tributaries, Salinas River including Gabilan Creek and all tributaries, Chorro and Los Osos Creeks and all tributaries, and/or other waterbodies draining to sensitive coastal and marine areas, such as Critical Coastal Areas (e.g., Elkhorn Slough and Carmel River and all tributaries, and Carpinteria Marsh and all tributaries)

Pollutant: Sediment, turbidity, and/or sediment-bound pollutants (e.g., pesticides and toxicity)

Implementation Project Types:

Implement management measures for erosion control and to minimize active sediment resuspension (e.g., culvert crossing repair or upgrade, off-channel sediment basins, instream flow dissipation structure, update or modernize instream pump lift stations, stabilization and revegetation of roadside ditches, cover crop planting, wetlands, or dry-weather treatment system infrastructure for recycling, re-use, injection or recharge, fish barrier removal, streambank and riparian restoration, placement of instream large woody debris). Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and estuarine aquatic habitat to improve watershed functions and support beneficial uses e.g. cold fresh water habitat, warm fresh water habitat, estuarine habitat, wildlife habitat, rare threatened or endangered species-migration, spawning, reproduction and/or early development, commercial and sport fishing, and shellfish harvesting.

Update, as needed, streamlined or county-wide or watershed-wide master permits with established permittable practices for federal Clean Water Act (CWA) section 319(h) funded project sites to incentivize implementation of habitat restoration and water quality improvement projects. Establish and utilize function-based wetland and riparian assessment protocols (e.g., CRAM, RipRAM, Bioassessment) to prioritize and evaluate effectiveness of project sites in protecting and enhancing water quality and anadromous fish habitat or to provide compliance assistance.

Monitor discharge and/or ambient water quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving water quality, document habitat condition improvement, and confirm the attainment of water quality standards).

Waterbody: Pajaro River and all tributaries, Lower Salinas River including Gabilan Creek and all tributaries, Santa Maria River and all tributaries, Oso Flaco Lake and Creek and all tributaries

Pollutant: Nutrients and pesticides and aquatic and/or sediment toxicity

Implementation Project Types:

Implement source control and edge of field management measures to improve pollutant capture, filtration, and/or treatment (e.g., on-farm irrigation and nutrient management, integrated pest management, hedge rows, vegetated grassed ditches, denitrifying biofilters/bioreactors, biochar or carbon filtration, conversion to organic, sprayer calibration, cover crops, etc.) and to eliminate, reduce or treat discharges and pollutant loading. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and estuarine aquatic habitat to improve watershed functions and beneficial uses e.g. cold fresh water habitat, warm fresh water habitat, estuarine habitat, wildlife habitat, rare threatened or endangered species-migration, spawning, reproduction and/or early development, commercial and sport fishing, and shellfish harvesting.

Update, as needed, streamlined or county-wide or watershed-wide master permits with established permittable practices for federal Clean Water Act (CWA) section 319(h) funded project sites to incentivize implementation of habitat restoration and water quality improvement projects.

Monitor discharge, surface water and/or groundwater quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving surface or groundwater water quality, provide regulatory compliance assistance for agricultural operations, document habitat condition improvement, and confirm the attainment of water quality standards).

Waterbody: Pinto Lake, including tributaries

Pollutant: Cyanobacteria toxins (microcystins), chlorophyll a, and dissolved oxygen, nutrients and sediment-bound pollutants

Implementation Project Types: Implement nutrient and associated sediment control and/or treatment practices (e.g., alum application, erosion control, nutrient and irrigation management, bioreactor treatment, upgrades to leaking or failing onsite wastewater treatment systems (OWTSs) also referred to as septic systems) to reduce nutrient availability and associated algal blooms and foster the Human Right to Water for underrepresented communities.

Monitor discharge, surface water and/or groundwater quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving surface or groundwater water quality, provide regulatory compliance assistance for agricultural operations, document habitat condition improvement, and confirm the attainment of water quality standards).

Waterbody: San Lorenzo River including all tributaries and Morro Bay including all tributaries

Pollutant: Fecal Coliform and trash

Implementation Project Types:

Implement structural practices (e.g., facilities and structures for hydration stations, sanitary facilities, trash receptacles, and showers). Implement non-structural best management practices or measures (e.g., restore and rehabilitate riparian habitats degraded by encampments, trails, and latrines). Hold trainings, education and outreach workshops, and provide resources for agencies and people experiencing homelessness to increase behavioral results (e.g. using facilities and structures identified above, providing translation services to increase racial and social equity and accesss of grant funded and in kind services from partenering organizations to volunerable, underrepresented communities) excluding those required in a NPDES permit or order applicable to regulated stormwater discharges under CWA section 402(p), to foster diversity, inclusion, and equity, and to support the Human Right to Water for underrepresented, marginalized, and/or vulnerable communities and people experiencing homelessness.

Monitor discharge and/or ambient water quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving water quality and confirm the attainment of water quality standards).

Waterbody: Scott Creek including all tributaries (High-Quality Water)

Pollutant: NA

Implementation Project Types:

Implement management practices or enhance habitat in high-quality waters to protect beneficial uses such as preventing degradation to aquatic habitat for cold and warm freshwater fish species. Establish, re-establish, rehabilitate, and/or enhance riparian, wetland, and estuarine aquatic habitat to improve watershed functions and support beneficial uses e.g. cold fresh water habitat, warm fresh water habitat, estuarine habitat, wildlife habitat, rare threatened or endangered species-migration, spawning, reproduction and/or early development, commercial and sport fishing, and shellfish harvesting.

Monitor discharge and/or ambient water quality at or adjacent to CWA section 319(h) funded project sites to demonstrate project outcomes (e.g., determine the effectiveness of practices in improving water quality, document habitat condition improvement, and confirm the attainment of water quality standards).

Planning Project Types: Develop watershed-based plans (e.g., site selection, management practice selection, and preparation of concept design plans up to final designs, etc.) in the estuary and watershed.

Los Angeles Regional Water Board (Region 4)

Waterbody: Calleguas Creek

Pollutant: Nutrients and Pesticides

Implementation Project Types: 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.

Waterbody: Santa Clara River and Lakes

Pollutant: Nutrients and Pesticides

Implementation Project Types: 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.

Planning Project Types: Develop the *Santa Clara River Lakes Work Plan* to remediate contaminated lake sediments, which may include, but is not limited to, dredging, capping, *in-situ* treatment and riparian restoration.

Waterbody: Malibu Creek

Pollutant: Nutrients and Sediment

Implementation Project Types: Implement sediment retention management practices, nutrient management practices, and irrigation management practices at farms and golf courses. Implement manure management practices and runoff reduction management practices at horse/livestock facilities and ranches. Implement sediment reduction management measures and stream-riparian habitat restoration projects.

Waterbody: McGrath Lake

Pollutant: Pesticides and Sediment

Project Types: Implement sediment retention management practices, filtration management practices, tailwater recovery systems, tile drain treatment systems, irrigation management practices, and nutrient management practices.

Planning Project Types: Develop the *McGrath Lake Work Plan* to remediate contaminated lake sediments, which may include, but is not limited to, dredging, capping, *in-situ* treatment and riparian restoration.

Waterbody: Ventura River and tributaries

Pollutants: Nutrients, Pesticides, Indicator Bacteria and Sediment

Project Types: Implement nutrient management practices, irrigation management practices, sediment retention management practices, and filtration management practices. Implement manure management practices and runoff reduction management practices at horse/livestock facilities and ranches. Upgrade or convert septic systems on a large scale to address nutrient discharge from all or a portion of a community.

Waterbody: Marina del Rey Harbor

Pollutants: Toxicity

Project Types: Implement management practices to reduce copper loading from boats. Implement the *Contaminated Sediment Management Plan* for the Marina del Rey Harbor to remediate contaminated sediments, which may include, but is not limited to, dredging, capping, *in-situ* treatment and riparian restoration.

Central Valley Regional Water Board (Region 5)

Waterbody: Sacramento-San Joaquin Delta

Pollutant: Chlorpyrifos, diazinon and pyrethroids

Project Types: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies

Pollutant: Nutrients and Harmful Algal Blooms

Project Types: Implement management practices to reduce nutrient discharges and other constituents that contribute to eutrophication and/or Harmful Algal Blooms.

Pollutant: Indicator Bacteria

Project Types: Implement management practices (MPs) to reduce bacteria discharges to impaired waterbodies

Pollutant: Salt

Project Types: Implement management practices (MPs) to reduce salinity discharges to impaired waterbodies.

Waterbody: San Joaquin River Watershed (SJR)

Pollutant: Chlorpyrifos, diazinon and pyrethroids

Project Types: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies.

Pollutant: Nutrients and Harmful Algal Blooms

Project Types: Implement management practices to reduce nutrient discharges and other constituents that contribute to eutrophication and/or Harmful Algal Blooms.

Pollutant: Indicator Bacteria

Project Types: Implement management practices (MPs) to reduce bacteria discharges to impaired waterbodies.

Pollutant: Salt

Project Types: 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. Implement management practices (MPs) to reduce salinity discharges to impaired waterbodies.

Pollutant: Dissolved oxygen

Project Types: Implement management practices (MPs) in upstream watershed (lower San Joaquin River and its tributaries) to reduce nutrient discharges (aqueous and sediment-bound) upstream of the impaired reach of the Stockton Deep Water Shipping Channel; reduce discharge or transport of material that contributes to excess biological oxygen demand; implement MPs according to Irrigated Lands Regulatory Program (ILRP) management plans.

Pollutant: Selenium

Project Types: Implement activities that reduce the discharge of subsurface agricultural drainage and stormwater runoff from the Grassland Watershed to the San Joaquin River. Examples of such activities are described in the Westside Regional Drainage Plan, Long-term Stormwater Management Plan, and Grassland Bypass Project - Drainage Management Plan.

Waterbody: Clear Lake Watershed

Pollutants: Nutrients and Harmful Algal Blooms

Project Types: Implement best management practices to minimize erosion and transport of phosphorous and other constituents that contribute to Harmful Algal Blooms.

Waterbody: Sacramento River Watershed

Pollutant: Chlorpyrifos, diazinon and pyrethroids

Project Types: Implement management practices (MPs) to reduce toxicity and pesticide discharges to impaired waterbodies.

Pollutant: Nutrients and Harmful Algal Blooms

Project Types: Implement management practices to reduce nutrient discharges and other constituents that contribute to eutrophication and/or Harmful Algal Blooms.

Pollutant: Indicator Bacteria

Project Types: Implement management practices (MPs) to reduce bacteria discharges to impaired waterbodies

Pollutant: Salt

Project Types: Implement management practices (MPs) to reduce salinity discharges to impaired waterbodies.

Waterbody: American River Watershed

Pollutant: Nutrients and Harmful Algal Blooms

Project Types: Implement management practices to reduce nutrient discharges and other constituents that contribute to eutrophication and/or Harmful Algal Blooms.

Pollutants: Indicator Bacteria

Project Types: Implement management practices (MPs) to reduce discharges to surface waters in areas of the American River watershed that result in impairments from bacteria.

Waterbody: Battle Creek Watershed (High-Quality Water)

Pollutant: Sediment

Project Types: Implement best management practices to minimize erosion and transport of sediments in the Battle Creek Watershed.

Lahontan Regional Water Board (Region 6)

Waterbody: Blackwood Creek

Pollutant(s): Sediment and Nutrients

Project Types: Implement management measures to reduce sediment and nutrient discharges such as watershed restoration, enhancement, or other projects targeting nutrients and sediment; instream habitat and riparian restoration, and stream bank stabilization projects to reduce sediment and nutrient sources.

Waterbody: Indian Creek Reservoir

Pollutant: Nutrients

Project Types: Implement management measures to reduce nutrient discharges such as watershed restoration, enhancement, or other projects targeting nutrients; engineered nutrient treatment/ removal (passive or active) projects; pilot scale, or full-scale implementation, nutrient management/control projects.

Waterbody: Squaw Creek

Pollutant: Sediment

Project Types: Implement management measures to reduce sediment discharges such as watershed restoration, enhancement or other projects targeting sediment; instream habitat and riparian restoration including floodplain connectivity and stream bank stabilization projects to reduce sediment sources.

Waterbody: Tahoe, Lake

Pollutant: Sediment, nutrients, and aquatic invasive species associated with nutrient enrichment, Trash/litter

Project Types: Implement management measures to reduce nutrient and sediment discharges such as watershed restoration, enhancement or other projects targeting sediment, nutrients and aquatic invasive species. Deploy projects to reduce or remove trash from Lake Tahoe waterways.

Waterbody: Middle Truckee River Watershed

Pollutant: Sediment and Nutrients

Project Types: Implement management measures to reduce sediment and nutritent discharges to the Truckee River reach from Lake Tahoe dam through Town of Truckee such as watershed restoration, enhancement, or other projects targeting sediment; riparian restoration and stream bank stabilization projects to reduce sediment sources

Waterbody: Truckee River, Upper

Pollutant: Nutrients, Sediments, and Bacteria

Project Types: Implement management measures to reduce nutrient and bacteria transport mechanisms and pollutant loads to Lake Tahoe such as watershed restoration, enhancement, or other projects targeting nutrient transport mechanisms; riparian restoration, including floodplain connectivity and stream bank stabilization projects to reduce nutrient and sediment sources.

Waterbody: Bishop Creek

Pollutant: Bacteria

Planning Project Types: TMDL Vision Plan is in development. Develop a 9-element Watershed based Plan plan to address bacteria sources.

Implementation Project Types: Implement management measures to reduce bacteria discharges such as riparian or wetland restoration, structural (exclusion fencing) and irrigation range improvement measures (tail water recovery/treatment).

Waterbody: West Fork Carson River

Pollutant: Bacteria, Nutrient, and Sediment

Planning Project Types: ATMDL Vision Plan is in development. Develop a 9-element Watershed based Plan plan to address Bacteria, Nutrient, and Sediment.

Implementation Project Types: Implement management measures to reduce sediment, nutrient, and bacteria discharges such as watershed restoration, enhancement or other

projects targeting nutrients and sediment; instream habitat and riparian restoration, and stream bank stabilization projects to reduce sediment and nutrient sources and structural (exclusion fencing) and irrigation range improvement measures (tail water recovery/treatment).

Waterbody: Section 303(d) Listed Waterbodies

Pollutant: Pollutants listed per each respective 303d listed waterbody via the California 2018 Integrated Report

Planning Project Types: development of a 9-element plan or other planning projects associated with reducing listed pollutant(s) in the 303(d) listed impaired waterbody.

Colorado River Water Board (Region 7)

Waterbody: Alamo River

Pollutant: Sediment, Organophosphate and Organochlorine Compounds

Project Types: Implement management measures in TMDL-required water quality management plans (Water Management Plans) for agricultural drain discharges to reduce pollutants in impaired water body.

Waterbody: New River (International Boundary to Salton Sea)

Pollutant: Sediment, Organophosphate and Organochlorine Compounds

Project Types: Develop and implement TMDL-required Water Management Plans and other management measures for agricultural drain discharges to reduce pollutants in impaired water body.

Pollutant: Bacteria, trash, dissolved oxygen

Project Types: Develop and implement projects contained in the Strategic Plan: New River Improvement Project (December 2011). 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.

Waterbody: Imperial Valley Drains

Pollutant: Sediment, Organophosphate and Organochlorine Compounds

Project Types: Develop and implement TMDL-required Water Management Plans and other management measures for agricultural drain discharges to reduce pollutants in impaired water bodies.

Waterbody: Wiest Lake

Pollutant: Organophosphate and Organochlorine Compounds

Project Types: Develop and implement TMDL-required Water Management Plans and other management measures to reduce pollutants in impaired water body.

Waterbody: Coachella Valley Storm Channel

Pollutant: E. coli, PCBs, and Organochlorine Pesticides

Project Types: Develop and implement TMDL-required Water Management Plans and other management measures to reduce pollutants in impaired water body.

Waterbody: Palo Verde Outfall Drain and Lagoon

Pollutant: DDT and Toxaphene

Project Types: Develop and implement TMDL-required Water Management Plans and other management measures to reduce pollutants in impaired water body.

Santa Ana Regional Water Board (Region 8)

Waterbody: Newport Bay – Upper

Pollutant: Copper; Metals; Pathogens; Sediment; Organochlorine Compounds

Project Types: 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).

Waterbody: Newport Bay – Lower

Pollutant: Copper; Metals; Pathogens; Organochlorine Compounds

Project Types: Implement management measures/management practices to control ambient and 'natural' known sources of impairments; implement source control projects.

Waterbody: Newport Coast Watersheds (Buck Gully Creek, Morning Canyon Creek, Los Trancos Creek, Moro Canyon Creek, Aliso Creek)

Pollutant: Selenium, sediments, and pathogens

Project Types: Implement management measures/management practices that control ambient and 'natural' known sources of impairments; implement source control projects.

Waterbody: San Diego Creek Reach 1

Pollutant: Organochlorine Compounds, Nutrients, Sediments, Pathogens, Selenium

Project Types: 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).

Waterbody: San Diego Creek Reach 2

Pollutant: Nutrients, Sediments, Pathogens, Selenium

Project Types: 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).

Waterbody: Big Bear Lake and tributaries

Pollutant: Nutrients (and sediments to which nutrients bind)

Project Types: 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).

Waterbody: Canyon Lake and tributaries

Pollutant: Nutrients

Project Types: 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).

San Diego Regional Water Board (Region 9)

Waterbody: San Mateo Creek watershed

Pollutant: Invasive species

Project Types: Develop and implement management practices to protect and restore the RARE Beneficial Use for federal-endangered Southern California Steelhead from predation and competition of invasive organisms in San Mateo creek as proposed in the draft Invasive Species Total Maximum Daily Load..

Waterbody: Shelter Island Yacht Basin – San Diego Bay

Pollutant: Copper

Project Types: 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.

Waterbody: Rainbow Creek Watershed

Pollutant: Total Nitrogen; Total Phosphorus

Project Types: 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.

Waterbody: Santa Margarita River Estuary Watershed

Pollutant: Nutrients

Project Types: 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).

Waterbody: Beaches in the San Diego Region

Pollutant: Indicator Bacteria

Project Types: 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.

Waterbody: Baby Beach in Dana Point Harbor

Pollutant: Indicator Bacteria

Project Types: 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.

Waterbody: Tijuana River Valley

Pollutant: Sediment, Trash, Bacteria

Project Types: 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.

Waterbody: Loma Alta Slough Watershed

Pollutant: Phosphorous

Project Types: 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.

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 (WBPs) 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). 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.

WBPs 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. WBPs 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, WBPs 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 WBPs intended to address water quality impairments. U.S. EPA’s Handbook identifies the nine elements that WBPs must address. These elements are summarized below. However, they do not necessarily take place sequentially. The level of detail needed to address each of the nine elements of a WBP will vary. 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. See U.S. EPA’s Handbook for more information.

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.

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.

U.S. EPA requires that projects funded under CWA section 319 directly implement a WBP addressing the nine elements (except in select cases, such as when there is an EPA-approved Alternative WBPs). U.S. EPA encourages utilization of relevant planning documents that contain some or all the information needed to fulfill the elements of a WBP. Where information already exists, is representative of current conditions, and is of enough 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 7 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 Grant Program webpage) (https://www.waterboards.ca.gov/water_issues/programs/nps/docs/319grants/2017/2017_fp_attach%20_h_9_element_verify%20_table.pdf) 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)

Appendix 2: Definitions

Applicant - 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 - 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 - the uses that streams, lakes, rivers, and other water bodies, have to humans and other life. They 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 freshwater 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.

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.

Critical Coastal Areas – California's Critical Coastal Areas program aims to foster collaboration among local stakeholders and government agencies, to better coordinate efforts to protect high resource-value coastal waters from polluted runoff. This non-regulatory program, which is part of the state's NPS Program, is coordinated by Coastal Commission staff.

Disadvantaged Community – a community with an annual median household income that is less than 80% of the statewide annual median household income (Wat. Code, § 79505.5 (a).).

Environmental Justice –defined by California statute as "The fair treatment of people and meaningful involvement of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." (Gov. Code, § 65040.12.).

Forest lands – per California Public Resources 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 – funds made available by the applicant, for work performed according to the grant agreement terms and scope of work, to be applied toward eligible project costs. 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 – a recipient of grant funding under these Guidelines.

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

High-Quality Water – waters in Category 1 of the 2018 California Integrated Report as approved by State Water Board and U.S. EPA.

Human Right to Water – declaration per Assembly Bill 685 that legislatively recognizes 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.

Hydrologic Unit Code - 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 – 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 – on-the-ground TMDL/watershed plan actions targeted toward achieving water quality goals.

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 – 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. In January 2000, the State Water Board and California Coastal Commission released California's Management Measures for Polluted Runoff (CAMMPR)

(https://www.waterboards.ca.gov/water_issues/programs/nps/docs/plans_policies/nps_progplan_vii.pdf), which describes a total of 61 management measures in each of the major categories of nonpoint source pollutions: (1) agriculture; (2) forestry; (3) urban areas; (4) marinas and recreational boating; (5) hydromodification; and (6) wetlands, riparian areas, and vegetated treatment systems.

Management Practices – practices that include, but are not limited to, structural and nonstructural controls. 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, 2023.

Nonpoint Source Pollution (NPS) – 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 2020-2025, California – State Water Board plan developed in collaboration with the Regional Water Boards and the California Coastal Commission. Anticipated approval of the plan is September 2020. 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 - 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 - areas and waterbodies identified by the Water Boards for which funding will be prioritized (see Section E: NPS Grant Program Preferences).

Nonprofit Organization – 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:

A) "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."

B) "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 – the decrease of a pollutant (in mass or concentration) in the impaired waterbody resulting from the implementation of the project.

Private Party/Entity – an entity that is not a unit of government including, but not limited to, a corporation, partnership, company, nonprofit organization or other legal entity or natural person.

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

Project Area - 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 – all the supporting documentation submitted by the applicant that details the project and actions that are proposed for funding pursuant to an application for a grant.

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

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

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

Regional Agency – 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 – a list of impaired waters prepared by states per Clean Water Act section 303(d). 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 – a legal term defining the area where the State of California has financial responsibility for wildland fire protection. See Board of Forestry and Fire Protection State Responsibility Area Viewer (https://bofdata.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/) for a map of state responsibility areas.

Stakeholder – an individual, group, coalition, agency, or others who are involved in, affected by, or have an interest in the implementation of a specific program or project. 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 of State and Regional Water Board staff, U.S. EPA representative(s), and the Coastal Commission that reviews the eligibility of the applicant and project, in addition to evaluating, scoring, and ranking the proposals for funding.

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.

TMDL Alternatives include “A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program” or “Vision Plans. For more information on Vision Plans, please see EPA guidance (https://www.epa.gov/tmdl/new-vision-implementing-cwa-section-303d-impaired-waters-program-responsibilities#vision).

Appendix 3: Environmental Review Process

Purpose

This appendix details steps the applicants must take to comply with environmental review requirements for the 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 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 emphasized in this appendix.

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. Grantees are responsible for obtaining all CEQA documentation for all project sites, including project sites included in subcontracts, and submitting it to the State Water Board. 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 & 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 the California Natural Resource Agency's CEQA website (https://resources.ca.gov/About-Us/Legal/CEQA-Supplemental-Documents).

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 must be the lead agency. If the State Water Board will 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 using 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.

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.

DETAILED PROCEDURES

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:

- direct effects;
- reasonably foreseeable indirect effects;
- expert disagreement;
- considerable contribution to cumulative effects; and
- special thresholds for historical and archaeological resources.

If an applicant can determine that an EIR will clearly be required for the project, an Initial Study is not required but may still be desirable to focus the analysis of impacts.

The Initial Study must include:

- a project description;
- an environmental setting;
- potential environmental impacts;
- mitigation measures for any significant effects;
- consistency with plans and policies; and
- the names of preparers.

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

If the project has no significant effect on the environment, the applicant should prepare a ND (or MND) and Initial Study (CEQA Guidelines, section 15371).

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:

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

For Mitigated Negative Declarations (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:

- the review period;

- the time and location of any public meetings or hearings on the proposed project;
- a brief project description; and
- the location that copies of the proposed ND or MND is available forreview.

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.

Notice of Completion

Draft environmental documents must be submitted to the State Clearinghouse for review by state agencies (CEQA Guidelines, section 15205). The applicant must 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), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

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

On the back of the form, applicants should select 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 of the CEQA Guidelines).

NPS Implementation Program Funding Requirements

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. 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 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.

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:

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

Appendix 4: Funding Match

Proposals for the NPS Grant Program must include a funding 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), unless the applicant qualifies and applies for a full or partial match waiver (see Appendix 5), or the proposal is a post-fire recovery proposal. Match funding may be provided by state, federal, or local organizations, and may include donated funds, other grants, volunteer services, and in-kind services. The State Water Board reserves the discretion to review and approve funding match sources and expenditures.

Applicants may start using match funds after being formally notified by email from the State Water Board that its proposal has been approved for funding. However, using the funding match before the grant agreement is executed is at the risk of the applicant. 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. All match funding must be applied to eligible project costs and work performed according to the grant agreement terms and scope of work.

Match funding is calculated using total eligible project cost, or the requested grant amount plus match, as shown in the examples below.

Match Requirement Example 1

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.

Total Project Cost = $350,000

Funding Match = 0.25 X $350,000 = $87,500

Grant Request = $350,000 - $87,500 = $262,500

Match Requirement Example 2 (Septic System Upgrade or Conversion)

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.

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

Appendix 5: Request for Reduction or Waiver of Funding Match for Disadvantaged Communities

To qualify for a reduction or waiver of funding match, the project must benefit a disadvantaged community. The mere presence of a project within a disadvantage community is not enough cause to grant a reduction or waiver of the funding match requirement. The disadvantaged community must be involved in the implementation of the project. Supporting information that demonstrates how the disadvantaged community is, or will be, involved in the implementation of the project is required as described below.

Applicants requesting a full or partial reduction in match must provide the following information as Attachment G, as well as a signed certificate of understanding (Exhibit A). The State Water Board will use this supporting information to determine, at its discretion, if an applicant's project proposal is in or benefits a disadvantaged community for the purposes of approving a waiver or reduction of the required funding match.

1. Describe the anticipated benefits to the disadvantaged community from the proposed project. The explanation should include the nature of the anticipated benefit, the certainty that benefit will accrue if the project is implemented, and which disadvantaged community in the project area will benefit.
2. A map with sufficient geographic detail to define the boundaries of the disadvantaged community.
3. 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.
4. Provide annual median household income data for disadvantaged communities in the project area.
5. Provide information on amount and type of direct benefit(s) the project(s) provides to the disadvantaged community(ies).
6. Describe past, current, and/or future efforts to include disadvantaged community representatives in the planning and/or implementation process.
7. 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.
8. The following data requirements must be met:
    - Median household income (MHI) and population data sets must be from the 2020 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.

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 data.census.gov (https://data.census.gov/cedsci/). 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 2020 Census geographies that best represent the project area. However, the census geography used must be consistent for 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 disadvantaged community must be provided. For assistance with accessing census data, see the Census Bureau's website (https://www.census.gov/) or data.census.gov (https://data.census.gov/cedsci/). 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.

Applicants can also use CalEnviroScreen (https://oehha.ca.gov/calenviroscreen), 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.

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.

Disadvantaged Community – a community with an annual MHI that is less than 80% of the statewide MHI (Wat. Code, §79505.5 (a).).

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 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, at its discretion, make a decision to accept, modify, or deny an applicant's requested reduction.
- Should the proposal be chosen for funding, but the requested reduction in funding match be rejected or modified, the applicant is responsible for costs exceeding the grant funding amount to complete the project.
- The granting agency will rescind the grant award if the applicant 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 6: 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. A funded grantee will be required to complete a PAEP following grant execution.

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. Grantees must prepare a PAEP as part of the grant agreement, which will include the performance measures tables.

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.

Project Performance Measures Table

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.

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), 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.

Appendix 7: Grant Coordinators List

NORTH COAST REGION (1)

Carrieann Lopez - Carrieann.Lopez@Waterboards.ca.gov
5550 Skylane Boulevard, Suite A Santa Rosa, CA 95403
OFFICE: (707) 576-6745

Michele Fortner - Michele.Fortner@waterboards.ca.gov
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SAN FRANCISCO BAY REGION (2)

Laurie Taul – laurie.taul@waterboards.ca.gov
1515 Clay Street, Suite 1400, Oakland, CA 94612
OFFICE: (510) 622-2508

CENTRAL COAST REGION (3)

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

LOS ANGELES REGION (4)

Elisha Wakefield – Elisha.Wakefield@waterboards.ca.gov
320 West Fourth Street, Suite 200 Los Angeles, CA 90013
OFFICE: (213) 576-6785

CENTRAL VALLEY REGION (5)

Holly Grover – Holly.Grover@waterboards.ca.gov
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

OFFICE: (916) 464-4747

LAHONTAN REGION (6)

Mo Loden - Mo.loden@waterboards.ca.gov

2501 South Lake Tahoe Blvd. South Lake Tahoe, CA 96150

OFFICE: (530) 542-5450

COLORADO RIVER BASIN REGION (7)

Francisco Costa - Francisco.Costa@waterboards.ca.gov

73720 Fred Waring Drive, Suite 100 Palm Desert, CA 92260

OFFICE: (760) 776-8937

SANTA ANA REGION (8)

SueAnn Neal - SueAnn.Neal@waterboards.ca.gov

3737 Main Street, Suite 500, Riverside, California 92501-3339

OFFICE: (951) 782-4468

SAN DIEGO REGION (9)

Ben Neill – Ben.Neill@waterboards.ca.gov

2375 Northside Drive, Suite 100 San Diego, California 92108

OFFICE: (619) 521-3376

STATE WATER BOARD

Jeanie Mascia - Jeanie.Mascia@waterboards.ca.gov

Division of Water Quality 1001 I Street, 15th Floor Sacramento, CA 94244

OFFICE: (916) 323-2871

FAAST and Funding Match Questions:

Tamis Reed – Tamis.Reed@waterboards.ca.gov

Division of Financial Assistance 1001 I Street, 16th Floor Sacramento, CA 94244

OFFICE: (916) 341-5638

General FAAST Issues with Uploading Documents and Attachments

OFFICE: 1-866-434-1083

FAAST_ADMIN@waterboards.ca.gov

U.S. EPA REGION 9

Sue Keydel - keydel.susan@epa.gov

OFFICE: 619-321-1961

Appendix 8: 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") in December 2013. The Uniform Guidance is a government-wide framework for grants management.

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?

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 has never had a federally recognized indirect cost rate agreement?

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?

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?

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.

5) Can grantees use indirect costs in excess of 10% of the MTDC as match funds?

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.

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 2 C.F.R. § 200.413(d). 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?

No. However, grantees must retain documentation of their indirect costs for audit purposes.

Appendix 9: 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. 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.

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

Organization	Contact Name	Contact Number/Info	Notified? When?
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	
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

Appendix 10: Monitoring Plans and Quality Assurance Project Plans

When conducting water quality monitoring, the Grantee shall develop and maintain a quality assurance project plan (QAPP) containing a detailed monitoring plan (MP) to ensure the project data are of known, consistent, and documented quality. The QAPP/MP shall be developed using the Guidance for Quality Assurance Project Plans, EPA QA/G-5 (EPA/240/R2/009, 2002). The QAPP shall be submitted to and approved by a Regional Water Quality Control Board (Regional Water Board) Project Manager and State Water Board Quality Assurance manager prior to beginning any data collection or use activities. The QAPP shall be updated and re-submitted to the Regional Water Board for approval when significant changes are made that would affect the overall data quality and use (e.g., using a new analytical chemistry laboratory) or at least annually if any changes are made.

For the NPS Grant Program, MPs may be combined with QAPPs. In general, QAPPs describe the activities involved with acquiring environmental data whether it is generated from direct measurements, collected from other sources, or compiled from computerized databases and information systems. The level of detail in a QAPP is dependent on the type of work being proposed, the intended use of the data, and the risk involved in using inadequate data for the project.

In general, a QAPP addresses the following basic elements:

- who will use the data;
- what the project's goals/objectives/questions or issues are;
- what decision(s) will be made from the information obtained;
- how, when, and where project information will be acquired or generated;
    - sampling methods
    - analytical methods
    - instrument/equipment testing, inspection, and maintenance
    - data management
- what possible problems may arise and what actions can be taken to mitigate their impact on the project;
- what type, quantity, and quality of data are specified;
- how "good" those data have to be to support the decision to be made; and
- how the data will be analyzed, assessed, and reported.