2014 Clean Water Act (CWA) 319(h) Nonpoint Source (NPS) Grants Program

Concept Proposal Webinar

CALIFORNIA
Water Boards
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

Applicant Workshop Objectives

- Define NPS Pollution and Management Measures/Practices
- Review applicant eligibility, project eligibility, project match and CWA 319(h) Program Preferences
- Highlight keys to successful project selection
- Review timeline for grant application, review, and award

Clean Water Act 319(h)

- Purpose: To address nonpoint source (NPS) pollution.

- Funding: Program and project funding provided by the U.S. Environmental Protection Agency (U.S. EPA) to states, territories and tribes.

Definition of NPS Pollution

What is NPS pollution?

- "Nonpoint source" means any source of water pollution that does not meet the legal definition of a "point source".
  - Per CWA 502(14) a "point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

Definition of NPS Pollution (con't)

Unlike pollution from industrial and sewage treatment plants, nonpoint source (NPS) pollution comes from many diffuse sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters and ground waters.

Definition of NPS Pollution (con't)

Nonpoint source pollution can include:

- Excess fertilizers, herbicides and pesticides from agricultural lands and residential areas;
- Oil, grease and toxic chemicals from urban runoff and energy production;
- Sediment from improperly managed construction sites, crop and forest lands, and eroding stream banks;
- Salt from irrigation practices and acid drainage from abandoned mines;
- Bacteria and nutrients from livestock, pet wastes, and faulty septic systems; or
- Atmospheric deposition and hydromodification.

Why Do We Use the Term "Management Measures" (MMs) and What Does It Mean

- Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) require implementation of MMs in six land use categories:

1. Agriculture
2. Forestry (Silviculture)
3. Urban
4. Marinas and Recreational Boating
5. Hydromodification
6. Wetlands, Riparian Areas, and Vegetated Treatment Systems

- The State is committed to implementing the 61 NPS MMs by 2013 consistent with Federal Administrative Guidance.

Definition of Management Measure

- **Management Measure (MM)** – defined in section 6217 of CZARA as economically achievable measures to control the addition of pollutants to our coastal waters, which reflect the greatest degree of pollutant reduction achievable through the application of the best available NPS pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.

Definition of Management Practice (MP)

Management Practice (MP) – activities that include, but are not limited to, structural and non-structural (operational) controls which may be applied before, during and after pollution producing activities to eliminate or reduce the generation of NPS discharges and the introduction of pollutants into receiving waters.

Program Requirements

- Approximately $4.0 million will be made available for this Solicitation
- Implementation and Planning/Assessment Projects
- Minimum 25% match of **total project cost** (75% for septic system upgrades) (may be waived for a Disadvantaged Community [DAC])
- Must meet 2014 CWA 319(h) Program Preferences

Applicant Eligibility

- Local public agencies
- Public agencies
- Public colleges
- 501 (c)(3) nonprofit organizations
- Federally recognized Indian tribes
- Federal and state agencies

Project Eligibility: Planning/Assessment Projects

- Approximately $1.0 million available
- Minimum grant amount= $75,000
- Maximum grant amount= $175,000
- Maximum grant period is two (2) years.
- Activities that improve watershed plans by carrying out targeted planning/assessment efforts that clearly lead to implementing activities to achieve quantifiable water quality goals.

Project Eligibility: Implementation Projects

- Approximately $3.0 million
- Minimum Grant Amount= $250,000
- Maximum Grant Amount= $750,000
- Maximum grant period is three (3) years.
- Implement on-the-ground activities that control NPS pollution to achieve quantifiable water quality benefits identified in TMDLs and comprehensive watershed plans

Additional Project Eligibility

- **National Pollutant Discharge and Elimination Discharge Systems (NPDES) and Municipal Storm Water Separate Sewer System (MS4)**
  - Implementation and Planning/Assessment Projects that are within the boundaries of a NPDES permitted urban, area-wide storm water program can be considered provided that those projects are in areas that are not directly tributary to a MS4, do not involve operation of the MS4, and/or address land use activities specifically excluded by the permit.

Project Eligibility: Proposal Content

Project Eligibility: Proposal Content

- Must include planning/assessment or implementation activities that contribute to reduced pollutant loads as called for in a TMDL.
- Must implement activities that are part of watershed plans that address the U.S. EPA Nine Key Elements of a Watershed-based Plan.
- Must be included in RWQCB's NPS Program Preferences.
- Must ensure the continued proper operation and maintenance of all management practices.

Project Eligibility: Proposal Content (con't)

NPS Program Preferences

- Designed to achieve water quality goals for watersheds and pollutants identified.
- Are watersheds with an adopted/nearly adopted TMDL addressing the constituent of concern.
- Regions prioritize 3-5 watershed to focus water quality efforts in order to demonstrate measurable improvement.
- Located in Section I of Attachment 1 - Program Guidelines of the Solicitation Notice

Project Eligibility: Program Preferences

North Coast RWQCB

TMDL Watershed	Implementation Projects TMDL Constituent(s)	Planning Projects TMDL Constituent(s)
Navarro River	<u>Temperature:</u> Off-stream storage, roof top catchment systems, water use efficiency projects, and any other water conservation measures to reduce summer diversions / increase summer flows. <u>Sediment:</u> Sediment source reduction projects for roads <u>Sediment/Temperature:</u> Riparian planting. Farm and/or vineyard water quality management plan development, implementation, and/or monitoring. Development of 3rd party farm and/or vineyard water quality management programs.	<u>Temperature:</u> Coordinated diversion planning to ensure adequate flows and temperatures to sustain beneficial uses <u>Sediment:</u> Develop erosion control plans to address sediment pollution associated with agricultural activities, grazing, rural roads, and forestlands. <u>Sediment/Temperature:</u> Develop plans to address sedimentation issues in the riparian zone through restoration actions, such as: stream bank stabilization through bioengineering, increasing in-stream habitat complexity, introduction of large woody material, and regeneration of native plant communities.

Project Eligibility: Match

Funding Match Requirements

- Minimum 25% match of the **total project cost**
  - 75% for septic system upgrades
  - May be waived / reduced if Disadvantaged Community criteria met.
- Must be non-State funded match.
  - State Agencies may use State funds for match.

Reimbursable Expenses

- Only direct costs related to projects are eligible for reimbursement
- Timeframe: Only work performed within terms of grant agreement

Project Eligibility: Match

Funding Match Calculation Example

Total Project Cost	Grant and Fund Match Using the Minimum Funding Match Requirement (25% of total)	
	Funding Match	**Grant Funds**
$750,000	0.25 x $750,000 = **$187,500**	$750,000 – $187,500 = **$562,500**

***See Section D, Page 9 of Attachment 1 of the Solicitation Notice for Reduced Funding Match Calculation**

Project Eligibility: Match

Funding Match Calculation Septic System Example

Total Project Cost	Grant and Fund Match Using the Minimum Funding Match Requirement for Septic System Upgrades (75% of total)	
	Funding Match	**Grant Funds**
$750,000	0.75 x $750,000 = **$562,500**	$750,000 – $562,500 = **$187,500**

***See Section D, Page 9 of Attachment 1 of the Solicitation Notice for Reduced Funding Match Calculation**

Project Eligibility: Watershed Plans

- Implementation Projects must be consistent with watershed plans that address the US EPA's Nine Key Elements
- Planning/Assessment Projects must have elements 1 – 3 of the Nine Key Elements fully developed and includes one of the following:
  - Completes watershed planning and assessment to fully address all Nine Key Elements
  - Provide information necessary to fully develop at least one of the missing or partially-completed elements.
  - Complete other priority planning/assessment activities, and provide a brief description of how the missing or incomplete elements of the Nine Key Elements will be completed, including remaining work to be done, what entities will complete the work, and a time schedule for completion of remaining elements.

Nine Key Elements for Watershed-Based Plans per CWA Section 319

- **Element 1: Causes and Sources**
  Clearly define the causes and sources of impairment (physical, chemical, and biological).

- **Element 2: Expected Load Reductions**
  An estimate of the load reductions expected for each of the management measures (MMs) or management practices (MPs) to be implemented (recognizing the natural variability and the difficulty in precisely predicting the performance of MMs/MPs over time).

Nine Elements (continued)

- **Element 3: Management Measures**
  A description of the management measures or management practices and associated costs that will need to be implemented to achieve the load reductions estimated in this plan and an identification (using a map or a description) of the critical areas where those measures are needed.

- **Element 4: Technical and Financial Assistance**
  An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan.

Nine Elements (continued)

- **Element 5: Information/Education**
  An information/education component that will be used to enhance public understanding of the project and encourage their early and continued participation in selecting, designing, and implementing management measures.
- **Element 6: Schedule**
  A schedule for implementing management measures identified in this plan that is reasonably expeditious.
- **Element 7: Measurable Milestones**
  A schedule of interim, measurable milestones for determining whether the management measures and management practices, or other control actions are being implemented.

Nine Elements (continued)

- **Element 8: Evaluation of Progress**
  A set of criteria that can be used to determine whether load reductions are being achieved over time and substantial progress is being made towards attaining water quality standards and, if not, the criteria for determining whether the plan needs to be revised or, if a TMDL has been established, whether the TMDL needs to be revised.
- **Element 9: Monitoring**
  A monitoring component to evaluate the effectiveness of the implementation efforts over time, measured against the criteria established in the Evaluation of Progress element.

Clean Water Act 319(h) RFP Requirements (con't)

Concept Proposal (CP)

- Provides a general overview of the project by addressing specific questions including how it:
  - Conforms to U.S.EPA's "Nine (9) Minimum Elements to be Included in a Watershed Plan for Impaired Waters Funded Using Incremental CWA Section 319 Funds"
  - Coordinates with other related water quality improvement efforts in the watershed
  - Implements actions that achieve the water quality goals of the TMDLs in the watershed
- Applications are reviewed by a panel consisting of representatives from the nine Regional Water Quality Control Boards, State Water Board, and U.S.EPA (Review Panel).
- Approved CP applicants will advance to the Full Proposal (FP) phase where they will submit an expanded proposal.

Clean Water Act 319(h) RFP Requirements (con't)

Keys to Successful Project Selection

- Work with Regional Board CWA 319 Grant agreement liaison;
- Demonstrate project feasibility;
- Demonstrate security of match requirement; and
- Demonstrate stakeholder involvement and coordination.

Project Timing:

- Grant Agreement Finalized by — June 30, 2015
- Final Project Report
  - Planning/Assessment — June 1, 2017
  - Implementation — June 1, 2018
- Project End Date
  - Planning/Assessment — June 30, 2017
  - Implementation — June 30, 2018
- Final Invoicing
  - Planning/Assessment — July 31, 2017
  - Implementation — July 31, 2018

Grant Application Review and Selection Timeline

- Concept Proposal Apps Due — Sept 12, 2013
- Invitation for Full Proposals — Nov 18, 2013 (Tentative)
- Full Proposal Apps Due — Jan 16, 2014 (Tentative)
- SWRCB Exec. Director Approval — May 2014

How to Submit Your Concept Proposal

- Submitted via Financial Assistance Application Submittal Tool (FAAST)

  https://faast.waterboards.ca.gov

- **Due by 5:00 PM on Thursday, September 12, 2013**
- FAAST Questionnaire
  - Implementation Projects - Mandatory 6 page narrative attachment (not including Map and Budget).
  - Planning/Assessment Projects- Mandatory 5 page narrative attachment not including Map and Budget).
  - Specific instructions are in Attachment 2 of the Solicitation Notice.

For More Information

- PROGRAM QUESTIONS
  - Solicitation Notice, Attachments are posted

http://www.waterboards.ca.gov/water_issues/programs/nps/solicitation_notice.shtml

  - Contact your State Water Board, Regional Water Board, or U.S. EPA Grant Coordinators listed in Appendix 7 of the Program Guidelines and Attachment 3 of the Solicitation Notice

- FAAST ONLINE APPLICATION
  - Email FAAST_ADMIN@waterboards.ca.gov or
  - Call 1-866-434-1083 M-F, 8 am-5 pm